

ECHR Case law – Judgments and Admissibility Decisions involving Croatia since 6 November 1997

Explanatory noteⁱ

Applicant	Status	Date of application	Date of decision	Domestic law	Alleged violation	ECHR Decision	Legal basis
1. Bacic	A	22/12/01	11/12/03 17/10/02	Article 180 Civil Obligations Act	Right of access to a court Length of proceedings Right to property Right to freedom and security Abuse of power by authorities	A A I I I	Complaints on Art 1 Prot 1 and Art 8 inadmissible <i>rationae temporis</i> , complaint on Article 17 ECHR manifestly ill-founded
2. Badovinac	A	12/02/02	23/10/03 07/11/02	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right of respect of home Discrimination	A A I I	Court notes 'that ... proceedings in question ... were de facto stayed on 17 January 1996 ...' and that the applicant 'was deprived of his right of access to a court at least until the enactment of new legislation on 14 July 2003' and that it follows 'that the situation complained of continued event after the ratification of the convention' leading to the competence of the Court <i>ratione temporis</i> Complaints on Art 1 Prot 1 and Art 8 inadmissible <i>rationae temporis</i> , complaint on discrimination manifestly ill-founded
3. Boca	A	13/02/02	16/12/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	Court refers to <i>Crnojevic</i> case
4. Bubas	A	19/02/02	29/02/04	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	<i>c. Government argued that Article 13 did not apply to a situation where an applicant is directed against a law. Furthermore they asserted that the application of Article 6(1) of the Convention concerning the applicant's right of access to a court excluded the application of the applicant's right to an effective remedy under Article 13 because there as no separate issue in this respect.</i>
5. Crnojevic	A	15/02/01	29/04/03	Article 180 Civil Obligations Act	Right of access to a court	A	ECHR considers that decision of the CC 'which would rule on the constitutionality of legislation is not a means by which a possible violation of the applicant's right of access to court would be addressed.' If the CC finds the challenged legislation unconstitutional 'a likely consequence ... would be enactment of different legislation by Parliament ...'.
6. Divjak	A	13/02/02	16/12/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	Court refers to <i>Crnojevic</i> case

7. Dodos	A	01/02/02	16/12/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	Court refers to <i>Crnojevic</i> case
8. Grubisic	A	25/02/02	29/01/04	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	<i>c. Government argued that Article 13 did not apply to a situation where an applicant is directed against a law. Furthermore they asserted that the application of Article 6(1) of the Convention concerning the applicant's right of access to a court excluded the application of the applicant's right to an effective remedy under Article 13 because there as no separate issue in this respect.</i>
9. Klajic	A	18/12/01	11/12/03	Article 180 Civil Obligations Act	Right of access to a court	A	see also <i>Crnojevic v. Croatia</i>
10. Lalic	A	13/02/02	16/12/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	Court refers to <i>Crnojevic</i> case
11. Marinkovic	A	20/12/01	16/12/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	Court refers to <i>Crnojevic</i> case recalling that 'a constitutional court complaint challenging the legislation in question did not represent a remedy to be exhausted'
12. Markovic	A	09/01/02	16/12/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	Court refers to <i>Crnojevic</i> case
13. Miscevic	A	19/02/02	16/12/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	Court refers to <i>Crnojevic</i> case
14. Plavsic	A	26/02/02	29/01/04	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	Court refers to <i>Crnojevic</i> case and <i>Kutic</i> case

15. Surla	A	07/02/02	16/12/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy	A A	Court refers to <i>Crnojevic</i> case
16. Varicak	A	08/03/01	11/12/03	Article 180 Civil Obligations Act (second complaint on length of proceedings in a civil action against a third party)	Right to an effective remedy (war damage case) Length of proceedings (civil action case) Right to property Discrimination	Ad I I	Court notes that ' <i>in respect of both Acts ... a constitutional complaint challenging the legislation in question did not represent a remedy to be exhausted</i> ' (<i>Crnojevic v. Croatia</i> , and <i>Acimovic v. Croatia</i>) Length of proceedings complaint inadmissible due to non-exhaustion of domestic remedies, ie CC (<i>Slavicek v. Croatia</i> , <i>Nogolica v. Croatia</i>) Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i>
17. Bulat	A	31/10/01	11/12/03	Article 184a Act on Amending Civil Obligations Act 1999	Right of access to a court	A	Court holds that constitutional complaint challenging legislation in question is not a remedy to be exhausted (<i>Acimovic v. Croatia</i>)
18. Meznaric	A	25/06/01	11/12/03	Impartial tribunal Article 26 (6) Constitutional Act on Constitutional Court	Right to fair trial (hearing)	A	Constitutional judge, who previously represented the opponent party in the case, sat on the panel deciding on his constitutional complaint
19. Cenbauer	A	14/01/97	05/02/04	Prison Conditions Lepoglava State Prison	Inhuman and degrading treatment Ill-treatment	A I	1. Complaint of inhuman and degrading treatment: Applicant served a 12 years' prison sentence, partly in Lepoglava State Prison; complained about prison conditions in wing B of the prison as well as medical care (see also <i>Benzan v. Croatia</i>). ECHR also discussed domestic remedies and concludes that no effective remedy to be exhausted was available, including CC complaint. 2. Complaint of ill-treatment: rejected as manifestly ill-founded because the applicant could not substantiate his complaint with sufficient evidence.

20. Kostic	A	02/05/01	08/01/04	Property Right Eviction not carried out for more than two years	Right to peaceful enjoyment of possession Discrimination	A I	Applicant complained under Article 1 Protocol 1 Applicant repossessed his house in Nov 2001, but only three years after eviction order was issued <ul style="list-style-type: none"> ▪ Court reviews directly merits of the complaint on the right to property – not lack of execution ▪ Court also holds that ‘<i>constitutional complaint ... [is not necessary] in a situation which concerns non-enforcement of a decision in the applicant’s favour for a prolonged period of time</i>’ and after ‘<i>a final judgment confirming his ownership</i>’ ▪ Court held that Program for Return applied to every person irrespective of its origin
21. Bijelic	Ad	22/07/02	12/02/04	Article 180 Civil Obligations Act	Right of access to a court Right to property	Ad I	Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i>
22. Cakalic	Ad	26/03/02	15/09/03	Article 180 Civil Obligations Act	Right of access to a court Right to respect for home Right to personal security Right to work	Ad I I I	Article 6 (1) ECHR Article 8 ECHR inadmissible <i>ratione temporis</i> , right to personal security manifestly ill-founded, right to work inadmissible <i>ratione materiae</i>
23. Canak	Ad	18/02/02	22/05/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right to property	Ad Ad I	Destruction of property was an ‘ <i>instantaneous act of deprivation of property which did not create any continuous situation</i> ’ – inadmissible <i>rationae temporis</i> ; legislative interference in 1996 also took place before Convention entered into force
24. Dobrotinic	Ad	27/02/02	13/02/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right to property	Ad I I	Destruction of property was an ‘ <i>instantaneous act of deprivation of property which did not create any continuous situation</i> ’ – inadmissible <i>rationae temporis</i>
25. Dragicevic	Ad	31/01/02	19/12/02	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right to property Discrimination	Ad Ad I I	Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i>
26. Mihajlovic	Ad	19/04/02	18/09/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right to property	Ad Ad I	Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i> ; ECHR makes reference to remedies under the new Law on Terrorist Acts and Reconstruction Act

27. Pavkovic	Ad	01/02/02	05/06/03	Article 180 Civil Obligations Act	Right of access to a court Right to property Right not to be expelled Discrimination Inhuman or degrading treatment Abuse of power by domestic authorities	Ad I I I I I	Discrimination: <i>Court recalls that according to its established case-law regarding the scope of the guarantee provided under Article 14, a difference in treatment is discriminatory if 'it has no objective and reasonable justification', that is, if it does not pursue a 'legitimate aim' or if there is no 'reasonable relationship of proportionality between the means employed and the aim sought to be realized', in the present case law applies equally to all persons in applicant's position</i>
28. Svagonja	Ad	09/07/02	03/02/04	Article 180 Civil Obligations Act	Right to access to a court Right to property	A I	Right to property claim declared inadmissible <i>ratione temporis</i>
29. Svilokos	Ad	03/05/02	18/09/03	Article 180 Civil Obligations Act	Right of access to a court Right to property	Ad I	Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i> ; ECHR makes reference to remedies under the new Law on Terrorist Acts and Reconstruction Act
30. Tomasic	Ad	18/05/02	11/12/03	Article 180 Civil Obligations Act 2.-8. Other, not substantiated complaints	Length of proceedings Right to an effective remedy Various ECHR articles	Ad Ad I	
31. Zovanovic	Ad	07/03/02	09/01/03	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right to property	Ad Ad I	Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i>
32. Dragovic	Ad	31/01/02	09/01/03	Article 184a Act on Amending Civil Obligations Act 1999	Right of access to a court Discrimination Abuse of rights by domestic authorities	Ad I I	No discrimination (Article 14), no abuse of power by domestic authorities (Article 17)
33. Katic	Ad	22/11/01	28/11/02	Article 184a Act on Amending Civil Obligations Act 1999	Right to a fair trial Right of property Discrimination	Ad I I	Applicant's vehicle was confiscated in 1991, this was an <i>'instantaneous act of deprivation of property which did not create any continuous situation'</i> – inadmissible <i>rationae temporis</i>
34. Urukalo	Ad	22/05/02	08/01/04	Article 184a Act on Amending Civil Obligations Act 1999	Right to a fair trial Right of property	Ad I	Right to property (due to non-ability of the applicant to receive compensation for the damages) declared inadmissible <i>rationae temporis</i>

35. Debelic	Ad	02/01/03	11/12/03	Article 63 (1) Constitutional Act on Constitutional Court Civil action against and counter claim of the applicant seeking restitution of business premises and payment of certain investments respectively	Length of proceedings Right to an effective remedy Article 35 ECHR Right to property	Ad Ad I I	Court refers to <i>Nogolica</i> and <i>Slavicek</i> <ul style="list-style-type: none"> Case at domestic court ended: CC non effective (adjourned) <p><i>NOTE: Supreme Court dismissed applicant's request for revision of points of law (instituted in March 1997) in May 2002; in the meantime (April 2002) applicant filed a constitutional complaint to determine a time-limit within which the SC should decide his request; CC decided in October 2002 to reject applicant's complaint since the SC had decided the applicant's request for revision (!)</i></p>
36. Hajdukovic	Ad	11/12/02	29/01/04	Article 63 (1) Constitutional Act on Constitutional Court Civil action against insurance company seeking compensation for non-pecuniary damage	Length of proceedings Right to an effective remedy	Ad I	Applicant filed action in October 1992 at Zagreb Municipal Court, CC <i>rejected</i> the constitutional complaint on 14 November 2002; Article 13 complaint rejected as CC provides effective remedy (Article 63 CACC);
37. Ljubic	Ad	27/12/02	29/01/04	Article 63 (1) Constitutional Act on Constitutional Court Civil action against Novska Municipality for damages in respect of confiscated property	Length of proceedings Right to an effective remedy	Ad I	Applicant filed action in July 1995 at Novska Municipal Court, CC <i>rejected</i> the constitutional complaint on 14 November 2002; Article 13 complaint rejected as CC provides effective remedy (Article 63 CACC); <i>Note:</i> applicant's conduct might have added to length of proceedings
38. Kwartuc	Ad	19/01/02	22/05/03	Civil action for repayment of loan and against privatization fund (three sets of proceedings)	Length of proceedings Right to an effective remedy Discrimination	Ad I I	Three sets of proceedings: <ul style="list-style-type: none"> Pending case at domestic court: CC effective remedy (inadmissible) Case at domestic court ended: CC non effective (adjourned) Case pending at tax authorities: inadmissible <i>ratione materiae</i> <p>Non-exhaustion of domestic remedies: Article 63 Constitutional Act on CC (see <i>Slavicek</i> and <i>Nogolica</i> cases); disputes over liability to pay tax do not fall under Article 6 (1) and are thus inadmissible <i>ratione materiae</i></p>
39. Udruga	Ad	15/01/99	31/08/00	Civil action for repayment of loans	Length of proceedings Right to an effective remedy Right to property	Ad Ad I	complaints raised by the first applicant, an association of persons who invested their money into the so called 'financial engineering', the Court considers that the association cannot be regarded as a victim of a violation of the Convention
40. Culjak and others	D	19/12/99	19/12/02 16/05/02	Article 180 Civil Obligations Act Civil action for payment of damages Constitutional Court rejected request for revision of constitutionality of Income Tax Act	Length of proceedings Right to property Articles of the UN UDHR Violations in all three sets of proceedings	A/V I I	Court holds that cases did not involve any particular legal or factual complexity ; in the light of periods of inactivity and the overall duration of the proceedings, ..., was beyond reasonable time; applicants were prevented to act before court due to Parliament's act to stay proceedings Euro 4,500 / 4,500 for non-pecuniary damage; Euro 2,000 for costs an expenses

41. Freimann	D	05/07/01	24/06/04	Article 180 Civil Obligations Act	Right of access to a court	A/V	<p>Court finds that applicant was prevented for more than seven years [five years after ratification of Convention] from having her claim decided as a consequence of a legislative measure; Court refers to <i>Kutic</i> and <i>Multiplex</i> cases</p> <p>Admissibility and merits decision. Applicant did not claim for compensation for non-pecuniary damage nor reimbursement of costs and expenses. No award of pecuniary damage.</p>
42. Kastelic	D	16/03/00	10/07/03 07/11/02	Article 180 Civil Obligations Act	Right of access to a court Length of proceedings	A/V A/NSI	<p>Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i> Court refers to <i>Kutic</i> case</p> <p>Euro 4,000 for non-pecuniary damage; Euro 2,000 for costs and expenses</p>
43. Kutic	D	15/02/99	01/03/02 04/10/01	Article 180 Civil Obligations Act	Right of access to a court Length of proceedings	A/V A/NSI	<p>Court recalls that Convention is intended to guarantee not rights that are theoretical or illusory but rights that are practical and effective; right of access to a court includes right to obtain a determination of the dispute by a court; Article 180 (2) hindered applicants to have their civil claim decided by a court; Court cannot agree with Government's contention that applicants inability to have their claims decided is only temporarily pending, though Court acknowledges that a situation where a significant number of legal suits claiming large sums of money are lodged against a State may call for some further regulation; however, such measures must still be compatible with Art 6 (1); proceedings were pending more than six years and applicants thus prevented to access a court</p> <p>Euro 10,000 non-pecuniary damage</p>
44. Acimovic	D	16/08/00	09/10/03 07/11/02	Article 184a Act on Amending Civil Obligations Act 1999	Length of proceedings	A/V	<p>Court refers to <i>Kutic</i> and <i>Multiplex</i> cases where it found violation insofar as the possibility to have ... claim determined by a court was stayed for a long laps of time as a result of the intervention of the legislature;</p> <p>NOTE: Acimovic complained about right of access to a court which ECHR determines not to be violated as such</p> <p>Euro 4,000 for non-pecuniary damage</p>
45. Multiplex	D	16/03/00	10/07/03 26/09/02	Article 184a Act on Amending Civil Obligations Act 1999	Right of access to a court Length of proceedings Right to property Right to family life	A/V A/NSI I I	<p>Court refers to <i>Kutic</i> case where it found violation insofar as the possibility to have ... claim determined by a court was stayed for a long laps of time as a result of the intervention of the legislature;</p> <p>Complaints on Art 1 Prot 1 and Art 8 inadmissible <i>rationae temporis</i></p> <p>Euro 4,000 non-pecuniary damage; Euro 500 costs and expenses</p>

46. Delic	D	01/06/99	27/06/02 23/10/01	Article 59 (4) Constitutional Act on the Constitutional Court	Length of Proceedings Right to an effective remedy Violations in nine sets of proceedings; no violation in one set of proceedings	A/V A/V	Court refers to <i>Horvat v. Croatia</i> finding that CC complaint based on Art 59 (4) is not an effective remedy Euro 7,000 non-pecuniary damage; Euro 180 costs and expenses
47. Rajak	D	23/02/99	28/06/01 12/10/00	Article 59 (4) Constitutional Act on the Constitutional Court	Length of Proceedings Discrimination	A/V I	Case lay dormant for six months and thirteen days and one year, to months respectively; in this case Court considers proceedings beyond reasonable time; proceedings were initiated in 1975 and were pending at Rijeka County Court as of Oct 2000 Kuna 30,000 (Euro 4,000) non-pecuniary damage; Kuna 5,800 (Euro 770) costs and expenses
48. Fuetterer	D	16/06/99	20/12/01 07/12/00	Civil action concerning property rights to a part of an apartment building Article 218 Law on Administrative Procedure Article 26 Law on Administrative Disputes Act	Length of proceedings Right to property	A/V I	(see <i>Horvat</i> case on effective remedy of CC for length of proceedings); Court notes that Zagreb Municipal Court requested documents concerning alleged complex facts when proceedings had already been pending for more than ten years; several periods during which case lay dormant at the court Kuna 20,000 (Euro 2,670) covering pecuniary and non-pecuniary damage; Kuna 2,440 (Euro 325) costs
49. Muzenjak	D	17/08/01	04/03/04 10/04/03	Civil action for payment of compensation against insurance company	Length of proceedings	A/V	Proceedings lasted from 1 July 1993 until 1 Feb 2002 (ie 8 years, 7 months); 8 years and 8 months of which fall under examination four years and nine months; ECHR accepts certain degree of factual complexity but case was very important to applicant; Euro 2,000 non-pecuniary damage; Euro 1,500 costs and expenses
50. Cerin	D	27/11/99	15/11/01 08/03/01	Civil action for payment of damages Article 59 (4) Constitutional Court Act 1999	Length of proceedings	A/V	Court notes that in the period taken into account the case lay dormant at least from 5/11/97 until 09/03/98 and 02/03/99 until 04/12/00; Court recalls that States need to organize their legal systems in such a way that their courts can guarantee everyone's right to obtain a final decision on disputes within a reasonable time Kuna 30,000 (Euro 4,000) for non-pecuniary damage; Kuna 2,500 (Euro 333) for costs and expenses

51. Horvat	D	20/04/99	26/07/01 16/11/02	Civil action for repayment of loan Article 59 (4) Constitutional Act on the Constitutional Court	Length of Proceedings Right to an effective remedy Violations in all two sets of proceedings	A/V A/V	Court notes that terms such as 'grossly violated' and 'serious and irreparable consequences' in Art 59 (4) are susceptible to various and wide interpretation; <ul style="list-style-type: none"> in the present case this wording indicates uncertainty of this remedy in practical terms and domestic case-law does not suffice to show the existence of settled domestic practice that would prove the effectiveness of the remedy of the constitutional complaint for pending court cases <p>Court notes that case lay dormant for more than two years and again for one year and eight months without justification of these delays; proceedings are beyond reasonable time requirement</p> <p>Kuna 20,000 (Euro 2,670) non-pecuniary damage</p>
52. Mikulic	D	09/10/99	07/02/02 07/12/00	Civil action to determine paternity	Length of proceedings Right to family life Right of an effective remedy (Art 6) Right to an effective remedy (Art 8) Discrimination	A/V A/V A/V A/NN I	Proceedings commenced on 30 Jan 1997 and lasted for about five years; Court reiterates that particular diligence is required in cases concerning civil status and capacity; in view of what was at stake for the applicant, ie right to have her paternity established, national authorities were required to act with particular diligence Court recalls that paternity proceedings fall within the scope of Article 8 ('private life'); inefficiency of the courts has left applicant in a state of prolonged uncertainty as to her personal identity and Croatian authorities have therefore failed to secure to the applicant the 'respect for her private life'; Court finds that CC is not effective remedy to challenge length of proceedings (see also <i>Horvat v. Croatia</i>) and no domestic remedy to enforce the right to hearing within a reasonable time;
53. Sahini	D	22/01/00	19/06/03	Civil actions for payment of damages and peaceful enjoyment of property	Length of proceedings	A/V	Proceedings lasted for seven years, four months and seventeen days at the time of entry into force of the Convention; overall duration of proceedings and period of inactivity lies with domestic authorities and exceed reasonable time requirement
54. Rajcevic	D	19/02/99	23/07/02	Civil actions for payment of damages from an insurance company	Length of proceedings	A/V	Proceedings lasted for about four years and ten months at the time the Convention entered into force <i>'Court reiterates that the reasonableness of the length of proceedings must be assessed in the light of the circumstances of the case and having regard to the criteria lay down in the Court's case-law, in particular the complexity of the case, the conduct of the applicant and of the relevant authorities, and the importance of what is at stake for the applicant in the litigation'</i> Court considers that the length of the proceedings failed to satisfy the reasonable time requirement
							Euro 1,800 non-pecuniary damage

55. Rados and others	D	23/12/96	07/11/02 23/10/01	Civil actions for repayment of loans	Length of proceedings Right to an effective remedy Violations in eleven of thirteen sets of proceedings	A/V A/V	Court refers to <i>Horvat v. Croatia</i> finding that CC complaint based on Art 59 (4) is not an effective remedy Violation of Art 13 with regard to <u>concluded</u> proceedings Euro 2,500 / 2,500 / 4,800 / 2,500 for non-pecuniary damage
56. Truhli	D	25/09/98	28/06/01 12/12/00	Military Pension	Right of access to a court Inhuman or degrading treatment Right to private life Discrimination Ne bis in idem Right of access to a court Right to property Right to an effective remedy	A/NV I I I I I I I	Court finds that applicant had access to a court as secured by Art 6 with complaints to CC ; fact that CC decided to terminate other proceedings due to newly introduced legislation that did away with contested legislation does not restrict the exercise of this right in such a way or to such an extent that the very essence of the right was impaired
57. Blecic	D	06/05/00	29/07/04 30/01/03	Sale of publicly-owned flats previously let under specially protected tenancy Constitutional Court rejected the applicant's complaint	Right to respect for her home Right to property Right to access to a court	A/NV A/NV I	OTR cancellation in accordance with domestic law lies within margin of appreciation of Member States; ECHR considers applicant's apartment as "home"; ECHR does not decide whether OTR constitutes property or possession within the meaning of Art 1 Prot 1; Court considers that application falls within competence <i>ratione temporis</i> b/c final CC decision (8/11/1999) was directly decisive for applicant's rights protected by Convention;
58. Cvijetic	D	03/04/01	05/02/04 03/04/03	Tenancy right Eviction not carried out for more than seven years	Length of proceedings Right to private home Right to property Discrimination	A/V A/V A/NN I	Court recalls that <ul style="list-style-type: none"> ▪ <i>'execution of a final decision given by any court must be regarded as an integral part of the trial'</i>, eviction proceedings constitute a 'continuing situation' involving continuous activities by or on the part of the State and confirms its competence <i>ratione temporis</i> ▪ MC Split ordered eviction on 8 March 1995, however, never executed successfully ▪ Applicant moved into the flat on 21 March 2002 <p>ECHR found that the authorities' four-year failure to execute the court order 'created or at least enabled a situation where the applicant was prevented from enjoying her home for a very long period of time'. Accordingly the ECHR found a second violation in this case as the authorities did not comply with their positive obligation to secure to the applicant respect for her home.</p> <p>ECHR assessment: <i>'it is evident that [Croatia] did not show that it organised its legal system in such a way that it would prevent obstruction of the execution of the final judgments of its courts'</i></p> <p>Euro 5,000 pecuniary damage; Euro 5,000 non-pecuniary damage; Euro 500 costs and expenses</p>

59. Pibernik	D	05/10/01	05/03/04 04/09/03	Tenancy right Eviction not carried out for more than four years	Length of proceedings/lack of execution Right to respect for home Discrimination	A/V A/V I	<p>Court finds that exhaustion of domestic remedies (CC complaint) was not required since no CC case law indicating a remedy for failure to execute a final court verdict will be resolved by the CC; <i>'wording of section 63 is not sufficiently clear so as to remove any doubt that it applies to the enforcement proceedings'</i></p> <p>ECHR: no factual or legal issue that might be considered complex; duty to organise their judicial system in such a way that their courts can meet each of its requirements</p> <p>Court agreed to review Art 8 (contrary to <i>Blecic v. Croatia</i>): <i>'no special circumstances which would have justified non-execution of the ... judgment for such a long period of time'</i> and <i>'it is evident that [Croatia] did not show that it organised its legal system in such a way that it would prevent obstruction of the execution of the final judgments of its courts'</i></p> <p><i>'... it cannot be said that [Croatia] complied with its positive obligations under Article 8 ... to secure to the applicant respect for home'</i></p> <p>Euro 11,250 pecuniary damage; Euro 5,000 non-pecuniary damage</p>
60. Napijalo	D	11/01/01	13/11/03 13/06/02	Travel document	Length of proceedings Right to freedom of movement	A/V A/V	<p>Court recalls that proceedings must be considered as a whole, proceedings seeking declaratory decision; reasonableness of the length of proceedings needs assessment in the light of the circumstances of the case, criteria established by ECHR case law, particularly complexity of the case, conduct of applicant and relevant authorities, and what was at stake for the applicant.</p> <p>At stake was applicant's freedom of movement, an issue that requires examination without unnecessary delays, diligence of the national authorities</p> <p><i>79. By not pursuing their initial motivation for the seizure of the ... passport the authorities lost any further ground for keeping the passport.</i></p> <p><i>80. ... it appears that there was no co-operation or co-ordination both within the police and between the police and the judicial authorities. This lack of appropriate administrative procedures resulted ... in the applicant being unable to travel abroad...</i></p> <p>Court finds that seizure of passport was not proportionate to the aims pursued</p> <p>Euro 2,000 non-pecuniary damage</p>

61. Soc	D	23/10/99	09/05/03 24/01/02	Travel documents Civil actions for repayment	Length of proceedings Right to an effective remedy Right to freedom of movement Failure to exhaust domestic remedies in three sets of proceedings	A/NV A/V I	Art 13: Article 63 Act on Constitutional Court does not represent an effective remedy in respect of the length of proceedings that had already come to an end <ul style="list-style-type: none"> ▪ in two sets of this case applicant had no domestic remedy whereby he could enforce his right to a 'hearing within a reasonable time' ▪ three sets of proceedings, ie those still pending at domestic courts, were declared inadmissible for failure to exhaust domestic remedies (ie CC complaint under Article 63) <p>Finding of violation sufficient reparation for non-pecuniary damage; Euro 500 for costs and expenses</p>
62. Bec	FS	18/10/01	03/06/04 13/02/03	Article 180 Civil Obligations Act	Right of access to a court Right to property	Ad I	Friendly settlement 6,000 Destruction of property was an ' <i>instantaneous act of deprivation of property which did not create any continuous situation</i> ' – inadmissible <i>rationae temporis</i>
63. Blagojevic	FS	07/02/02	03/06/04 19/12/02	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right of respect of home Right to property Discrimination	Ad Ad I I I	Friendly settlement 6,000 Complaints on Art 1 Prot 1 and Art 8 inadmissible <i>rationae temporis</i> , complaint on discrimination manifestly ill-founded
64. Ivanic	FS	11/03/02	03/06/04	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right of respect of home Right to property		Friendly settlement 6,000
65. Ivanovic	FS	27/12/01	11/03/04 21/11/02	Article 180 Civil Obligations Act	Right of access to a court Right to property	A I	Friendly Settlement Euro 6,000 full and final, costs and expenses Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i>
66. Ivkovic	FS	22/04/02	13/05/04	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right to property	Ad Ad I	Friendly Settlement Euro 6,000 full and final, costs and expenses Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i> ; ECHR makes reference to remedies under the new Law on Terrorist Acts and Reconstruction Act Two sets inadmissible b/c non-exhaustion of domestic remedies

67. Kresovic	FS	28/05/01	24/06/04 23/10/03	Article 180 Civil Obligations Act	Right of access to a court Length of proceedings Right to property	A A I	Friendly settlement Euro 4,500 covering pecuniary and non-pecuniary damage and costs Court refers to <i>Crnojevic</i> case recalling that 'a constitutional court complaint challenging the legislation in question did not represent a remedy to be exhausted' Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i>
68. Stjepanovic	FS	07/02/02	03/06/04 14/11/02	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right of respect of home Right to property Discrimination	Ad Ad I I I	Friendly settlement 6,000 Complaint on Art 1 Prot 1, Article 8 inadmissible <i>rationae temporis</i> Complaint on discrimination manifestly ill-founded
69. Tomasevic	FS	11/03/02	03/06/04 19/12/02	Article 180 Civil Obligations Act	Right of access to a court Right to an effective remedy Right to property	Ad Ad I	Friendly settlement 6,000 Complaint on Art 1 Prot 1 inadmissible <i>rationae temporis</i>
70. Basic	FS	22/05/01	08/07/04 23/10/03	Article 184a Act on Amending Civil Obligations Act 1999	Right of access to a court Right to an effective remedy Right to property Discrimination	A I I I	Friendly settlement Euro 6,000 covering pecuniary and non-pecuniary damage and costs Right of access to a court (Art 6 (1) and 13 ECHR) is admissible; alleged violation of right to property under Art 1 Prot 1 ECHR considered inadmissible <i>ratione temporis</i> ('destruction of property [in 1993] is an instantaneous act which does not create any continuing situation')
71. Bozovic	FS	02/07/02	13/05/04	Article 184a Act on Amending Civil Obligations Act 1999 (Vehicle)	Right of access to a court Right to an effective remedy		Friendly Settlement Euro 6,000 full and final, costs and expenses
72. Dorontic	FS	15/10/01	15/07/04 11/12/03	Article 184a Act on Amending Civil Obligations Act 1999	Right of access to a court	A	Euro 6,000 for pecuniary and non-pecuniary damages, costs and expenses Court holds that constitutional complaint challenging legislation in question is not a remedy to be exhausted (<i>Acimovic v. Croatia</i>)
73. Gabud	FS	06/03/02	03/06/04 28/11/02	Article 184a Act on Amending Civil Obligations Act 1999	Right of access to a court Length of proceedings Right to an effective remedy	Ad I I	Friendly settlement 6,000 Complaint about length of proceedings inadmissible b/c non-exhaustion of domestic remedies as Article 63 Act on CC provides effective remedy for cases pending at domestic courts (see <i>Slavicek v. Croatia, Nogolica v. Croatia</i>)

74. Jorgic	FS	23/03/01	24/06/04 23/10/03	Article 184a Act on Amending Civil Obligations Act 1999	Right to access to a court Right to life and security Right to property	A I I	Friendly settlement Euro 8,500 covering pecuniary and non-pecuniary damage and costs Court recalls that in similar circumstances it has held in the <i>Acimovic</i> case that ' <i>a constitutional complaint challenging the legislation in question did not represent a remedy to be exhausted</i> ' (see <i>Acimovic</i> case);
75. Kovacevic	FS	04/03/02	01/07/04 16/12/03	Article 184a Act on Amending Civil Obligations Act 1999	Right of access to a court Right to an effective remedy	A A	Friendly settlement 6,000 to cover pecuniary and non-pecuniary damage, costs and expenses Court refers to <i>Acimovic</i> case
76. Martic	FS	04/03/02	15/07/04 16/12/03	Article 184a Act on Amending Civil Obligations Act 1999	Right of access to a court Right to an effective remedy	A A	Euro 6,000 for pecuniary and non-pecuniary damages, costs and expenses Court refers to <i>Acimovic</i> case
77. Mrkonjic	FS	19/03/02	13/05/04	Article 184a Act on Amending Civil Obligations Act 1999 (Damages to vehicle)	Right of access to a court Right to an effective remedy		Friendly Settlement Euro 18,000 full and final, costs and expenses
78. Studio-G	FS	26/06/01	05/06/03	Civil action for repayment of lawyer's fee	Length of proceedings		Friendly Settlement Euro 3,600 full and final, costs and expenses
79. Majstorovic	FS	19/04/97	06/06/02 06/12/01	Civil action for repayment of loan	Length of proceedings Right to an effective remedy Other	A A I	Friendly settlement Euro 2,500 covering pecuniary and non-pecuniary damage and costs
80. Rados and others (partial judgment)	FS	23/12/96	04/07/02 23/10/01	Civil actions for repayment of loans	Length of proceedings Right to an effective remedy	A A	Friendly settlement Euro 3,500 covering pecuniary and non-pecuniary damage and costs

81. Benzan	FS	01/10/00	08/11/02 16/05/02	Prison conditions	Inhumane and degrading treatment Right to an effective remedy Right to correspondence	A	Friendly settlement Euro 12,000 covering pecuniary and non-pecuniary damage and costs
82. Ocic	I	22/02/99	25/11/99	Act on Compensation for and restitution of assets taken under the Yugoslav communist regime	Right to property Length of proceedings	I I	Court observes that applicant is ' <i>unable to demonstrate that he ... is personally affected ... or ... claim to be a victim of a violation of the Convention</i> '; claim is thus inadmissible <i>ratione personae</i> ; for a complaint under Article 6 (1) there ' <i>must be a genuine and serious dispute over a civil right which can be said, at least on arguable grounds, to be recognized under domestic law</i> ' ... ' <i>mere tenuous connections or remote consequences are not sufficient</i> '; complaint has nature of an <i>actio popularis</i> and is inadmissible <i>ratione materiae</i>
83. Kuljanin	I	12/11/01	03/06/04	Article 180 Civil Obligations Act	Right of access to a court	I	Application was rejected <i>ratione personae</i>
84. Ostojic	I	11/04/02	26/09/02	Article 184a Act on Amending Civil Obligations Act 1999	Right of access to a court Right to an effective remedy Right to respect for home and family life Right to property Discrimination	I I I I I	Complaint manifestly ill-founded (applicant never instituted proceedings for compensation)
85. Jovanovic	I	19/07/00	28/02/02	Civil action against dismissal	Right to freedom of expression	I	applicant's dismissal was an instantaneous act, which does not give rise to any possible continuous situation of a violation of the Convention, applications thus incompatible <i>ratione temporis</i>
86. Ibrulj	I	20/09/01	13/03/03	Civil action against Zagreb hospital Application: 20 Sept 2001	Length of proceedings	I	<ul style="list-style-type: none"> ▪ Applicant's case pending before appellate court Complaint on length of proceedings rejected due to rule of exhaustion of domestic remedies Article 63 Act on CC provides effective remedy in respect of length of proceedings See also <i>Nogolica, Slavicek</i>
87. Uglesic	I	16/09/9	11/10/01	Civil action for payment of damages	Length of proceedings Right to an effective remedy Discrimination	I	Court finds that delays that occurred after entry into force of the Convention are attributable to applicant; Article 13 is thus to require the provision of a domestic remedy to deal with the substance of an 'arguable complaint' under the Convention

88. Vorwald	I	01/07/01	13/03/03	Civil action for payment of damages Application: 13 Mar 2000	Length of proceedings	I	<ul style="list-style-type: none"> ▪ Applicant's case pending before appellate court Complaint on length of proceedings rejected due to rule of exhaustion of domestic remedies Article 63 Act on CC provides effective remedy in respect of length of proceedings complaints pending at domestic court See also <i>Nogolica, Slavicek</i>
89. Omerovic II	I	13/03/00	06/02/03	Civil action for payment of damages against insurance company	Length of proceedings Right to an effective remedy Other	I	<ul style="list-style-type: none"> ▪ Case pending at first instance after SC remitted for re-trial Complaint on length of proceedings rejected due to rule of non-exhaustion of domestic remedies Article 63 Act on CC provides effective remedy in respect of length of proceedings complaints pending at domestic court See also <i>Nogolica, Slavicek</i>
90. Djuricic	I	16/02/03	09/10/03	Civil action for payment of damages against RoC Constitutional Court complaint	Length of proceedings	I	Court considers delays of proceedings in this case as not excessive
91. Jeftic	I	21/10/99	03/10/02	Civil action for payment of sick leave allowance	Length of proceedings Right to an effective remedy	I I I	Constitutional Court provides applicant with effective remedy in respect of the length of proceedings (Article 63 Constitutional Act on CC)
92. Mikic	I	22/02/00	19/12/02	Civil action for repayment of loan	Length of proceedings Right to an effective remedy	I	Court finds that the newly introduced Section 63 of the 2002 Constitutional Act on the Constitutional Court does provide the applicant with an effective remedy in respect of the length of the proceedings
93. Slavicek	I	10/05/02	04/07/02	Civil action for repayment of loan	Length of proceedings Right to an effective remedy	I	Constitutional Court provides applicant with effective remedy in respect of the length of proceedings (Article 63 Constitutional Act on CC)
94. Plaftak and others	I	17/09/01	03/10/02	Civil actions for repayment of loans	Length of proceedings Right to an effective remedy	I	Court finds that the newly introduced Section 63 of the 2002 Constitutional Act on the Constitutional Court does provide the applicants with an effective remedy in respect of the length of the proceedings
95. Mladenic	I	01/06/99	14/06/01	Constitutional Court terminated proceedings, wrongly deeming that he withdrew his claim Criminal proceedings Prison conditions	Right of access to a court Inhumane and degrading treatment Right to family life	I I I	<i>'Authorities cannot be held responsible ... because the applicant failed to take the necessary steps to ensure receipt of his mail ...'</i>

96. Omerovic	I	13/03/00	09/12/99	Criminal proceedings	Right to a fair trial Unfair proceedings Right to an effective remedy	I I I	Court observes that ' <i>the period of two years and a few weeks is not excessive for the proceedings before the Constitutional Court</i> ';
97. Naletilic	I	18/10/99	04/05/00	Criminal proceedings, war crimes Extradition to ICTY	Length of proceedings Right to impartial, independent tribunal No heavier penalty rule	I I I	'... Court cannot take into consideration the length of some hypothetical future proceedings...'; ICTY offers all the necessary guarantees including those of impartiality and independence;
98. Pejic	I		19/12/02	Customs offence	Length of proceedings Right to an effective remedy	I	Complaint was introduced out of time
99. Momcilovic	I	30/05/00	29/08/02	Issuance of documents Return and tenancy rights	Right to property Right to family life Right to access to a court Discrimination Right to enter the territory	I I I I I	Manifestly ill-founded b/c applicant has in the meantime entered Croatia, received travel document; did not submit any proof of his protected tenancy right
100. Nogolica	I	17/09/01	05/09/02	Libel cases	Length of proceedings Right to an effective remedy	I I	Constitutional Court provides applicant with effective remedy in respect of the length of proceedings (Article 63 Constitutional Act on CC)
101. Acimovic II	I	05/02/99	18/10/01	Military Pension Constitutional Court failed to decide constitutional complaint but merely terminated proceedings due to new enactment of legislation	Right of access to a court Right to property	I I	CC complaint and proceedings were not decisive for applicant's civil rights; inadmissible <i>ratione materiae</i>
102. Andelkovic	I	08/02/99	18/10/02	Military Pension Conditions of sale of flats for former Yugoslav People's Army officers Constitutional Court failed to decide constitutional complaint but merely terminated proceedings due to new enactment of legislation	Right to property Right to access to a court Discrimination	I I I	CC complaint and proceedings, challenging constitutionality of pensions act, were not decisive for applicant's civil rights; inadmissible <i>ratione materiae</i>
103. Bakaric	I	11/05/99	13/09/01	Military Pension Constitutional Court rejected applicant's constitutional complaint challenging YPA Pensions Act	Right to family life Right to property Discrimination Right to access to a court	I I I I	Complaint incompatible <i>ratione materiae</i> as applicant failed to use remedy with CC challenging directly the decision of the administrative court

104. Gauder	I	22/12/98	21/06/01	Military Pension Constitutional Court terminated proceedings	Right to property Discrimination Length of proceedings	I	(see <i>Jankovic</i> case); obligation of States to organize their judicial systems in such a way that courts can meet each of its requirements within a reasonable time also applies to a Constitutional Court, however, ' <i>its role as guardian of the Constitution may make it particularly necessary ... to take into account considerations other than the mere chronological order in which cases are entered ... such as the nature of a case and its importance in political and social terms</i> '
105. Hadzic	I	14/06/99	13/09/01	Military pension	Inhumane and degrading treatment Discrimination Right to an effective remedy Right to property	I I I I	Court recalls that although no right to a pension as such is guaranteed ... payments of contributions to a social security fund may create a property right protected by Art 1 Prot 1; States enjoy quite a wide margin of appreciation in regulating its social policy, including pension system;
106. Jankovic	I	11/09/98	12/10/00	Military Pension	Right to property Discrimination Length of proceedings	I	' <i>the right to derive benefits from [social security] system ... cannot be interpreted as giving an individual right to a pension of a particular amount</i> '; Court considers that States enjoy quite a wide margin of appreciation in regulating their social policy; Croatia merely adjusted pensions of all other categories of pensioners; loss of a certain percentage of his pension has not resulted in the essence of his pension rights being impaired;
107. Jovic	I	19/11/99	22/05/01	Military Pension	Right to property Discrimination Length of proceedings	I	(see <i>Jankovic</i> case); proceedings lasted one year five months and sixteen days which is not substantial enough to exceed the 'reasonable time' limit
108. Kistic	I	14/09/99	18/10/01	Military Pension Constitutional Court failed to decide on constitutional complaint on constitutionality of YPA Pensions Act	Inhumane and degrading treatment Right to property Right of access to a court	I I I	Complaint incompatible <i>ratione materiae</i> as applicant failed to use remedy with CC challenging directly the decision of the administrative court
109. Labus	I	11/05/99	18/10/01	Military Pension Constitutional Court failed to decide on constitutional complaint on constitutionality of YPA Pensions Act	Right to access to a court	I	Complaint incompatible <i>ratione materiae</i> as applicant failed to use remedy with CC challenging directly the decision of the administrative court
110. Lazarevic	I	03/08/99	07/12/00	Military Pension	Right to property Discrimination Length of proceedings	I	proceedings lasted for only one year, three months and 28 days after the entry into force of the Convention in respect of Croatia, the Court finds that that delay does not appear substantial enough for the length of the proceedings before the Constitutional Court to have exceeded a "reasonable time" within the meaning of Article 6

111. Rajkovic	I	16/09/99	03/05/01	<p>Military Pension</p> <p>Complaint that his pension was reduced Constitutional Court failed to provide adequate reasoning</p>	<p>Right to property Right to a fair trial</p>	I	<p><i>'the right to derive benefits from [social security] system ... cannot be interpreted as giving an individual right to a pension of a particular amount'</i>; Court considers that States enjoy quite a wide margin of appreciation in regulating their social policy; Croatia merely adjusted pensions of all other categories of pensioners; loss of a certain percentage of his pension has not resulted in the essence of his pension rights being impaired; (see <i>Jankovic</i> case)</p> <p>Court reiterates that Article 6 (1) obliges courts <i>'to give reasons for their decisions, but cannot be understood as requiring a detailed answer to every argument'</i>;</p>
112. Sevo	I	30/06/99	14/06/01	<p>Military pension</p>	<p>Right to property Discrimination</p>	I	<p><i>'the right to derive benefits from [social security] system ... cannot be interpreted as giving an individual right to a pension of a particular amount'</i>; Court considers that States enjoy quite a wide margin of appreciation in regulating their social policy; Croatia merely adjusted pensions of all other categories of pensioners; loss of a certain percentage of his pension has not resulted in the essence of his pension rights being impaired; (see <i>Jankovic</i> case)</p>
113. Barbaca	I	01/07/00	18/09/03	<p>Pension</p> <p>Article 63 Constitutional Act on the Constitutional Court2002 Article 218 (1) Administrative Procedure Act</p>	<p>Length of proceedings Right to property Right to an effective remedy</p>	I	<p>Complaint on length of proceedings rejected due to rule of exhaustion of domestic remedies; Article 63 Act on CC provides effective remedy in respect of length of proceedings</p>

114. Cekic and others	I	01/03/02	09/10/03	Pension case Constitutional Court rejected complaints	Length of proceedings Right to property Right to an effective remedy Right to liberty of movement Right not to be expelled		<p><i>'The Court notes that the proceedings before the appellate court and the Constitutional Court lasted for only a few months which does not appear excessive in any respect, while the proceedings before the trial court lasted for three and two years, respectively, which the Court considers to be justified in particular having regard to the complex factual nature of the proceedings.'</i></p> <p><i>Court recalls that it is 'not its function to deal with errors of fact or law allegedly committed by a national court unless and in so far as they may have infringed rights and freedoms protected by the Convention'</i></p> <p><i>Court recalls that even though the rights stemming from the payment of contributions to the social insurance system, in particular the right to derive benefits from such a system - for instance in the form of a pension - can be asserted under Art 1 Prot 1, this provision cannot be interpreted as giving an individual a right to a pension of a particular amount</i></p> <p><i>'Article 14 complements the other substantive provisions of the Convention and the Protocols thereto. It has no independent existence since its effect comes into play solely in relation to "the enjoyment of rights and freedoms" safeguarded by those provisions. Although the application of Article 14 does not presuppose a breach of those provisions - and to this extent that Article is autonomous - there can be no room for its application unless the facts at issue fall within the ambit of one or more of the rights and freedoms guaranteed by the Convention'</i></p>
115. Toth	I	16/10/00	09/07/02	Prison treatment	Inhuman or degrading treatment Right to an effective remedy	1	<p><i>Court reiterates that allegations of ill-treatment must be supported by appropriate evidence, following the standard of proof "beyond reasonable doubt" but adds that such proof may follow from the coexistence of sufficiently strong, clear and concordant inferences or of similar unrebutted presumptions of fact;</i></p> <p><i>Court notes that since the application does not disclose a violation of Article 3 of the Convention and is manifestly ill-founded for the reasons explained above there cannot be violation of Article 13 as there is no 'arguable claim'</i></p>
116. Ilic	I	23/07/98	19/09/00	Residency case Movement and Stay of Aliens Act 1991 Denial of permanent residence	Length of proceedings Right to an effective remedy Right to property	1	<p><i>Court recalls ... the opinion that the decisions, regarding the entry, stay and deportation of an alien, taken in a country of which he is not a national do not entail any determination of his civil rights or obligations ... in the meaning of Article 6 (1): inadmissible <i>ratione materiae</i>; Convention 'does not guarantee as such any right to enter or to reside in a contracting State to persons who are not nationals and that the rights entailed in Art 1 Prot 1 do not encompass the right for a foreign citizen who owns property in another country to permanently reside in that country in order to use his property'</i></p>

117. Stajcar	I	19/02/99	20/01/00	Restitution of or compensation for confiscated property Article 218 Law on Administrative Procedure Article 26 Law on Administrative Disputes Act	Length of proceedings Right to property	I I	Applicant failed to exhaust domestic remedies
118. Soric	I	11/09/98	16/03/00	Specially protected tenancies Act Leases Act	Right to family life Right to property Discrimination	I I I	Court notes that applicant is not and has never been the owner of the flat, his position has been that of a lessee and that Art 1 Prot 1 does not guarantee a right to buy any property; a difference in treatment is discriminatory if it has 'no objective and reasonable justification', that is, if it does not pursue a 'legitimate aim' or if there is no 'reasonable relationship of proportionality': distinction between former holders of specially protected tenancy rights on publicly owned flats, deriving from their right to buy flats, and persons with tenancy rights of a privately-owned flat is not discriminatory
119. Strunjak and others	I	22/03/99	05/10/00	Tenancy case	Right to access to a court Right to an effective remedy Right to family life Discrimination	I	See <i>Soric v. Croatia</i> (82)
120. Rudan	I	04/02/99	13/09/01	Tenancy right Non enforcement of eviction order	Length of proceedings Right to respect for home Discrimination	I	Complaint on Article 8 inadmissible <i>ratione temporis</i> as final decision terminating applicant's specially protected tenancy right before entry into force of the Convention in Croatia; Art 6 (1) does not apply to proceedings concerning the re-opening of a civil case
121. Zaklanac	I	27/05/99	15/11/01	Tenancy rights Non enforcement of eviction order Claim that applicant's life and security were in danger in 1991 forcing them to leave Croatia	Right to personal life Right to liberty and security Liberty of movement Right not to be expelled Right to a fair trial Right to respect of home and private life Discrimination Right to property	I I I I I I I I	Facts complained with regard to security are inadmissible <i>ratione temporis</i> ;
122. Kraljek	SO	11/05/99	08/02/01	Military Pension	Right of access to a court Right of freedom of thought Right to property	SO I I	Withdrawn
123. Leontic	SO	22/03/99	14/09/00	Military Pension	Right to access to a court Discrimination Right to property	SO I I	Withdrawn

ⁱ **STATUS:**

A	Admissible
Ad	Adjourned (ie Court gives notice of the application to the respondent Government according to Rule 54 (2) b Rules of the Court
D	Final Decision
I	Inadmissible
SO	Strike out of the list
FS	Friendly settlement
NSI	No Separate issue
NN	Not necessary to rule

Total number of cases 123:

Applications declared admissible		62
Judgments		22
▪ <i>Violation</i>		20
▪ <i>No violation</i>		2
Friendly settlements		20
Admissible and pending review on merits		20
Application withdrawn/no decision of the ECHR		2
Adjourned admissibility decisions		19
Applications declared inadmissible		40
Total number of cases		123

Damages/Costs Awarded	240,875ⁱ
▪ Pecuniary damages	16,250
▪ Non pecuniary damages	86,420
▪ Costs and expenses	9,105
▪ Friendly settlements	129,100