

Subject matter of the application

All the information concerning the facts, complaints and compliance with the requirements of exhaustion of domestic remedies and the four-month time-limit laid down in Article 35 § 1 of the Convention must be set out in this part of the application form (sections E, F and G). It is not acceptable to leave these sections blank or simply to refer to attached sheets. See Rule 47 § 2 and the Practice Direction on the Institution of proceedings as well as the “Notes for filling in the application form”.

E. Statement of the facts

- 58.
- I. INTRODUCTION
1. Mr Ola Hjelm (the “Applicant”) is a Swedish national. He was born in 1954 and lives in Lidingö, Sweden. His case raises fundamental issues concerning the proportionality requirement under Article 1 of Protocol No. 1 to the Convention (“A1P1”).
2. Under A1P1, the scope of the domestic courts’ review must allow them to seek a “fair balance” between competing interests. This proportionality review is an indispensable safeguard against disproportionate interferences and a prerequisite for individuals’ ability to effectively assert their rights. The Applicant was prevented from building a house on his property because of extended shore protection, which had been decided without taking his interests into account. When ruling on exemption from the extended protection, the domestic courts considered themselves prevented from undertaking a proportionality review. Did the absence of a proportionality review in itself violate A1P1?
3. This is the second time the Applicant turns to the Court. In 2014, the Court decided to give notice to the Government of his prior application concerning the ongoing violation of his rights under A1P1 (see decision of the Court of 8 September 2014 in *Ola Hjelm v. Sweden*, no. 36557/13, bundle pp. 64–69). In 2016, the domestic courts granted his request for an exemption from the shore protection in a new set of proceedings, finding that the interference had been disproportionate. The Government then argued that the issue of redress should be determined through tort proceedings at national level instead of being adjudicated by the Strasbourg Court as a first instance. The Applicant agreed and the case was struck out. In 2023, however, the tort proceedings culminated in the Applicant being denied compensation. The Court of Appeal found that the extended shore protection had not been disproportionate. The Court of Appeal also found that the absence of a proportionality review did not in itself violate the Convention. The Applicant now returns to the Strasbourg Court for redress, limiting himself to the violation of his procedural rights under A1P1 (see Section F below).
4. In the following subsections, the Applicant will set out the facts of the case, his complaints and compliance with the admissibility criteria in more detail.
- II. THE SHORE PROTECTION CASE-LAW AT THE TIME BARRED PROPORTIONALITY REVIEWS
5. The Applicant’s case concerns the Swedish shore protection regime. A short introduction to the relevant domestic legislation and case-law is, therefore, necessary.
6. Sweden’s shore protection legislation dates back to the 1970s. Its purpose is to ensure public access to outdoor recreation facilities, including shores and beaches, and to maintain good living conditions for plants and animal species on land and in water (see Chapter 7, Section 13 of the Environmental Code, sv. Miljöbalken; 1998:80, see bundle p. 15).
7. Generally, the Swedish shore protection regime prohibits property owners from building within 100 meters from the shore at a normal water level. The County Administrative Boards (sv. länsstyrelserna) can also extend the shore protection areas in certain cases, up to 300 meters from the shore if it is deemed necessary to fulfil the purposes behind the shore protection legislation mentioned above (see Chapter 7, Section 14 of the Environmental Code, bundle p. 15).
8. No individual assessment of the property owners’ rights is done when deciding on extended shore protection (see Chapter 7, Section 14 of the Environmental Code, bundle p. 15). Instead, the possibility of applying for an exemption for a specific construction is considered sufficient to take account of situations where “the interests of shore protection ought to be allowed to take secondary priority to individual interests” [in house-translation](see the travaux préparatoires, prop. 1997/98:45 p. 317, bundle p. 1).
9. The decision to grant an exemption is first decided by the municipality and can then be subject to re-examination ex-officio by the County Administrative Boards, with a possibility for property owners to appeal to the Land and Environmental Courts.

Statement of the facts (continued)

59.
10. Between 2011 and 2020, the Land and Environmental Courts interpreted the relevant legislation in an exceedingly strict manner, which barred a full proportionality analysis. Exemption from shore protection could, in their assessment, only be granted under the narrowly framed exceptional circumstances specified in the Environmental Code (see Chapter 7, Sections 18 c and 18 d of the Environmental Code, bundle p. 17). That could for instance be the case when the property in question was “well separated” from the area closest to the shore by a road.

11. As regards the principle of proportionality, the Land and Environmental Court of Appeal (sv. Mark- och miljööverdomstolen) found in a judgment of 3 June 2011 (case no. M 9745-10, see bundle pp. 24–27) that it was not possible to grant an exemption based on the property rights and interests of the individual. The Country Administrative Board and the lower land and environmental courts consequently deemed themselves barred from carrying out a proportionality review when assessing exemptions from shore protection.

12. In 2020, the case-law was revised by the Land and Environment Court of Appeal (see MÖD 2020:2 I and II, bundle pp. 146–157) and by the Supreme Court (see “Båthuset i Stuverum” NJA 2020 s. 1129, bundle pp. 158–166). In these cases, the courts clarified that there is a possibility to take the interests of the individual into account and carry out a proportionality review also in cases regarding exemptions from shore protection.

III. THE APPLICANT BUYS NORRTÄLJE

13. The Applicant bought the property Norrtälje in Norrtälje municipality on 23 April 2010. The total price of the property including transactional costs for property regulation was about 700 000 SEK. The property is 1679 m² and is located about 120 meters north of the lake Sparren. At the time, the area was subject to extended shore protection, which prohibited construction within 300 meters from the shore. At the time of the purchase the property was undeveloped, but covered by an exemption from shore protection that had been granted to the previous owner in December 2007, which permitted the construction of a house (see bundle pp. 6–10).

14. The possibility to build on the property was a prerequisite for the Applicant’s purchase, as he planned to build a house in which he could spend his retirement years.

IV. THE APPLICANT’S APPLICATION FOR A RENEWED EXEMPTION FROM SHORE PROTECTION IS DENIED

15. Before the Applicant had begun building his house, the previous exemption from shore protection expired. In August 2011, the Applicant filed for a renewed exemption. In October the same year, the exemption was granted by the Building and Environmental Board of the Municipality of Norrtälje (sv. Bygg- och miljönämnden i Norrtälje kommun, the “Municipal Board”). In its decision, the Municipal Board highlighted that the property was not considered publicly accessible, that there was a paved road separating it from the shore and that the adjacent farmland was of limited importance for shore protection purposes.

16. The Municipal Board also expressly noted the importance of the principle of proportionality and that if the Applicant were not allowed to build a house on the property, it would be of no value to him since it could not be used for any other purpose (see bundle p. 30). The Municipal Board did not refer to the judgment of the Land and Environmental Court of Appeal in case no. M 9745-10 referred to above and did not deem itself prevented from undertaking a proportionality review.

17. The Municipal Board’s decision was then subject to review by the County Administrative Board under Chapter 19, Section 3 b, of the Environmental Code, which on 16 April 2012, quashed it (see bundle pp. 33–37). On 18 October 2012, the Land and Environmental Court upheld the decision of the County Administrative Board (see bundle pp. 38–41). The Land and Environmental Court of Appeal did not grant leave to appeal (see bundle pp. 42–43).

18. Both the County Administrative Board and the Land and Environmental Court upheld the disproportionate extended shore protection without carrying out a proportionality review. An exemption from the shore protection could not, in their view, be granted based on the interests of the individual. The strict conditions in Chapter 7, Sections 18 c and d of the Environmental Code had to be met (see paras 10–11 above and bundle p. 17). In the Applicant’s case, the assessment thus came to hinge on whether his property was “well separated” from the area closest to the shore by the nearby road. As it turned out, it was not, even though the road was the main transportation route in the area, used by public transport. The Country Administrative Board and the Land and Environmental Court noted that the road was only used by about 250 vehicles daily. That was insufficient to allow exemption from the shore protection.

Statement of the facts (continued)

60.
19. After his request for a renewed exemption was denied, the Applicant's plans were abruptly brought to a halt; the property became unusable, and its value was wiped out. The Applicant found himself forced to take legal action to try to mitigate the damage that the erroneous decisions had caused him.
- V. THE APPLICANT INITIATES NEW PROCEEDINGS DOMESTICALLY AND WITH THE STRASBOURG COURT
20. The Applicant started three parallel legal proceedings to seek redress for the failures of the first shore protection proceedings. First, in March 2013 he filed for an exemption from the shore protection a second time. Second, in May 2013 he filed a complaint with the Strasbourg court, which gave notice of his application to the Government in September 2014 (see bundle pp. 64–69). Third, in September 2014, the Applicant appealed to the Government after the extended protection in the area had been renewed by a new decision from the County Administrative Board.
- VI. THE APPLICANT WINS THE DOMESTIC PROCEEDINGS AND HIS CASE AT THE STRASBOURG COURT IS STRUCK OUT
21. In his second proceedings for exemption from the shore protection, the Municipal Board, without any review of the proportionality of the interference, denied the application (see bundle pp. 44–50). As did the County Administrative Board (see bundle pp. 51–55). In the Land and Environmental Court this time around however, the court did take the Applicant's interests into account and carried out a proportionality review, resulting in him being granted an exemption on 23 June 2016 (see bundle pp. 56–63). Here, the Land and Environmental Court departed for the first time from the Land and Environmental Court of Appeal's exceedingly strict case-law.
22. On 6 October 2016, the Government also repealed the extended shore protection of the Applicant's property entirely, restricting it to 100 meters (see bundle pp. 74–84). The result of which was that the property no longer was subject to a prohibition on construction.
23. As to the proceedings before the Strasbourg court, the ongoing violation of his right to peaceful enjoyment of his possessions had now ceased. The Government, therefore, argued that the issue of redress should be determined through tort proceedings at national level instead of being adjudicated by the Strasbourg Court as a first instance. The Applicant agreed and the case was struck out (see bundle pp. 70–73).
- VII. THE APPLICANT BRINGS AN ACTION FOR DAMAGES BEFORE THE GENERAL COURTS
24. The Applicant turned to the general courts with a claim for damages from the State for the violation of his rights under the Swedish constitution and under the Convention. In total the Applicant demanded that the government would pay 65 438 SEK in pecuniary damages for the costs that he had incurred as part of the previous legal proceedings, as well as 50 000 SEK in non-pecuniary damages for the violation of his rights. (See bundle pp. 85–117.)
25. On 3 March 2020, the Stockholm District Court (sv. Stockholms tingsrätt) delivered its judgment (see bundle pp. 118–133). The district court found that the absence of a proportionality review in the decisions from the County Administrative Board and the Land and Environmental Court had constituted a violation of the Applicant's rights under the Convention. He was, however, not awarded any damages, as the court found that the Applicant could not prove that he would have been placed in a more favorable position, or been granted an exemption, had the authorities carried out a proportionality review of the shore protection measures.
26. The Applicant appealed to the Svea Court of Appeal (sv. Svea hovrätt). In its judgment of 2 November 2022, the court found that the absence of a proportionality review had not constituted a violation of the Applicant's rights. For procedural reasons, the Court of Appeals considered itself precluded from trying whether the decisions constituted a substantive violation. (See bundle pp. 134–142.)
27. The Applicant appealed to the Supreme Court, which on 12 May 2023 decided to decline leave to appeal (see bundle pp. 143–145).

F. Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments

<p>61. Article invoked</p> <p>Article 1 of Protocol No. 1</p>	<p>Explanation</p> <p>VIII. THE ABSENCE OF A PROPORTIONALITY REVIEW VIOLATES A1P1</p> <p>28. Under A1P1 the scope of the domestic courts' review must allow them to seek a "fair balance" between competing interests. The Applicant was prevented from building a house on his property because of extended shore protection, which had been decided without taking his interests into account. When ruling on exemption from the extended protection, the domestic courts considered themselves prevented from undertaking a proportionality review. Did the absence of a proportionality review violate A1P1?</p> <p>29. It is not in dispute between the parties that the shore protection constituted an interference with the Applicant's peaceful enjoyment of his possessions. Neither is it in dispute that between 2012 and 2016, the County Administrative Board and the Land and Environmental Courts failed to carry out a proportionality review in the Applicant's case, because of domestic case-law, which barred such a review (see paras 10, 11 and 18 above). While the Applicant maintains that the interference with his rights under A1P1 was disproportionate, he considers that the final assessment by the Court of Appeal falls within the state's margin of appreciation. He does not, therefore, invite the Court to determine the proportionality of the interference in the present case. Consequently, the case now turns on whether a failure to conduct a proportionality review does in itself violate the Convention.</p> <p>30. The Applicant submits that a failure to review proportionality of alleged interferences with Convention has considerable consequences: It frustrates individuals' ability to defend their rights, slashes the effectiveness of both the remedy and the substantive protection and thwarts the state's possibilities of addressing disproportionate measures at national level before being brought before the Strasbourg Court (see in further detail paras 32–35 below).</p> <p>31. Yet, during the domestic proceedings, the Swedish Government has held that the absence of a proportionality review does not in itself violate the Convention. The first and second instance courts in the tort proceedings reached different conclusions. The Applicant submits that a failure to review proportionality is indeed sufficient to constitute a violation of A1P1 to the Convention for the following three reasons.</p> <p>IX. PROPORTIONALITY REVIEW IS A PREREQUISITE FOR INDIVIDUALS' ABILITY TO DEFEND THEIR RIGHTS EFFECTIVELY</p> <p>32. First, the Court has repeatedly held that individuals are made to bear an excessive burden in breach of A1P1 if they cannot effectively challenge a measure interfering with their rights (see G.I.E.M. S.R.L. and Others v. Italy [GC], nos. 1828/06 and 2 others, § 302, 28 June 2018 with further references). The Applicant submits that it is not possible to effectively challenge an interference if one's interests are not taken into account through a proportionality review (see inter alia Hatton and Others v. the United Kingdom [GC], no. 36022/97, §§ 140–142, ECHR 2003-VIII, where the Court made a finding to that effect under Article 13 of the Convention, in a case concerning the impact of the state's night flight policy at Heathrow Airport on the applicants right to respect for their homes).</p> <p>33. The Court has also explicitly held that the absence of a proportionality review can contribute to the conclusion that the applicant was made to bear an excessive burden under the procedural limb of A1P1. (See inter alia Megadat.com SRL v. Moldova, no. 21151/04, §§ 74 and 79, ECHR 2008, where the applicant company's license had been arbitrarily invalidated. No balancing exercise had been carried out between the general issue at stake and the sanction applied, leading to an excessive burden.) The Court has also found a violation of A1P1 merely on account of the domestic courts failure to carry out a proportionality review in several cases concerning confiscation orders. (See Paulet v. the United Kingdom, no. 6219/08, §§ 68–69, 13 May 2014, where a confiscation order</p>
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Statement of alleged violation(s) of the Convention and/or Protocols and relevant arguments (continued)

62. Article invoked

Article 1 of Protocol No. 1

Explanation

had been allowed by the domestic courts only by reference to the public interest, without taking the individual interests into account. The Court found it sufficient to conclude that the state had breached A1P1 because the scope of the review of the domestic courts was too narrow to satisfy the requirement under A1P1 of seeking a "fair balance". See also *Markus v. Latvia*, no. 17483/10, §§ 74 and 75, 11 June 2020 and *Gyrlyan v. Russia*, no. 35943/15, §§ 30 and 31, 9 October 2018, where the Court, referring to its findings in *Paulet*, found that legislative deficiencies had limited the scope of the review carried out by the domestic courts to the extent that it was too narrow to meet the procedural requirements under A1P1.)

X. THE ABSENCE OF A PROPORTIONALITY REVIEW HAS BEEN FOUND TO VIOLATE OTHER RIGHTS

34. Second, the Convention must be read as a whole, and interpreted in such a way as to promote internal consistency and harmony between its various provisions. It must, therefore, be taken into account that the absence of a proportionality review has in itself been sufficient to constitute a violation of other relative rights in a wide range of cases (see *inter alia* *Hasanali Aliyev and Others v. Azerbaijan*, no. 42858/11, §§ 49–50, 9 June 2022, where failure to assess proportionality under Article 8 of the applicants' eviction was sufficient to constitute a violation; *Polat v. Austria*, no. 12886/16, § 91, 20 July 2021, where failure to assess proportionality under Article 9 of denying the applicant the right to bury her son in accordance with her religious beliefs was sufficient; *Ergüdoğan v. Turkey*, no. 48979/10, §§ 34–35, 17 April 2018, where failure to assess proportionality under Article 10 of imposing a fine on the applicant for publishing a news article was sufficient; *Lashmankin and Others v. Russia*, nos. 57818/09 and 14 others, §§ 453 and 456, 7 February 2017, where failure to assess proportionality under Article 11 of time-limits for notification of public events was sufficient and *Battista v. Italy*, no. 43978/09, § 48, ECHR 2014, where failure to assess proportionality under Article 2 of Protocol No. 4 of restrictions on the applicant's freedom of movement on account of the existence of significant debts to a third party was sufficient). Consequently, the Applicant submits that the failure to assess proportionality is sufficient to constitute a violation also of A1P1.

XI. THE PRINCIPLE OF SUBSIDIARITY REQUIRES DOMESTIC REVIEW OF PROPORTIONALITY

35. Third, if the courts do not undertake a proportionality review, arbitrary and disproportionate interferences risk being left unaddressed at national level. This would not only render the protection ineffective, it would also conflict with the principle of subsidiarity. The primary responsibility for implementing and enforcing rights and freedoms guaranteed by the Convention is laid on the domestic authorities (see *inter alia* *Kudła v. Poland* [GC], no. 30210/96, § 152, ECHR 2000-XI and the preamble to the Convention in fine). The domestic courts cannot honour that responsibility if they are prevented from carrying out – or otherwise fail to carry out – a full proportionality review of alleged interferences with the Convention. As a consequence, the Strasbourg Court may have to assess the proportionality as a first instance, without having the benefit of the views of the domestic courts. The requirement that the domestic courts undertake a proportionality review is thus an indispensable procedural guarantee for the proper functioning of the Convention machinery.

XII. CONCLUSION

36. For these reasons, the Applicant respectfully invites the Court to find that Sweden has violated his rights under A1P1 by failing to carry out a proportionality review in his case.

37. The Applicant also invites the Court to consider his complaints under Article 6 or Article 13 in conjunction with A1P1, should the Court find it more appropriate to do so.

G. Compliance with admissibility criteria laid down in Article 35 § 1 of the Convention

For each complaint, please confirm that you have used the available effective remedies in the country concerned, including appeals, and also indicate the date when the final decision at domestic level was delivered and received, to show that you have complied with the four-month time-limit.

<p>63. Complaint</p> <p>Article 1 of Protocol No. 1</p>	<p>Information about remedies used and the date of the final decision</p> <p>XIII. THE APPLICANT HAS EXHAUSTED DOMESTIC REMEDIES</p> <p>38. The ongoing violation of the Applicant's right to peaceful enjoyment of his possessions ended on 23 June 2016 when the Environmental Court granted him an exemption from the shore protection (see bundle pp. 56–63). With a view to exhaust domestic remedies, the applicant proceeded to sue the State for damages before the general courts for the violations of his rights under A1P1 (see bundle pp. 85–117).</p> <p>XIV. THE APPLICANT WAS REQUIRED TO SUE THE STATE FOR DAMAGES</p> <p>39. Under the Court's established case-law, the Applicant was required to either lodge a complaint for damages with the Chancellor of justice or sue the State for damages before the general courts before submitting a complaint to the Strasbourg Court (see inter alia, Ruminski v. Sweden [dec.], no. 10404/10, §§ 37-38, 21 May 2013).</p> <p>40. Since the violation in the Applicant's case was no longer ongoing at that time, compensation offered adequate and sufficient redress (see mutatis mutandis S.J.P. and E.S. against Sweden [dec.], no. 8610/11, §§ 70-74, 16 December 2014). The Applicant was not, therefore, exempted from the obligation of seeking compensation either from the Chancellor of Justice or before the general courts.</p> <p>XV. THE APPLICANT HAS COMPLIED WITH THE FOUR-MONTH TIME-LIMIT</p> <p>41. The Applicant exhausted domestic remedies on 12 May 2023 when the Supreme Court refused to grant leave of appeal and the Applicant was denied compensation for the violation of his rights under the Convention (which consequently is the final decision at domestic level). The Applicant's application was lodged with the Court before 12 September 2023; he has thus complied with the four-month time-limit.</p>
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- Please ensure that the information you include here does not exceed the space provided -

64. Is or was there an appeal or remedy available to you which you have not used?

Yes

No

65. If you answered Yes above, please state which appeal or remedy you have not used and explain why not

XVI. THE APPLICANT WAS NOT REQUIRED TO SUBMIT A CLAIM FOR COMPENSATION

42. The Applicant has not submitted a claim for compensation with the Chancellor of Justice. That is an alternative remedy to suing the State for damages before the general courts, which has essentially the same objective: to obtain compensation for the breaches Convention. As the court has held in *Micallef v. Malta*: “when a remedy has been pursued, use of another remedy which has essentially the same objective is not required” (see *Micallef v. Malta* [GC], no. 17056/06, § 58, 15 October 2009).

43. In the Swedish context, applicants may choose either to sue the State for damages before the general courts or lodge a complaint for compensation with the Chancellor of Justice (see *Ruminski v. Sweden* [dec.], no. 10404/10, § 38, 21 May 2013). The Applicant chose tort proceedings before the general courts, where he considered he had better prospects of success.

H. Information concerning other international proceedings (if any)

66. Have you raised any of these complaints in another procedure of international investigation or settlement?

Yes

No

67. If you answered Yes above, please give a concise summary of the procedure (complaints submitted, name of the international body and date and nature of any decisions given)

68. Do you (the applicant) currently have, or have you previously had, any other applications before the Court?

Yes

No

69. If you answered Yes above, please write the relevant application number(s) in the box below

Application no. 36557/13.

I. List of accompanying documents

You should enclose full and legible copies of all documents. No documents will be returned to you. It is thus in your interests to submit copies, not originals. You MUST:

- arrange the documents in order by date and by set of proceedings;
- number the pages consecutively; and
- NOT staple, bind or tape the documents.

70. In the box below, please list the documents in chronological order with a concise description. Indicate the page number at which each document may be found

1.	Excerpt from the travaux préparatoires of the Environmental Code, Prop. 1997/98:45 s. 317, 04.12.1997	p.	1
2.	Decision of the County Administrative Board in Stockholm to extend shore protection, 03.06.1999	p.	2
3.	Exemption from shore protection granted to the previous owner of [REDACTED], 13.12.2007	p.	6
4.	Chapter 7 of the Environmental Code (sv. Miljöbalken; 1998:808), 20.05.2009	p.	11
5.	Judgment of the Land and Environmental Court of Appeals in case no. M 9745-10, 03.06.2011	p.	24
6.	Decision of the Building and Environmental Board of the Municipality of Norrtälje [Exemption proceedings I], 11.10.2011	p.	28
7.	Decision of the County Administrative Board in Stockholm [Exemption proceedings I], 16.04.2012	p.	33
8.	Judgment of the Land and Environmental Court [Exemption proceedings I], 18.10.2012	p.	38
9.	Decision of the Land and Environmental Court of Appeals not to grant leave to appeal [Exemption proceedings I], 23.01.2013	p.	42
10.	Decision of the Building and Environmental Board of the Municipality of Norrtälje [Exemption proceeding II], 17.01.2014	p.	44
11.	Decision of the County Administrative Board in Stockholm [Exemption proceedings II], 18.08.2015	p.	51
12.	Judgment of the Land and Environment Court [Exemption proceedings II], 23.06.2016	p.	56
13.	The Court's decision to give notice of the Applicant's previous case to the Government [Strasbourg proceedings], 08.09.2014	p.	64
14.	Decision to strike out the Applicants previous case [Strasbourg proceedings], 24.11.2016	p.	70
15.	Decision of the Swedish Government removing the extended shore protection [Proceedings on renewed extension], 06.10.2016	p.	74
16.	The Applicant's claim for damages before the Stockholm District Court [Tort proceedings], 28.03.2019	p.	85
17.	Judgment of the Stockholm District Court [Tort proceedings], 03.03.2020	p.	118
18.	Judgment of the Svea Court of Appeals [Tort proceedings], 02.11.2022	p.	134
19.	Decision of the Supreme Court not to grant leave to appeal [Tort proceedings], 12.05.2023	p.	143
20.	Judgment of the Land and Environmental Court of Appeal in MÖD 2020:2 I, 04.03.2020	p.	146
21.	Judgment of the Land and Environmental Court of Appeal in MÖD 2020:2 II, 04.03.2020	p.	151
22.	Judgment of the Supreme Court in "Båthuset i Stuverum" NJA 2020 s. 1129, 29.12.2020	p.	158
23.		p.	
24.		p.	
25.		p.	

Any other comments

Do you have any other comments about your application?

71. Comments

44. The Applicant intends to claim compensation for damages under Article 41 of the Convention amounting to SEK 115 438 plus interest. The Applicant will also claim compensation for costs and expenses. The Applicant will submit itemised particulars of his claims and supporting documents for them under Rule 60 of the Rules of Court after the Court has communicated the case with the Government.

Declaration and signature

I hereby declare that, to the best of my knowledge and belief, the information I have given in the present application form is correct.

72. Date

0	7	0	7	2	0	2	3
D	D	M	M	Y	Y	Y	Y

e.g. 27/09/2015

The applicant(s) or the applicant's representative(s) must sign in the box below.

73. Signature(s) Applicant(s) Representative(s) - tick as appropriate

Confirmation of correspondent

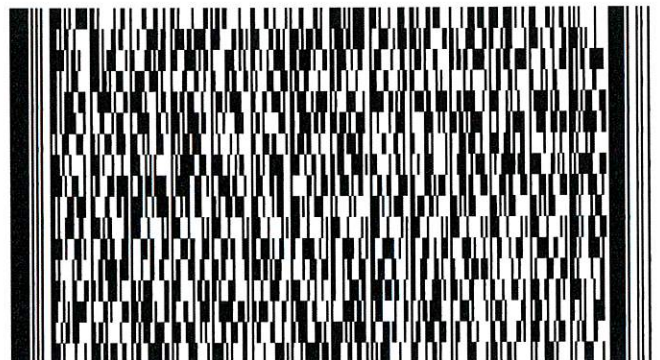
If there is more than one applicant or more than one representative, please give the name and address of the one person with whom the Court will correspond. Where the applicant is represented, the Court will correspond only with the representative (lawyer or non-lawyer).

74. Name and address of Applicant Representative - tick as appropriate

Mr Fredrik Bergman
Centrum för rättvisa
Box 2215
SE-103 15 Stockholm
Sweden

The completed application form should be signed and sent by post to:

The Registrar
European Court of Human Rights
Council of Europe
67075 STRASBOURG CEDEX
FRANCE



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