European Court of Human Rights: Friendly Settlement Following the Photographing and Filming of a Participant at a Demonstration

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The Austrian Government and the plaintiff, Mr. Ludwig Friedl, agreed to a friendly settlement, following a demonstration that he had organised with others to draw public attention towards the plight of the homeless in a pedestrian subway passage, the Karlsplatz-Opera in Vienna.

After the police had photographed and filmed him in order to establish his identity and had recorded the details in their data bank, Mr.Friedl took the Austrian Government before the European Commission of Human Rights and filed a complaint based on articles 8 (protection of privacy) and 13 (the availability of an effective appeal) of the European Human Rights Convention.

On 31 January 1995, the European Court of Human Rights, while noting the friendly settlement, decided that according to the terms of article 49§§2 and 4 of regulation A there were no public order grounds for pursuing the case.

Decision of the European Court of Human Rights of 31 January 1995 in the Case of Friedl vs Austria, Series A vol. 305-B.

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