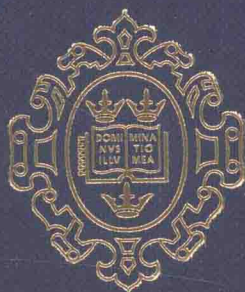


OXFORD
PRIVATE INTERNATIONAL LAW
SERIES

HUMAN RIGHTS
AND PRIVATE
INTERNATIONAL
LAW

JAMES J. FAWCETT
MÁIRE NÍ SHÚILLEABHÁIN
SANGEETA SHAH



OXFORD

HUMAN RIGHTS AND PRIVATE INTERNATIONAL LAW

JAMES J. FAWCETT FBA

Professor of Law Emeritus, University of Nottingham

MÁIRE NÍ SHÚILLEABHÁIN

Assistant Professor in Law, University College Dublin

SANGEETA SHAH

Associate Professor of Law, University of Nottingham

OXFORD
UNIVERSITY PRESS

OXFORD

UNIVERSITY PRESS

Great Clarendon Street, Oxford, OX2 6DP,
United Kingdom

Oxford University Press is a department of the University of Oxford.
It furthers the University's objective of excellence in research, scholarship,
and education by publishing worldwide. Oxford is a registered trade mark of
Oxford University Press in the UK and in certain other countries

© James J. Fawcett, Máire Ní Shúilleabháin, and Sangeeta Shah 2016

The moral rights of the authors have been asserted

First Edition published in 2016

Impression: 1

All rights reserved. No part of this publication may be reproduced, stored in
a retrieval system, or transmitted, in any form or by any means, without the
prior permission in writing of Oxford University Press, or as expressly permitted
by law, by licence or under terms agreed with the appropriate reprographics
rights organization. Enquiries concerning reproduction outside the scope of the
above should be sent to the Rights Department, Oxford University Press, at the
address above

You must not circulate this work in any other form
and you must impose this same condition on any acquirer

Crown copyright material is reproduced under Class Licence
Number C01P0000148 with the permission of OPSI
and the Queen's Printer for Scotland

Published in the United States of America by Oxford University Press
198 Madison Avenue, New York, NY 10016, United States of America

British Library Cataloguing in Publication Data
Data available

Library of Congress Control Number: 2016940858

ISBN 978-0-19-966640-9

Printed and bound by
CPI Group (UK) Ltd, Croydon, CR0 4YY

Links to third party websites are provided by Oxford in good faith and
for information only. Oxford disclaims any responsibility for the materials
contained in any third party website referenced in this work.

OXFORD PRIVATE INTERNATIONAL
LAW SERIES

GENERAL EDITOR: JAMES J. FAWCETT FBA

*Professor of Law Emeritus
University of Nottingham*

HUMAN RIGHTS AND PRIVATE
INTERNATIONAL LAW

PREFACE

This book is concerned with the relationship between two major areas of law: human rights and private international law. Private international lawyers, with some notable exceptions, have shown only a limited awareness of human rights and can be accused of often not taking human rights seriously. Human rights lawyers have also been remiss in failing to take seriously the private international law dimension in a case. The aim of the book has been to produce the first comprehensive account of this relationship from an English law perspective. The book is designed for practitioners and academics, both those with a background in private international law and those with a background in human rights, and our treatment of the subject reflects this.

The idea for the book came from an article by James Fawcett entitled ‘The Impact of Article 6 of the European Convention on Human Rights on Private International Law’, published in the *International and Comparative Law Quarterly* in 2007. It became apparent whilst working on this that other human rights have had an impact on private international law. There was also much more to be said about the right to a fair trial. Moreover, the concept of human rights needed to go beyond the ECHR. It was becoming increasingly apparent that fundamental rights under the EU Charter of Fundamental Rights were having an ever greater impact on private international law. This in turn raised complex questions on the relationship between human rights under the ECHR and those under the Charter. For the private international lawyer the question arose of when the rights under the Charter would apply.

One theme of the book then is the impact of human rights on private international law; not only what this impact of human rights has been but also what it should be. Human rights concerns need to be identified and solutions suggested. Equally important is the even more neglected question of the impact of private international law on human rights law. In recent years this question has become more pertinent as the European Court of Human Rights has had to wrestle with the relationship between human rights and private international law. We are still awaiting the judgment of the Grand Chamber in *Avotiņš v Latvia*,¹ which will hopefully cast light on the extent to which human rights law should defer to private international law, at least where the source of the latter is EU legislation.

Each of us brought specific expertise to this book. Whilst each of us took primary responsibility for certain chapters, the book is very much a joint effort. James Fawcett took primary responsibility for chapters 4 to 10 and 16. Máire Ní Shúilleabháin took primary responsibility for chapters 11 to 15 and Sangeeta Shah for chapters 1 to 3. Sangeeta Shah also guided the drafting of the section in each chapter where the relevant human rights law is set out in detail. Chapters also contain a section examining the application of human rights law to private international law issues. This section, which was the most difficult aspect to write, was co-written by either James Fawcett or Máire Ní Shúilleabháin, paired with Sangeeta Shah, following extensive discussion. Sangeeta Shah was also heavily involved in

¹ (App no 17502/07) ECHR 25 February 2014.

the discussion of the impact of private international law on human rights law. More generally, we read and commented upon each other's work. Each of us benefitted enormously from the suggestions of our co-authors.

Thanks are due to others. James Fawcett would like to thank the Leverhulme Trust for the award of a fellowship, which freed up time to write the book, and to colleagues and friends who helped in obtaining the grant (David Fraser, Sarah Dromgoole, Paul Beaumont, Alan Boyle, and Trevor Hartley). We are all indebted to Paul Beaumont and Trevor Hartley for advice on the vexed question of the application of the Charter of Fundamental Rights in cases where national rules of private international law are applied. Thanks are also due to Colm O'Cinneide, who provided advice regarding the non-discrimination chapter. More generally, we would like to thank Jeff Kenner for advice in relation to the Charter, David Harris and Marko Milanovic for guidance in relation to the ECHR, and Ugljesa Grusic for advice in relation to private international law. We would also like to thank our families for their patience and support during the completion of this project.

All errors are, of course, our responsibility. We have endeavoured to state the law as at the end of October 2015.

James J Fawcett
Leicestershire

Máire Ní Shúilleabháin
Dublin

Sangeeta Shah
Nottingham

October 2015

TABLE OF CASES

EUROPEAN COMMISSION ON HUMAN RIGHTS

A v Netherlands (1986) 8 EHRR CD308	11.56, 11.73
A v UK (1983) 5 EHRR CD296	11.56
Arrowsmith v UK (1978) 19 DR 5	12.07
Batali v Switzerland (App no 20765/92) ECommHR 9 January 1995	11.10, 11.26, 11.29, 11.30, 11.82, 11.174
Benes v Austria (App no 18643/91) ECommHR 6 January 1992	11.08, 11.17, 11.26, 11.28, 11.57, 11.82
Bramelid and Malmstrom v Sweden (1986) 8 EHRR CD116	6.150
Case (unreported) (App no 6200/73) ECommHR 13 May 1976	4.19, 6.49
Company S and T v Sweden (App no 11189/84) ECommHR 11 December 1986	15.09
D v France (App no 10180/82) ECommHR 6 December 1983	12.09
Di Lazzaro v Italy (1997) 90-B DR 134	14.04, 14.49
Draper v UK (App no 8186/78) ECommHR 10 July 1980	11.39, 11.40, 11.41, 11.45, 11.48, 11.58, 11.59
EA and AA v Netherlands (App no 14501/89) ECommHR 6 January 1992	11.186
Gauthier v Belgium (App no 12603/86) ECommHR 6 March 1989	6.152
Gill and Malone v Netherlands and UK (App no 24001/94) ECommHR 11 April 1996	2.91
H v UK (1983) 33 DR 247	4.20, 4.21, 4.22, 6.49, 8.48
Hamer v UK (App no 7114/75) ECommHR 13 October 1977	11.42, 11.48, 11.49
Hopic v Netherlands (App no 13158/87) ECommHR 4 July 1991	11.135
Khan v UK (App no 11579/85) ECommHR 7 July 1986	11.158, 11.160, 12.16
Kleine Staarman v Netherlands (1986) 8 EHRR CD73	11.50
Klip and Krüger v Netherlands (App no 33257/96) ECommHR 3 December 1997	11.56, 11.73, 11.79
KM v UK (App no 30309/96) ECommHR 9 April 1997	11.59, 11.114
Lindberg v Norway (App no 26604/95) ECommHR 26 February 1997	10.271, 10.294
Lindsay v UK (1987) 9 EHRR CD555	11.50, 11.69
M & Co v Germany (1990) 64 DR 138	2.12
M v Denmark (App no 17392/90) ECommHR 14 October 1992	11.119
Mahfaz v UK (App no 20598/92) ECommHR 30 June 1993	11.57
N, C, F and AG v Italy (App no 24236/94) ECommHR 4 December 1995	6.249
Nordström-Janzon and Nordström-Lehtinen v Netherlands (App no 28101/95) ECommHR 27 November 1996	6.124, 6.150
R v Switzerland (1987) 51 DR 93	6.150
RB v UK (App no 19628/92) ECommHR 29 June 1992	11.17, 11.25, 11.82, 11.140, 11.186, 12.26
Sanders v France (App no 31401/96) ECommHR 16 October 1996	11.56, 11.160
Smith Kline and French Laboratories v Netherlands (App no 12633/87) ECommHR 4 October 1990	15.09
Spetz v Sweden (App no 20402/92) ECommHR 12 October 1994	12.16
X and Y v UK (App no 7229/75) ECommHR 15 December 1977	14.17, 14.49, 14.86
X v Belgium and Netherlands (1975) 7 DR 75	2.91, 14.04
X v Federal Republic of Germany (1965) 8 YB 158	11.119
X v Germany (1962) YB 88	6.150
X v Germany (App no 6167/73) ECommHR 18 December 1974, (1974) 1 DR 64	11.41, 11.135, 12.16
X v Germany (App no 7175/75) ECommHR 12 July 1976	11.56
X v Netherlands (1981) 24 DR 176	14.35, 14.46, 14.51, 14.53

X v Switzerland (1980) 20 DR 179	16.99
X v Switzerland (1981) 26 DR 207	2.91, 11.62, 11.63, 11.82, 11.89, 11.135, 11.148
X v UK (App no 3898/68) ECommHR 22 July 1970	11.44, 11.186
X v UK (App no 7547/7615) ECommHR December 1977	11.119, 11.122
Zand v Austria (1978) 8 DR 167	3.56

EUROPEAN COURT OF HUMAN RIGHTS

97 Members of the Gldani Congregation of Jehovah's Witnesses v Georgia (2008) 46 EHRR 30	12.11
A v Norway (App no 28070/06) ECHR 9 April 2009	10.32, 11.05
AB v Slovakia (App no 41784/98) ECHR 4 March 2003	3.36
Abdulaziz, Cabales and Balkandali v UK (1985) 7 EHRR 471	9.11, 9.15, 9.25, 11.07, 11.08, 11.11, 11.12, 11.19, 11.25, 11.72, 11.73, 11.76, 14.18
Adolf v Austria (1982) 4 EHRR 313	5.164
Ageyev v Russia (App no 7075/10) ECHR 18 April 2013	14.08, 14.09
AGOSI v UK (1987) 9 EHRR 1	15.24, 15.25
Agrokompleks v Ukraine (App no 23465/03) ECHR 6 October 2011	3.47, 6.180, 7.21, 15.09, 15.35, 15.36
Air Canada v UK (1995) 20 EHRR 150	15.23
Airey v Ireland (1979–1980) 2 EHRR 305	2.15, 3.03, 3.09, 3.18, 4.24, 4.80, 5.274, 6.170, 6.261, 9.10, 9.11, 11.07, 11.11, 11.30, 13.72
Ait-Mouhoub v France (2000) 30 EHRR 382	6.122
Aksoy v Turkey (1997) 23 EHRR 553	2.19, 5.164
Al-Adsani v UK (2002) 34 EHRR 11	2.126, 2.129, 3.32, 4.103, 4.105, 6.247, 6.248–6.249, 6.250, 6.251, 6.252, 6.253, 6.254, 6.255, 6.261, 6.262, 6.263, 6.265, 6.275, 6.284, 6.292, 8.06, 8.36, 8.40, 11.121, 16.57
Al Jedda v UK (2011) 53 EHRR 23	1.25, 2.13
Al-Khawaja and Tahery v UK (2009) 49 EHRR 1	2.26
Al-Khawaja and Tahery v UK (2012) 54 EHRR 23	2.26
Al-Skeini v UK (2011) 53 EHRR 18	2.11, 11.119
Alaverdyan v Armenia (App no 23978/06) ECHR 27 November 2012	3.10
Ammjdadi v Germany (App no 51625/08) ECHR 9 March 2010	2.91, 9.14, 9.17, 9.26, 9.28, 9.91, 9.115, 9.145, 11.08, 11.17, 11.26, 11.29, 11.73–11.75, 11.77, 11.82, 11.135, 11.147, 11.163, 12.44, 15.10, 15.33, 15.82, 15.87, 15.88, 16.96, 16.107, 16.111, 16.112
Anayo v Germany (App no 20578/07) ECHR 21 December 2010	14.05
Andelković v Serbia (App no 1401/08) ECHR 9 April 2013	3.35
Andrejeva v Latvia (2010) 51 EHRR 28	9.25, 11.73
Anghel v Italy (App no 5968/09) ECHR 25 June 2013	13.12, 13.38, 13.74
Anheuser-Busch v Portugal (2007) 45 EHRR 830	15.04, 15.09
Animal Defenders International v UK (2013) 57 EHRR 21	10.10, 11.22
Argyris v Greece (App no 22489/08) ECHR 3 February 2011	4.88
Artico v Italy (1981) 3 EHRR 1	5.213
Ashingdane v UK (1985) 7 EHRR 528	3.22, 3.23, 3.32, 3.75, 4.76, 4.79, 4.180, 4.192, 5.18, 6.99, 6.283, 7.72, 7.80
ASLEF v UK (2007) 45 EHRR 34	2.05
Asnar v France (App no 12316/04) ECHR 18 October 2007	3.38
Assenov v Bulgaria (1999) 28 EHRR 652	2.09
Avotiņš v Cyprus and Latvia (App no 17502/07) ECHR 30 March 2010	5.84
Avotiņš v Latvia (App no 17502/07) ECHR 25 February 2014	4.31, 5.46, 5.69, 5.84–5.91, 5.248, 5.258, 5.319, 5.323, 8.08, 8.18, 16.42, 16.46, 16.95
Axel Springer AG v Germany (2012) 55 EHRR 6	10.40, 10.42, 10.161, 10.295
Axen v Germany (1984) 6 EHRR 195	3.62

B and L v UK (2006) 42 EHRR 11.....	11.33, 11.40, 11.44, 11.45, 11.46, 11.50, 11.52, 11.53, 11.58, 11.66, 11.121, 11.154, 11.156
B and P v UK (2002) 34 EHRR 19.....	3.63
Bah v UK (2012) 54 EHRR 21.....	9.21, 9.22
Bajrami v Albania (App no 35853/04) ECHR 12 December 2006.....	13.112, 13.118
Bankovic v Belgium (2007) 44 EHRR SE5.....	2.16
Barfod v Denmark (1991) 13 EHRR 493.....	10.18
Bayatyan v Armenia (2012) 54 EHRR 15.....	12.07
Bayerl v Germany (App no 37395/08) ECHR 13 October 2009.....	13.36
Beaumartin v France (1995) 19 EHRR 485.....	3.53, 3.68
Beer v Austria (App no 30428/96) ECHR 6 February 2001.....	3.36
Behrami v France (2007) 45 EHRR SE10.....	2.13
Beldjoudi v France (1992) 14 EHRR 801.....	11.24, 11.25
Belilos v Switzerland (1988) 10 EHRR 466.....	2.17, 3.50
Beller v France (App no 23805/94) ECHR 4 December 1995.....	3.15, 4.24
Bentham v Netherlands (1986) 8 EHRR 1.....	3.10, 3.50, 3.53
Beyeler v Italy (No 1) (2001) 33 EHRR 52.....	15.09, 15.24, 15.25, 15.72
Bianchi v Switzerland (App no 7548/04) ECHR 22 June 2006.....	11.15
Bladet Tromsø and Stensaa v Norway (2000) 29 EHRR 125.....	10.13, 10.21, 10.23, 10.30, 10.49, 10.71, 10.267, 10.271, 16.98
Blaa v Romania (App no 54443/10) ECHR 1 July 2014.....	13.29, 13.44, 13.63, 13.64, 13.68, 13.80, 16.71
Blečić v Croatia (2004) 41 EHRR 185.....	2.26
Bock v Germany (1990) 12 EHRR 247.....	3.71
Bosphorus Hava Yollari Turizm ve Ticaret Anonim Şirketi (Bosphorus Airways) v Ireland (2006) 42 EHRR 1.....	2.12, 2.13, 4.31, 5.258, 8.37, 9.98, 11.15, 13.91, 15.19
Bottazzi v Italy (App no 34884/97) ECHR 28 July 1999.....	4.88, 4.136
Bouvet v France (App no 10410/14).....	14.36
Brauer v Germany (2010) 51 EHRR 23.....	11.76, 11.78
Broniowski v Poland (2005) 40 EHRR 21.....	15.12, 15.13, 15.14
Brualla Gomez de la Torre v Spain (2001) 33 EHRR 5.....	5.190
Brumarescu v Romania (2001) 33 EHRR 35.....	3.47, 7.17, 7.83
Buchholz v Germany (1981) 3 EHRR 597.....	3.09, 3.70
Bulut v Austria (1996) 24 EHRR 84.....	5.164
Burden and Burden v UK (2008) 47 EHRR 38.....	9.24, 11.42, 11.69, 11.70
Burdov v Russia (2004) 38 EHRR 29.....	5.41, 15.11
Burdov v Russia (No 2) (2009) 49 EHRR 2.....	3.72, 3.74
Burghartz v Switzerland (App no 16213/90) ECHR 22 February 1994.....	11.72
C v Belgium (2001) 32 EHRR 2.....	9.29
Calogero Diana v Italy (App no 15211/89) 21 October 1996.....	11.15
Campbell and Fell v UK (1985) 7 EHRR 165.....	3.53
Capuano v Italy (1991) 13 EHRR 271.....	3.70, 4.136
Carlson v Switzerland (App no 49492/06) ECHR 6 November 2008.....	13.12, 13.30, 13.36, 13.37, 13.51, 14.20
Carson v UK (2009) 48 EHRR 41.....	12.44
Carson v UK (2010) 51 EHRR 13.....	9.20–9.21, 9.28, 9.85, 11.74, 11.98, 11.178, 15.09
Case relating to certain aspects of the laws on the use of languages in education in Belgium (Belgian Linguistics) (1979–80) 1 EHRR 252.....	9.24
Castells v Spain (1992) 14 EHRR 445.....	10.16, 10.20
Cavani v Hungary (App no 5493/13) ECHR 28 October 2014.....	13.30, 13.62
Cha'are Shalom Ve Tsedek v France (App no 27417/95) ECHR 15 January 2013.....	12.22
Chabrowski v Ukraine (App no 61680/10) ECHR 17 January 2013.....	13.30
Chagos Islanders v UK (2013) 56 EHRR SE15.....	2.11
Chassagnou v France (2000) 29 EHRR 615.....	9.10
Chauvy v France (2005) 41 EHRR 29.....	10.32

Chbihi Loudoudi v Belgium (App no 52265/10) ECHR 16 December 2014	14.33, 14.69
Church of Scientology Moscow v Russia (2008) 46 EHRR 16	12.07
Clift v UK (App no 7205/07) ECHR 13 July 2010	9.21
Comingersoll SA v Portugal (2001) 31 EHRR 31	2.05, 3.66
Connors v UK (2004) 40 EHRR 189	2.26
Constantinou v Cyprus (App no 3888/06) ECHR 17 September 2009	5.09, 5.16, 7.76, 7.91, 15.11, 15.31, 15.33, 16.45
Copland v UK (2007) 45 EHRR 37	10.31, 10.298
Ćosić v Croatia (2011) 52 EHRR 39	2.26
Cossey v UK (1991) 13 EHRR 622	11.37, 11.46, 11.47
Costello-Roberts v UK (1993) 19 EHRR 112	2.10, 11.13
Couderc and Hachette Filipacchi Associés v France (App no 40454/07) ECHR 10 November 2015	10.40
Cruz Varas v Sweden (1992) 14 EHRR 1	6.178
Cudak v Lithuania (2010) 51 EHRR 15	2.126, 2.129–2.130, 3.32, 4.97, 4.103, 6.247, 6.256–6.257, 6.268
Cumpănă v Romania (2005) 41 EHRR 14	10.32
Cyprus v Turkey (2002) 35 EHRR 30	5.40, 15.27, 15.46–15.47, 15.54, 15.62, 15.87
D v Belgium (App no 29176/13) ECHR 8 July 2014	14.36, 14.38, 14.44, 14.45, 14.47, 14.53
Dadouch v Malta (2014) 59 EHRR 34	11.10–11.11, 11.15, 11.17, 11.26, 11.28, 11.57, 11.82
Darby v Sweden (1991) 13 EHRR 774	9.21
Darren Omorogie v Norway (App no 265/07) ECHR 31 July 2008	11.24–11.25
DD v France (App no 3/02) ECHR 8 November 2005	12.54, 12.68
De Cubber v Belgium (1984) 7 EHRR 236	5.164, 6.242
De Geouffre de la Pradelle v France (App no 12964/87) ECHR 16 December 1992	3.15
Deak v Romania and UK (2008) 47 EHRR 50	13.70
Delcourt v Belgium (1978–1979) 1 EHRR 355	4.215, 5.167
Demades v Turkey (App no 16219/90) ECHR 31 July 2003	15.27
Demir and Baykara v Turkey (2009) 48 EHRR 54	1.15
Demopoulos v Turkey (2010) 50 EHRR SE14	15.47, 15.55–15.57, 15.87
Deweert v Belgium (1980) 2 EHRR 439	6.150, 6.153, 6.224
DH v Czech Republic (2008) 47 EHRR 3	9.16
Dickson v UK (2008) 46 EHRR 41	14.50
Dinu v Romania and France (App no 6152/02) ECHR 4 November 2008	5.14
DMD Group AS v Slovakia (App no 19334/03) ECHR 5 October 2010	3.57
Dombo Beheer BV v Netherlands (1994) 18 EHRR 213	3.14, 3.36, 4.26, 5.67, 7.84
Driza v Albania (App no 33771/02) ECHR 13 November 2007	7.83
Drozd and Janousek v France and Spain (1992) 14 EHRR 745	3.79–3.80, 5.49, 5.51–5.55, 5.57–5.58, 5.60, 5.62, 5.68, 5.79, 5.82, 5.93, 5.109, 5.124, 5.192, 5.200, 5.286, 5.323, 7.06, 7.14, 7.62, 7.70, 7.87, 7.95, 8.03, 8.41, 8.45, 10.276–10.279, 14.26, 15.37, 16.89, 16.102, 16.111
EB v France (2008) 47 EHRR 21	9.11, 9.20, 14.18, 14.51
Edwards v UK (1993) 15 EHRR 417	5.164
Einhorn v France (App no 7155/01) ECHR 16 October 2001	6.209
Emonet v Switzerland (2009) 49 EHRR 11	14.12–14.13, 14.49
Engel v Netherlands (1979–1980) 1 EHRR 547	9.21
Eski v Austria (App no 21949/03) ECHR 25 January 2007	14.04, 14.07–14.08, 14.12–14.13
Eskinazi and Chelouche v Turkey (App no 14600/05) ECHR 6 December 2005	5.57, 5.60, 5.61, 5.319, 6.103, 6.154, 7.89, 8.07, 8.08, 13.33–13.34, 13.45–13.46, 13.51–13.52, 13.75–13.76, 13.78
Evans v UK (2008) 46 EHRR 34	2.19, 14.38
Eweida v UK (2013) 57 EHRR 8	12.07–12.08, 12.22

F v Switzerland (1988) 10 EHRR 411	11.36–11.37, 11.40–11.42, 11.44–11.47, 11.52, 11.58, 11.149, 11.165, 11.188
Fabris v France (2013) 57 EHRR 19	9.15, 9.21, 15.09
Fayed v UK (1994) 18 EHRR 393	3.22, 3.32, 6.260
Ferrari v Italy (App no 33440/96) ECHR 28 July 1999	4.136
Ferrari v Romania (App no 1714/10) ECHR 28 April 2015	13.65, 16.71
Fischer v Austria (1995) 20 EHRR 349	3.59
Fociac v Romania (App no 2577/02) ECHR 3 February 2005	3.73
Fogarty v UK (2002) 34 EHRR 12	2.126, 2.129, 4.103, 4.105, 6.247, 6.249, 6.255–6.256, 6.263, 6.268, 6.284
Frasik v Poland (App no 22933/02) ECHR 5 January 2010	11.40–11.43, 11.45, 11.55, 11.109
Fretté v France (2004) 38 EHRR 21	14.04, 14.12, 14.21, 14.49, 14.51
Fuklev v Ukraine (App no 71186/01) ECHR 7 June 2005	3.73
Garaudy v France (App no 65831/01) ECHR 24 June 2003	10.09
Garcia Ruiz v Spain (2001) 31 EHRR 22	1.06, 3.35, 3.46, 4.215
Gas and Dubois v France (App no 25951/07) ECHR 15 March 2012	14.51
Gasus Dosier und Fördertechnik GmbH v Netherlands (1995) 20 EHRR 403	2.17, 15.09, 15.23–15.25
Gaygusuz v Austria (1997) 23 EHRR 364	9.20, 9.23, 9.25, 11.73
Giacomelli v Italy (2006) 45 EHRR 871	2.17
Gillow v UK (1986) 11 EHRR 355	2.19
Giyykantz v Greece (App no 40150/09) ECHR 30 October 2010	4.88
Glaser v UK (2001) 33 EHRR 1	3.27
Glor v Switzerland (App no 13444/04) ECHR 30 April 2009	9.25
Göç v Turkey (2002) 35 EHRR 6	3.37
Golder v UK (1979–1980) 1 EHRR 524	2.14, 2.18, 3.12–3.13, 3.15, 4.24, 11.48
Goodwin v UK (1996) 22 EHRR 123	10.13
Goodwin v UK (2002) 35 EHRR 18	11.10, 11.20, 11.30, 11.36, 11.40, 11.46–11.47, 11.58, 11.60, 11.82
Görgülü v Germany (App no 74969/01) ECHR 26 February 2004	11.21
Gözüm v Turkey (App no 4789/10) ECHR 20 January 2015	14.06, 14.08, 14.10–14.11
Granos Organicos Nacionales SA v Germany (App no 19508/07) ECHR 22 March 2012	5.274, 9.17, 9.22, 9.27, 9.29, 9.115, 9.135, 9.145, 16.96
Green and Farhat v Malta (App no 38797/07) ECHR 6 July 2010	9.14, 11.26, 11.28, 11.30–11.31, 11.57, 11.82, 11.89, 11.145, 11.186, 12.43, 12.76
GS v Georgia (App no 2361/13) ECHR 21 July 2015	13.65–13.66, 16.71
Guichard v France (App no 56838/00) ECHR 2 September 2003	13.99
Gül v Switzerland (1996) 22 EHRR 93	11.25
Gurov v Moldova (App no 36455/02) ECHR 11 July 2006	3.57
Gusinskiy v Russia (2005) 41 EHRR 17	6.141
H v France (1990) 12 EHRR 74	3.64
H v UK (1988) 10 EHRR 95	3.67
Hadjianastassiou v Greece (1993) 16 EHRR 219	5.213
Hakansson v Sweden (1991) 13 EHRR 1	6.150
Hämäläinen v Finland (App no 37359/09) ECHR 16 July 2014	11.52, 11.182
Handyside v UK (1979–1980) 1 EHRR 737	2.18–2.19, 10.09, 10.13, 10.17, 10.150
Hansen v Turkey (2004) 39 EHRR 18	13.12, 13.112–13.115, 13.118
Harroudj v France (App no 43631/09) ECHR 4 October 2012	14.14, 14.30–14.33, 14.35, 14.51, 14.69, 14.113, 16.46, 16.111–16.112
Hatton v UK (2001) 34 EHRR 1	2.19
Hauschildt v Denmark (1990) 12 EHRR 266	6.242
Higgins v France (1999) 27 EHRR 703	5.267
Hirvisaari v Finland (2004) 38 EHRR 7	5.267
HN v Poland (2007) 45 EHRR 46	13.29–13.30, 13.69, 13.116

Hode and Abdi v UK (2013) 56 EHRR 27	9.21
Hoffmann v Austria (1994) 17 EHRR 293	9.25
Hohenzollern (De Roumanie) v Romania (App no 18811/02) ECHR 27 May 2010	5.09, 5.13, 5.57
Hoholm v Slovakia (App no 35632/13) ECHR 13 January 2015	3.71, 13.69
Holy Monasteries v Greece (1995) 20 EHRR 1	9.18
Hornsby v Greece (1997) 24 EHRR 250	3.11, 3.13, 3.72, 5.08, 5.14, 5.25, 5.41, 7.52
Hromadka and Hromadova v Russia (App no 22909/10) ECHR 11 December 2014	13.114
Humen v Poland (2001) 31 EHRR 53	3.67
Hurtado v Switzerland (App no 17548/90) ECHR 28 January 1994	2.09
Hussin v Belgium (App no 70807/01) ECHR 6 May 2004	4.86, 5.09, 5.11, 5.16, 5.20–5.21, 5.34, 5.316, 7.76, 7.91, 8.07, 15.15, 15.31
Iatridis v Greece (2000) 30 EHRR 97	15.17–15.18
Iglesias Gil v Spain (2005) 40 EHRR 3	13.27
Ignaccolo- Zenide v Romania (2001) 31 EHRR 7	13.25, 13.30–13.33, 13.116, 16.93
Immobiliere Saffi v Italy (2000) 30 EHRR 756	3.73
Inze v Austria (1988) 10 EHRR 394	9.25
Iosub Caras v Romania (2008) 47 EHRR 35	13.28–13.29, 13.35
Ireland v UK (1979–1980) 2 EHRR 25	2.19, 2.21
IS v Germany (App no 31021/08) ECHR 5 June 2014	14.05, 14.08, 14.12–14.13
JA Pye (Oxford) Ltd v UK (2007) 46 EHRR 1083	15.20, 15.65
Jahn v Germany (2006) 42 EHRR 1084	15.26
Jalloh v Germany (2007) 44 EHRR 667	3.44
James v UK (1986) 8 EHRR 123	3.10, 15.20, 15.23
Jaremwicz v Poland (App no 24023/03) ECHR 5 January 2010	11.33, 11.36, 11.38–11.41, 11.43, 11.44, 11.45, 11.49, 11.52, 11.55, 11.58, 11.109
Jehovah's Witnesses of Moscow v Russia (App no 302/02) ECHR 10 June 2010	12.14, 12.25, 12.28
Jeličić v Bosnia and Herzegovina (2008) 47 EHRR 13	15.11
Jersild v Denmark (1995) 19 EHRR 1	10.10
Johnston v Ireland (1986) 4 EHRR 38	2.16, 9.17, 9.21, 9.85, 9.91, 9.145, 11.11, 11.26–11.29, 11.36, 11.44, 11.46, 11.57, 11.68, 11.75, 11.83, 11.145, 11.186, 12.10
Jokela v Finland (App no 28856/95) ECHR 21 May 2002	5.267
Jones v UK (2014) 59 EHRR 1	2.129–2.130, 6.247, 6.250–6.254, 6.262, 6.278, 8.06, 8.40, 11.121, 16.57
K & T v Finland (2003) 36 EHRR 255	11.07
K v Italy (2006) 43 EHRR 50	5.57
Kabwe and Chungu v UK (App nos 29647/08 and 33269/08) ECHR 2 February 2010	3.42, 6.118
Kafakaris v Cyprus (2009) 49 EHRR 877	9.11
Kalashnikov v Russia (2003) 36 EHRR 34	2.09
Kalogeropoulou v Greece and Germany (App no 29021/00) ECHR 12 December 2002	4.103–4.104, 6.247, 6.276, 15.17, 15.20–15.21, 15.30, 15.88
Kamasinski v Austria (1991) 13 EHRR 26	4.222
Karadžić v Croatia (2007) 44 EHRR 45	13.25, 13.29–13.30
Karakó v Hungary (2011) 52 EHRR 36	10.32, 10.33, 10.34, 10.155
Karcheva and Shtarbova v Bulgaria (App no 60939/00) ECHR 28 September 2006	3.69
Karlheinz Schmidt v Germany (1994) 18 EHRR 513	9.23, 9.24
Karner v Austria (2004) 38 EHRR 24	9.21, 11.68, 11.76, 11.77
Katikaridis v Greece (2001) 32 EHRR 6	15.25
Katte Klitsche de la Grange v Italy (1994) 19 EHRR 368	4.136, 6.175
Kay v UK (2012) 54 EHRR 30	2.26
Kazali v Cyprus (App no 49247/08) ECHR 6 March 2012	15.57

Kearns v France (2010) 50 EHRR 33	2.19, 14.05, 14.07, 14.08, 14.09
Keegan v Ireland (1994) 18 EHRR 342	14.04, 14.05, 14.07, 14.08, 14.10, 14.11, 14.13
Kin-Stib and Majkić v Serbia (App no 12312/05) ECHR 20 April 2010	15.09, 15.12
Kiyutin v Russia (2011) 53 EHRR 26	11.139
Kjeldsen, Busk Madsen and Pedersen v Denmark (1978-1979) 1 EHRR 711	9.21
Klass v Germany (1979-1980) 2 EHRR 214	2.18
Klein v Germany (2002) 34 EHRR 415	6.176
Komanicky v Slovakia (App no 32106/96) ECHR 4 June 2002	5.189
König v Federal Republic of Germany (1979-1980) 2 EHRR 170	2.17, 3.09, 3.14, 3.65, 3.66, 5.169, 6.171, 6.175
Kopecký v Slovakia (2005) 41 EHRR 43	15.09
Kotov v Russia (App no 54522/00) ECHR 3 April 2012	15.12
Koua Poirrez v France (2005) 40 EHRR 2	11.73
Kozak v Poland (2010) 51 EHRR 16	9.21, 11.68, 11.76, 11.77
Kreuz v Poland (No 1) (App no 28249/95) ECHR 19 June 2001	3.24
Krombach v France (App no 29731/96) ECHR 13 February 2001	5.48, 5.131, 5.180, 5.304, 5.320, 7.05
Kurochkin v Ukraine (App No 42276/08) ECHR 20 May 2010	14.09
Kutić v Croatia (App no 48778/99) ECHR 1 March 2002	3.19, 3.76
L & V v Austria (2003) 36 EHRR 55	9.25
Labassee v France (App no 65941/11) ECHR 26 June 2014	14.36, 14.38, 14.39, 14.40, 14.41, 14.42, 14.43, 14.44, 14.48, 14.50, 14.112, 16.47
Lashin v Russia (App no 33117/02) ECHR 22 January 2013	11.152
Lavents v Latvia (App no 58442/00) ECHR 28 November 2002	3.56
Le Compte, Van Leuven, and De Meyere v Belgium (1982) 4 EHRR 1	3.11, 3.61
Leander v Sweden (1987) 9 EHRR 433	11.15
Levadna v Ukraine (App no 7354/10) ECHR 27 April 2010	13.43, 13.46, 13.64
Leyla Şahin v Turkey (App no 44774/98) ECHR 10 November 2005	12.78
Lindberg v Sweden (2004) 38 EHRR CD239	5.58, 5.70-5.71, 7.20, 7.89, 10.49, 10.206, 10.266-10.269, 10.271, 10.273, 10.276-10.279, 10.296, 10.304, 16.98
Lingens v Austria (1986) 8 EHRR 407	10.13, 10.32, 10.236
Lipkowsky and McCormack v Germany (App no 26755/10) ECHR 18 January 2011	13.12, 13.29, 13.51, 13.57, 13.62, 13.82
Lithgow v UK (1986) 8 EHRR 329	15.24
Lizanets v Ukraine (App no 6725/03) ECHR 31 May 2007	3.47, 7.17
Loizidou v Turkey (1995) 20 EHRR 99	2.15
Loizidou v Turkey (1997) 23 EHRR 513	5.40, 5.45, 15.09, 15.27, 15.46-15.47, 15.52, 15.54, 15.62, 15.87
López Guió v Slovakia (App no 10280/12) ECHR 3 June 2014	13.33
Losonci Rose and Rose v Switzerland (App no 664/06) ECHR 9 November 2010	9.14, 9.25, 11.72
M and M v Croatia (App no 10161/13) ECHR 3 September 2015	13.43
M and S v Italy and UK (App no 2584/11) ECHR 13 March 2012	13.107
M v Italy and Bulgaria (2013) 57 EHRR 29	11.139, 11.152, 11.158
MA v Austria (App no 4097/13) ECHR 15 January 2015	13.92
Magee v UK (2001) 31 EHRR 35	9.21
Maire v Portugal (2006) 43 EHRR 13	13.30-13.31
Mamatkulov and Askarov v Turkey (2005) 41 EHRR 494	6.178, 6.209
Mantonavelli v France (1997) 24 EHRR 370	4.215, 5.127
Marckx v Belgium (1979-1980) 2 EHRR 330	11.11, 11.15, 11.38, 15.09
Markovic v Italy (2007) 44 EHRR 52	2.89
Martinie v France (2007) 45 EHRR 15	3.59, 3.61, 4.214
Martins Moreira v Portugal (1991) 13 EHRR 517	3.65
Masson and Van Zon v Netherlands (1996) 22 EHRR 491	6.283

Mara Estevez v Spain (App no 56501/00) ECHR 10 May 2001	11.69, 11.76
Mattei v France (App no 3043/02) ECHR 19 December 2006	4.222
Matthews v UK (1999) 28 EHRR 361	2.12, 2.22
Maumousseau and Washington v France (2010) 51 EHRR 35	5.57, 7.89, 13.12, 13.25, 13.31, 13.46, 13.51–13.53, 13.55–13.56, 13.66, 13.78
McCann v UK (2008) 47 EHRR 913	2.26
McDonald v France (App no 18648/04) ECHR 29 April 2008	5.21–5.24, 5.35, 5.41, 5.57, 7.76
McElhinney v Ireland (2001) 34 EHRR 323	2.130, 4.78, 4.103–4.105, 6.209–6.210, 6.247, 6.249, 6.263, 6.284
McGonnell v UK (2000) 30 EHRR 289	3.55
McMichael v UK (1995) 20 EHRR 205	3.34, 4.215
McVicar v UK (2002) 35 EHRR 22	3.21, 4.24, 6.49, 10.23
Mehmet and Suna Yigit v Turkey (App no 52658/99) ECHR 17 July 2007	4.97
Meleagrou v Turkey (App no 14434/ 09) ECHR 2 April 2013	15.57
Mennesson v France (App no 65192/11) ECHR 26 June 2014	14.26, 14.32, 14.36–14.44, 14.47–14.48, 14.50, 14.57–14.58, 14.97, 14.102, 14.104–14.105, 14.110, 14.112, 16.18, 16.44, 16.47, 16.85
MGN Ltd v UK (2011) 53 EHRR 5	10.11
Micallef v Malta (2010) 50 EHRR 37	3.11, 3.54–3.55
Michaud v France (2014) 59 EHRR 9	4.31, 5.258, 8.37, 9.98, 13.93, 15.76
Michel v Switzerland (App no 3235/09) ECHR 8 July 2014	14.25
Mincheva v Bulgaria (App no 21558/03) ECHR 2 September 2010	3.69
Monory v Romania and Hungary (2005) 41 EHRR 37	4.88, 13.28–13.29, 13.35, 13.39
Moretti and Benedetti v Italy (App no 16318/07) ECHR 27 April 2010	14.12
Mosley v UK (2011) 53 EHRR 30	10.31
Moustaquim v Belgium (1991) 13 EHRR 802	9.29, 9.87–9.88
MR and LR v Estonia (2013) 56 EHRR SE12	13.57, 13.64
MSS v Belgium and Greece (2011) 53 EHRR 2	2.12, 4.31, 8.37, 9.98
Muñoz Díaz v Spain (2010) 50 EHRR 49	11.41, 11.80, 11.114, 11.135, 11.158, 12.11, 12.41
Muyldermans v Belgium (1993) 15 EHRR 204	3.39
MW v UK (App no 11313/02) ECHR 23 June 2009	11.27, 11.69
NA v Turkey (2007) 45 EHRR 287	15.26
National & Provincial Building Society, Leeds Permanent Building Society and Yorkshire Building Society v UK (1998) 25 EHRR 127	3.48
Negrepontis-Giannisis v Greece (App No 56759/08) ECHR 3 May 2011	5.17, 5.24, 5.33, 5.57, 7.72, 11.30–11.31, 11.131, 12.45, 14.24–14.25, 14.28, 14.44, 14.52, 14.81–14.82, 14.87, 15.15, 15.31, 15.33, 15.36, 15.88, 16.44–16.45, 16.47, 16.78
Neulinger v Switzerland (App No 41615/07) ECHR 8 January 2009	13.12, 13.46, 13.52, 13.55, 13.67
Neulinger and Shuruk v Switzerland (2012) 54 EHRR 31	1.07, 2.126–2.128, 13.12–13.13, 13.15, 13.23–13.24, 13.39, 13.46–13.58, 13.60–13.62, 13.66–13.67, 13.120, 14.05, 14.67, 16.15, 16.33, 16.37, 16.41, 16.44, 16.66, 16.112
Nideröst-Huber v Switzerland (1998) 25 EHRR 70	4.231
Niemietz v Germany (1993) 16 EHRR 97	10.31
Norris v Ireland (1991) 13 EHRR 186	15.72
Nunes Dias v Portugal (App nos 69289/01 and 2672/03) ECHR 10 April 2003	3.41, 4.218
Nylund v Finland (App no 27110/95) ECHR 29 June 1999	14.18
O'Donoghue v UK (2011) 53 EHRR 1	11.38, 11.40, 11.45, 11.48, 11.50, 11.54, 11.56, 11.66, 11.80, 11.139, 11.150, 11.163, 12.12, 12.40
Oberschlick v Austria (1995) 19 EHRR 389	6.150
Observer and Guardian Newspapers Ltd v UK (1992) 14 EHRR 153	10.13, 10.24
Odièvre v France (2004) 38 EHRR 43	14.08
Olaechea Cahuas v Spain (App no 24668/03) ECHR 10 August 2006	6.209

Oleksandr Volkov v Ukraine (App no 21722/11) ECHR 9 January 2013	3.57
Oleynikov v Russia (2013) 57 EHRR 15	6.247, 6.268
Oliari v Italy (App nos 18766/11 and 36030/11) ECHR 21 July 2015	11.11, 11.68, 11.168
Olsson v Sweden (No 1) (1989) 11 EHRR 259	14.20
Öneryıldız v Turkey (2005) 41 EHRR 325	15.09, 15.47
Onur v UK (2009) 49 EHRR 38	11.09
Orams v Cyprus (App no 27841/07) ECHR 10 June 2010	15.53
Osman v UK (1999) 29 EHRR 245	6.260
Othman (Abu Qatada) v UK (2012) 55 EHRR 1	3.76–3.77, 4.35, 4.93–4.94, 5.61, 5.64–5.65, 6.178, 6.213
Özgür Gündem v Turkey (2000) 31 EHRR 49	10.12
Öztürk v Turkey (App no 39523/03) ECHR 13 October 2009	15.15, 15.19, 15.36
P, C, and S v UK (App no 56547/00) ECHR 16 July 2002	14.49
Pafitis v Greece (1999) 27 EHRR 566	3.65, 4.130
Paradis v Germany (2004) 38 EHRR CD13	13.31, 13.34, 13.46
Paradiso and Campanelli v Italy (App no 25358/12) ECHR 27 January 2015	14.32, 14.36, 14.38, 14.44, 14.46–14.48, 16.35
Parry v UK (App no 42971/05) ECHR 28 November 2006	11.07, 11.37, 11.52, 11.59, 12.18
Paulić v Croatia (App no 3572/06) ECHR 22 October 2009	2.26
Pauliukienė and Pauliukas v Lithuania (App no 18310/06) ECHR 5 November 2013	10.32
PB and JS v Austria (2012) 55 EHRR 31	11.68, 11.77
Peck v UK (2003) 36 EHRR 719	10.31
Pejcinovski v Austria (App no 33500/96) ECHR 23 March 1999	11.57
Pélissier and Sassi v France (2000) 30 EHRR 715	4.222
Pelladoah v Netherlands (1994) 19 EHRR 81	5.130
Pellegrini v Italy (2001) 35 EHRR 44	2.92, 2.110, 3.78, 3.81, 5.09, 5.53–5.62, 5.65–5.69, 5.74, 5.76, 5.79, 5.82, 5.94, 5.97, 5.108, 5.109, 5.185, 5.192, 5.200, 5.202, 5.203, 5.207, 5.213, 5.257, 5.286, 5.323, 7.06, 7.13, 7.14, 7.18, 7.23, 7.54, 7.59, 7.62, 7.64, 7.65, 7.70, 7.87, 7.88, 7.89, 7.95, 7.96, 8.03, 8.41, 8.42, 8.45, 10.276, 10.277, 10.278, 10.279, 11.82, 12.45, 13.75, 14.26, 15.33, 15.37, 16.44, 16.47, 16.60, 16.102, 16.111, 16.112
Perec v Slovakia (App no 383/13) ECHR 21 July 2015	13.33
Perez v France (2005) 40 EHRR 39	3.13
Pérez de Rada Cavanilles v Spain (2000) 29 EHRR 109	3.33, 4.180, 5.127, 5.190
Perna v Italy (2004) 39 EHRR 28	10.18
Petr Korolev v Russia (App no 38112/04) ECHR 21 October 2010	15.11
Petrovic v Austria (2001) 33 EHRR 14	12.37
Pfeifer and Plankl v Austria (1992) 14 EHRR 692	6.150
Pfeifer v Austria (2009) 48 EHRR 8	10.26, 10.32, 10.38, 10.42, 10.146
Pini v Romania (2005) 40 EHRR 13	14.04, 14.06–14.08, 14.10–14.15, 14.18, 14.26, 16.92
Pla and Puncernau v Andorra (App no 69498/01) ECHR 13 July 2004	14.06, 14.52, 14.82
Poiss v Austria (1988) 10 EHRR 231	3.65
Poitrimol v France (1994) 18 EHRR 130	5.130
Ponomaryovi v Bulgaria (2014) 59 EHRR 20	9.25, 9.30
Pontes v Portugal (App no 19554/09) ECHR 10 April 2012	14.46
Povse v Austria (App no 3890/11) ECHR 18 June 2013	4.31, 4.91, 4.141, 5.46, 5.247–5.248, 5.258, 5.323, 8.18, 13.38, 13.84, 13.89–13.90, 13.92–13.96, 13.123, 14.67, 16.17, 16.42, 16.46, 16.95
PP v Poland (App no 8677/03) ECHR 8 January 2008	13.29, 13.46
Prager and Oberschlick v Austria (1995) 21 EHRR 1	10.150
Pravednaya v Russia (App no 69529/01) ECHR 30 March 2005	3.47, 7.17
Pretto v Italy (1984) 6 EHRR 182	3.09, 3.62
Pretty v UK (2002) 35 EHRR 1	2.16, 11.10, 11.23

Prince Hans Adam II of Liechtenstein v Germany (App no 42527/98) ECHR 12 July 2001	2.125, 4.78, 4.85, 4.126, 5.52, 6.100, 6.146, 6.209, 15.16, 15.29, 15.33, 15.66, 16.45
Probstmeier v Germany (App no 20950/92) ECHR 1 July 1997	3.70
Pullar v UK (1996) 22 EHRR 391	6.242
R and F v UK (App no 35478/05) 28 November 2006	11.37
R and H v UK (2012) 54 EHRR 2	14.04–14.08, 14.12
Raban v Romania (App no 25437/08) ECHR 26 October 2010	13.37–13.38, 13.57
Radio France v France (2005) 40 EHRR 29	10.16, 10.146
Ramaer and Van Willigen v Netherlands (2013) 57 EHRR 3	15.09
Rantsev v Cyprus and Russia (App no 25965/04) ECHR 10 May 2010	14.54
Rasmussen v Denmark (1984) 7 EHRR 371	9.18, 9.21, 9.24, 11.77
Raviv v Austria (App no 26266/05) ECHR 13 March 2012	9.21
Raylyan v Russia (App no 22000/03) ECHR 15 February 2007	3.74
Razaghi v Sweden (App no 64599/01) ECHR 11 March 2003	6.209
Rees v UK (1987) 9 EHRR 56	11.20, 11.36, 11.47
Refah Partisi (The Welfare Party) v Turkey (2003) 37 EHRR 1 ...	2.19, 11.186, 12.25, 12.30, 12.48
Religionsgemeinschaft der Zeugen Jehovas v Austria (2009) 48 EHRR 17	12.14
Richardson v UK (App No 26252/08) ECHR 10 April 2012	9.21
Ringeisen v Austria (1979-1980) 1 EHRR 455	3.53
Robins v UK (1998) 26 EHRR 527	3.65
Roche v UK (2006) 42 EHRR 30	3.10, 6.283
Romanczyk v France (App no 7618/05) ECHR 18 November 2010	5.09, 5.14
RS v Poland (App no 63777/09) ECHR 21 July 2015	13.36
Ruiz-Mateos v Spain (1993) 16 EHRR 505	3.34
Ruiz Torija v Spain (1995) 19 EHRR 542	5.267
Ryabykh v Russia (2005) 40 EHRR 25	3.47, 7.17, 7.83
Ryakib Biryukov v Russia (App no 14810/02) ECHR 17 January 2008	3.62
S v Switzerland (1992) 14 EHRR 670	3.45
Saadi v Italy (2009) 49 EHRR 30	6.178
Sabah El Leil v France (2012) 54 EHRR 14	2.126, 2.129, 6.247
Saccoccia v Austria (2010) 50 EHRR 11	3.59, 5.59, 5.62, 5.222, 15.09, 15.14, 15.16, 15.18–15.19, 15.22, 15.24, 15.28, 15.37, 15.72
Sahin v Germany (App no 30943/96) ECHR 8 July 2003	9.21
Salesi v Italy (1998) 26 EHRR 187	4.136, 6.175
Salov v Ukraine (2007) 45 EHRR 51	6.180
SAS v France (2015) 60 EHRR 11	11.187, 12.14, 12.78
Savez Crkava 'Riječ Života' v Croatia (2012) 54 EHRR 36	12.08, 12.15–12.17, 12.41
Savoia and Bounegru v Italy (App no 8407/05) ECHR 11 July 2006	11.56, 11.73
Schalk and Kopf v Austria (2011) 53 EHRR 20	11.08, 11.10, 11.33, 11.36–11.37, 11.46, 11.68, 11.84, 11.143
Schuler-Zraggen v Switzerland (1993) 16 EHRR 405	3.59, 6.150
Schwizgebel v Switzerland (App no 25762/07) ECHR 10 June 2010	14.12–14.13, 14.51, 14.107
Sedelmayer v Germany (App nos 30190/06 and 30216/06) ECHR 10 November 2009	15.30, 15.88
Sejdić and Finci v Bosnia and Herzegovina (App no 27996/06) ECHR 22 December 2009	9.32
Sejdovic v Italy (2006) 42 EHRR 17	3.40
Sejdovic v Italy (App no 56581/00) ECHR 1 March 2006	4.97
Serif v Greece (2001) 31 EHRR 20	12.76
Şerife Yiğit v Turkey (2011) 53 EHRR 25	9.21, 11.08, 11.27, 11.69, 11.71–11.72, 11.76, 11.101, 11.140, 11.159, 11.176, 11.186–11.187, 12.17
SH v Austria (2011) 52 EHRR 6	14.36–14.38, 14.42
Shackell v UK (App no 45851/99) ECHR 27 April 2000	11.69–11.70

Shaw v Hungary (App no 6457/09) ECHR 26 July 2011	13.43, 13.82, 16.93
Sheffield and Horsham v UK (1999) 27 EHRR 163	11.36, 11.47, 11.57, 11.61
Sholokhov v Armenia and Moldova (App no 40358/05) ECHR 31 July 2012	5.16
Shtukaturv v Russia (2012) 54 EHRR 27	11.21
Šilih v Slovenia (2009) 49 EHRR 37	2.26
Silver v UK (1983) 5 EHRR 347	3.04, 10.15, 11.18
Singh v UK (App No 60148/00) ECHR 3 September 2002	14.16–14.17, 14.51, 14.76, 14.78–14.79
Slivenko v Latvia (2004) 39 EHRR 24	11.09, 11.24
Smirnova v Russia (2004) 39 EHRR 22	10.31
Šneersone and Campanella v Italy (2013) 57 EHRR 39	2.127, 13.43, 13.84–13.85, 13.88, 13.93–13.94, 13.96, 13.101
Söderbäck v Sweden (2000) 29 EHRR 95	14.08, 14.34
Soering v UK (1989) 11 EHRR 439	3.76, 4.35, 4.93–4.94, 5.61, 6.178, 6.209, 6.261, 8.03, 8.41, 16.89
Sokurenko and Strygun v Ukraine (App nos 29458/04 and 29465/04) ECHR 20 July 2006	3.57
Sophia Andreou v Turkey (App no 18360/91) ECHR 22 June 2010	15.51
Sovtransavto Holding v Ukraine (2004) 38 EHRR 44	3.47, 6.180
Speil v Austria (2002) 35 EHRR CD318	3.59
Sporrong and Lönnroth v Sweden (1983) 5 EHRR 35	15.09, 15.14, 15.19, 15.21
Sramek v Austria (1985) 7 EHRR 351	3.52
Stankov v Bulgaria (2009) 49 EHRR 7	3.24
Steel and Morris v UK (2005) 41 EHRR 22	3.28, 5.274, 10.23–10.24, 10.157
Stjerna v Finland (1997) 24 EHRR 195	2.19
Stran Greek Refineries v Greece (1994) 19 EHRR 293	15.09
Streletz, Kessler and Krenz v Germany (2001) 33 EHRR 31	2.126
Strömblad v Sweden (App no 3684/07) ECHR 5 April 2012	13.38
Stubbings v UK (1996) 23 EHRR 213	3.29, 9.24, 10.48
Stübing v Germany (2012) 55 EHRR 24	11.09–11.10, 11.15–11.18, 11.156, 11.176
Sunday Times v UK (1979–1980) 2 EHRR 245	10.11, 10.17, 11.15
Sunday Times v UK (No 2) (1992) 14 EHRR 229	2.05, 10.13, 10.150
Suovaniemi v Finland (App no 31737/96) ECtHR 23 February 1999	6.124, 6.150, 6.155
Svenčionienė v Lithuania (App no 37259/04) ECHR 25 November 2008	5.214
Svyato-Mykhaylivska Parafiya v Ukraine (App No 77703/02) ECHR 14 June 2007	12.14, 12.32
Sylvester v Austria (2003) 37 EHRR 17	13.25, 13.29–13.30, 13.46, 14.20, 16.93
T v UK (App no 24724/92) 16 December 1999	5.220
Tammer v Estonia (2003) 37 EHRR 857	10.20
Taxquet v Belgium (2012) 54 EHRR 26	5.267
Tejedor Garcia v Spain (1998) 26 EHRR 440	5.190
Thlimmenos v Greece (2001) 31 EHRR 15	9.19, 11.74, 11.81, 11.175
Thorgeirson v Iceland (1992) 14 EHRR 843	10.09
Times Newspapers Ltd (Nos 1 and 2) v UK (App no 3002/03) ECHR 10 March 2009	10.19, 10.48, 10.104, 10.158, 10.304
Timishev v Russia (2007) 44 EHRR 776	9.25, 11.75
Tolstoy Miloslavsky v UK (1995) 20 EHRR 422	2.30, 3.09, 3.24, 6.122, 9.121, 10.12, 10.18, 10.150
Tomic v UK (App no 17837/03) ECHR 14 October 2003	6.209
Treska v Albania and Italy (App no 26937/04) ECHR 29 June 2006	15.29–15.30
Tyrer v UK (1979–1980) 2 EHRR 1	2.16
UJ v Hungary (App no 23954/10) ECHR 19 July 2011	10.22
Ukrainian Media Group v Ukraine (2006) 43 EHRR 499	10.23
Ünal Tekeli v Turkey (2006) 42 EHRR 53	11.72, 11.77, 11.82, 11.139
Unión Alimentaria Sanders SA v Spain (1990) 12 EHRR 24	3.68