

Grand Chamber hearing on publishing of personal data for failure to pay taxes

The European Court of Human Rights is holding a **Grand Chamber**¹ hearing today **Wednesday 3 November 2021 at 9.15 a.m.** in the case of **L.B. v. Hungary** (application no. 36345/16).

The case concerns the tax authorities' publishing of the applicant's personal data on the Internet for failure to pay his taxes.

A recording of the hearing will be available from 2.30 p.m. on the Court's Internet site (www.echr.coe.int). After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage.

The applicant is a Hungarian national who was born in 1966 and lives in Budapest.

In January 2016 the National Tax and Customs Authority published the applicant's personal details on a list of tax defaulters on its website, as provided for under the relevant domestic law in respect of those individuals whose tax debts exceeded 10 million Hungarian forints. The information published included the applicant's name, home address, tax identification number and the amount of unpaid tax which he owed.

He subsequently also appeared on a list of "major tax defaulters" on the tax authorities' website, while an online media outlet produced an interactive map of tax defaulters indicating his home address.

Procedure

The application was lodged with the European Court of Human Rights on 7 June 2016.

Relying on Article 8 (right to respect for private and family life and the home) of the European Convention on Human Rights, the applicant alleges that the publication of his name and other details on the Tax Authority's website for his failure to comply with his tax obligations was not necessary in a democratic society and infringed his right to private life. He submits that the main reason behind the Hungarian legislative policy of making the data available was public shaming.

In its Chamber [judgment](#) of 12 January 2021, the Court held, by five votes to two, that there had been no violation of Article 8 of the European Convention.

On 31 May 2021 the Grand Chamber Panel accepted the applicant's request that the case be referred to the Grand Chamber.

Composition of the Court

The case will be heard by a Grand Chamber, composed as follows:

¹ Under Article 43 of the European Convention on Human Rights, within three months from the date of a Chamber judgment, any party to the case may, in exceptional cases, request that the case be referred to the 17-member Grand Chamber of the Court. In that event, a panel of five judges considers whether the case raises a serious question affecting the interpretation or application of the Convention or its protocols, or a serious issue of general importance, in which case the Grand Chamber will deliver a final judgment. If no such question or issue arises, the panel will reject the request, at which point the judgment becomes final. Otherwise Chamber judgments become final on the expiry of the three-month period or earlier if the parties declare that they do not intend to make a request to refer.

Robert Spano (Iceland), *President*,
 Jon Fridrik Kjølbro (Denmark),
 Ksenija Turković (Croatia),
 Síofra O’Leary (Ireland),
 Krzysztof Wojtyczek (Poland),
 Valeriu Grițco (the Republic of Moldova)
 Egidijus Kūris (Lithuania),
 Gabriele Kucsko-Stadlmayer (Austria),
 Pere Pastor Vilanova (Andorra),
 Georgios A. Serghides (Cyprus),
 Lətif Hüseynov (Azerbaijan), Péter Paczolay (Hungary),
 Ivana Jelić (Montenegro),
 Saadet Yüksel (Turkey),
 Lorraine Schembri Orland (Malta),
 Ana Maria Guerra Martins (Portugal),
 Ioannis Ktistakis (Greece), *judges*,
 Dmitry Dedov (Russia),
 Raffaele Sabato (Italy),
 Aleš Pejchal (the Czech Republic), *substitute judges*,

and also Søren Prebensen, *Deputy Grand Chamber Registrar*.

Representatives of the parties

Government

Zoltán Tallódi, *Agent*,
 Mónika Weller, *Co-agent*
 Hajnalka Vizi, *Adviser*,

Applicant

Dániel B. Kiss and Dániel A. Karsai, *Counsel*,
 Eszter Mihály, Evelyn Frank and János Nagy, *Advisers*.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.