

Naumov v. Albania (dec.) - 10513/03

Decision 4.1.2005 [Section IV]

Article 5

Article 5-1

Deprivation of liberty

Alleged deprivation of liberty for being held at police station on the basis of a deportation order subsequently declared null and void: *inadmissible*

The applicant, a former Ambassador of the Republic of Bulgaria in Albania was granted Albanian citizenship in 1997. In 2001, the newly elected President of the Republic revoked the applicant's Albanian citizenship as having been granted on the basis of forged documents. He was also taken to a police station and kept there for a few hours, where he was verbally ordered to leave Albanian territory within three days pursuant to a deportation order which had been issued against him. Moreover, the authorities issued a press release on the applicant's deportation. The applicant lodged actions against the revocation of his citizenship and the deportation order with the District court. Following proceedings which involved several referrals and periods of inactivity, the president's decree revoking Albanian citizenship was declared null and void, as was the deportation order.

Inadmissible under Article 5 § 1: The applicant had brought no proceedings in the domestic courts concerning the time spent in the police station. Even assuming no legal remedies were available concerning the alleged deprivation of liberty, this part of the application was out of time.

Inadmissible under Article 6 § 1: Concerning the applicant's complaint that he had been denied a fair hearing, this provision did not apply to proceedings concerning citizenship and/or entry, stay and deportation of aliens: incompatible *ratione materiae*.

Inadmissible under Article 8: The applicant had brought no proceedings in the domestic courts concerning alleged violation of his private life and reputation by the press divulgation of his deportation. Even assuming no legal remedies were available, this part of the application was out of time.

Inadmissible under Article 3 of Protocol No. 4: Even if in some cases revocation of citizenship followed by expulsion may raise potential problems under this provision, as the deportation order was never executed, there was no appearance of a violation in the present case.