



FLASH NEWS

5/19

EUROPEAN COURT OF HUMAN RIGHTS

OVERVIEW FROM 04/03 TO 15/03/2019

TR / UZAN AND OTHERS vs. TURKEY

Protection of property - Criminal proceedings for embezzlement of public funds - Provisional measures imposed on persons not party to this procedure

Violation of Article 1 of Protocol no. 1 (protection of property) of the ECHR.

Provisional measures had been imposed by a court on the property of the applicants, Turkish nationals, on the ground that their relatives or superiors were the subject of criminal proceedings. These applicants complained of the continuation of the said measures and the refusal to lift them for several years, despite the absence of a criminal conviction against them and the fact that they were not liable.

Judgment of 05.03.2019 (application nos. 19620/05, 41487/05, 17613/08 and 19316/08) ([FR](#))
Press release ([FR](#) / [EN](#))

IS / GUÐMUNDUR ANDRI ÁSTRÁÐSSON vs. ICELAND

Right to a court established by law - Procedure for the appointment of judges - Irregularities in that procedure - Impact

Violation of Article 6 § 1 (right to a court established by law) of the ECHR.

The applicant, an Icelandic national, had been convicted in criminal proceedings, said conviction having been upheld by the Court of Appeal, a new Icelandic court. He alleged that the appointment of one of the judges of the said court, who had known his case, had not taken place in accordance with domestic law and that, as a result, the criminal charge against him had not been examined by a court established by law.

Judgement of 12.03.2019 (application no. 26374/18) ([EN](#))
Press release ([FR](#) / [EN](#))

TR / YAVAŞ vs. TURKEY

Protection of property - Right to a retirement pension - Reduction of pensions by adjustment due to a budget deficit

No violation of Article 1 of Protocol No. 1 (protection of property) to the ECHR.

After the retirement of the applicants, Turkish nationals, the Social Security Institution to which they were attached decided to reduce their retirement pensions by adjustment because of a budget deficit. These applicants complained, therefore, of the reduction in the amount of their pension in relation to the amount established at the time of their retirement. They considered that such a reduction was contrary to the principle of inviolability of acquired rights.

Judgment of 05.03.2019 (application no. 36366/06) ([FR](#)) Press release ([FR](#) / [EN](#))

