



## Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing five judgments on Tuesday 2 July 2024 and 74 judgments and / or decisions on Thursday 4 July 2024.

*Press releases and texts of the judgments and decisions will be available at 10 a.m. (local time) on the Court's Internet site ([www.echr.coe.int](http://www.echr.coe.int)).*

### Tuesday 2 July 2024

#### [B.A. v. Cyprus \(application no. 24607/20\)](#)

The applicant, Mr B.A., is a Syrian national who was born in 1996 and currently lives in Cyprus.

The case concerns the lawfulness of the applicant's detention, after arriving in Cyprus as an asylum-seeker, on national-security grounds and the length of the domestic proceedings – lasting over two years and nine months – reviewing the lawfulness of his detention.

The applicant complains that his detention was in breach of Article 5 § 1 (right to liberty and security) of the European Convention on Human Rights and, relying on Article 5 § 4 (right to have lawfulness of detention decided speedily by a court) of the European Convention, that his right to a timely decision was infringed and that he was deprived of a review of the lawfulness of his detention that respected, amongst other things, the principle of equality of arms.

#### [K.A. v. Cyprus \(no. 63076/19\)](#)

The applicant, Mr K.A., is a Moroccan national who was born in 1966 and lives in Cyprus.

The case concerns the lawfulness of the applicant's detention, after arrival in Cyprus as an asylum seeker, on national-security grounds and the protracted nature of the domestic proceedings.

The applicant complains that his detention from 10 January 2019 to 24 February 2020 and his detention from 3 April 2020 to June 2020 was unlawful in breach of Article 5 § 1 (right to liberty and security) of the Convention. He complains that the proceedings before the Administrative Court failed to respect the principle of equality of arms, while the appeal proceedings challenging the Administrative Court's decision did not comply with the speediness requirement, in breach of Article 5 § 4 (right to have lawfulness of detention decided speedily by a court).

### Thursday 4 July 2024

#### [Rustamkhanli v. Azerbaijan \(no. 24460/16\)](#)

The applicant, Mr Shahbaz Khudu oglu Rustamkhanli, is an Azerbaijani national, who was born in 1970 and lives in Baku. He is the founder, director and sole owner of the Qanun Magazine Editorial Office (*Qanun Jurnalı Redaksiyası*), a limited liability company established in Azerbaijan in 1992 and a well-known publishing house.

The case concerns the conduct of an unannounced on-site tax audit and the freezing of the Qanun Magazine Editorial Office's bank accounts by the tax authority.

Relying on Article 8 (right to respect for private and family life) of the Convention and Article 1 of Protocol No. 1 (protection of property) to the Convention, the applicant complains that the search

and seizure carried out on the premises of the company breached his Convention rights. Relying on Article 6 (right to a fair trial), he complains that the domestic proceedings were not fair in that his right to a reasoned decision had been violated.

### *Revision*

#### *Y.T. v. Bulgaria (no. 41701/16)*

The applicant, Y.T., is a Bulgarian national who was born in 1970 and lives in Stara Zagora (Bulgaria).

He lodged an application with the Court as a transgender person who had begun the process of transitioning and whose request for gender reassignment (female to male) had been refused by the Bulgarian courts.

On 9 July 2020 the Court found that there had been a violation of Article 8 of the Convention because in 2016 the domestic authorities had refused to legally recognise the applicant's gender reassignment, rejecting a 2015 request to that end without providing an adequate and relevant reason. The Court also awarded the applicant 7,500 euros (EUR) in respect of non-pecuniary damage and EUR 4,150 in respect of costs and expenses.

On 29 December 2023 the Government, relying on Rule 80 § 1 of the Rules of Court, requested the revision of the Court's judgment. They had discovered that on an unspecified date in 2016 the applicant, represented by the same lawyer as before the Court, had initiated a separate procedure from that giving rise to his application to the Court. In that second procedure the applicant had requested to have his gender reassignment legally recognised, his first name, patronymic and surname legally changed and his gender marker and civil identification number amended on the register of births. The Sofia District Court had granted that second request in a decision of 13 March 2017, which had become final on 30 May 2017. The Government submit that, pursuant to that judicial decision, the data in question were changed on the register of births on 14 June 2017.

#### *Gravier v. France (no. 49904/21)*

The applicant, Laurent Gravier, is a French national who was born in 1960 and lives in Paris. He was a partner at two audit firms – acting as a signatory at one – which were appointed as the statutory auditors for a group of companies.

As part of criminal proceedings into financial statement fraud at that group, the applicant was placed under judicial investigation on a charge of confirmation of false information by a statutory auditor. In parallel, he lodged a criminal complaint with an application for civil-party status as a victim of the offences of forgery and use of forged documents, and of obstruction by the head of a legal entity of a statutory auditor's review or audit.

The investigating judge declared his application for civil-party status inadmissible. The applicant appealed against the decision, which was upheld by both the Court of Appeal's Investigation Division and the Court of Cassation.

Relying on Article 6 § 2 of the Convention, the applicant complains that the reasoning and terms of the judgments by the Court of Appeal and the Court of Cassation breached his right to the presumption of innocence.

#### *Oghlishvili v. Georgia (no. 7621/19)*

The applicant, Ms Nana Oghlishvili, is a Georgian national who was born in 1964 and lives in Kalauri, (Gurjaani District, Georgia).

The case concerns the death of the applicant's daughter, E.N., a week after she made an emergency telephone call to the police to report that she had been physically assaulted by her mother-in-law and husband. E.N. worked late hours, which made her mother-in-law question her fidelity to her

husband and eventually led her to accuse her of having extra-marital affairs and being unfaithful to her son.

Relying on Articles 2 (right to life), 3 (lack of effective investigation) and 13 (right to an effective remedy), the applicant complains that the police failed to protect her daughter from domestic violence while she was still alive, and the Ministry of the Interior failed to conduct an effective criminal investigation into her apparent suicide.

#### [Ceort v. Romania \(no. 47339/20\)](#)

The case concerns the criminal conviction of a public prosecutor at the High Court of Cassation and Justice for corruption.

In 2018 the applicant, a Romanian national who was born in 1968, was convicted by the High Court, sitting as a bench of three judges, for asking an individual (C.V.A.), via another individual (I.V.), for money to discontinue C.V.A.'s criminal case. I.V. received a three-year suspended prison sentence for complicity in bribery from that same court. The applicant appealed against the decision, but in 2019 his conviction was upheld by the High Court, sitting as a bench of five judges.

Before the Court, the applicant complains under Article 6 (right to a fair trial) of the Convention that the criminal proceedings against him were unfair. More specifically, he alleges that his lawyers could not examine the evidence once he was committed for trial because they did not have access to his criminal file. He additionally complains about the evidence used in the criminal proceedings, particularly the results of a lie-detector test taken by I.V., which he argues was conducted unlawfully. He also claims C.V.A.'s statement could have been interpreted differently if read in a broader context. In addition, he submits that his conviction was based solely on I.V.'s statement, pointing out that I.V. received a suspended sentence in exchange for testifying. He further alleges that his case involved police entrapment. Lastly, he submits that the three-judge bench that ruled at first instance was not a "tribunal established by law", in so far as it was not sitting as a "specialised trial bench" within the meaning of section 29 of Law no. 78/2000.

[The Court will give its rulings in writing on the following cases, some of which concern issues which have already been submitted to the Court, including excessive length of proceedings.](#)

These rulings can be consulted from the day of their delivery on the Court's online database [HUDOC](#).

They will not appear in the press release issued on that day.

#### Tuesday 2 July 2024

Name	Main application number
Băloi v. Romania	12771/20
Ștefan and Others v. Romania	57931/21
Kostić v. Serbia	31530/20

#### Thursday 4 July 2024

Name	Main application number
Keta v. Albania	9227/19
Kopo and Others v. Albania	37041/17
Kuçi and Others v. Albania	46106/15
Kuko and Others v. Albania	29264/16
Maçi v. Albania	21051/10
Naska v. Albania	52678/17

Name	Main application number
Tona v. Albania	78957/11
Museyan v. Armenia	1106/13
Azerbaijani Lawyers Association and Hajibeyli v. Azerbaijan	25643/16
De Luca v. Belgium	41572/16
Nenadić and Others v. Bosnia and Herzegovina	26773/21
Bićanić v. Croatia	12529/22
Miletić v. Croatia	38897/23
Ait Oufella and Others v. France	51860/20
Christmann v. France	16710/20
Mamulashvili v. Georgia	15355/15
Koukakis v. Greece	37659/22
Albert and Others v. Hungary	29046/23
Filipovics and Others v. Hungary	32107/23
Havran and Others v. Hungary	35970/23
Kárteszi and Others v. Hungary	42911/23
KESZO-ELIT Bt and Others v. Hungary	27524/23
Németh and Others v. Hungary	54117/20
Senkó and Others v. Hungary	36016/23
A.Z. v. Italy	29926/20
Ivanauskas v. Lithuania	19420/20
Smalhout v. the Netherlands	4597/23
Strzelecki v. Poland	42129/21
Rosa Pereira v. Portugal	51224/20
Jescu and Others v. Romania	69661/16
Manolache and Others v. Romania	2427/16
Preda and Others v. Romania	32372/20
Varga and Others v. Romania	23996/16
Berezin and Others v. Russia	43924/21
Chibyshev and Others v. Russia	23778/21
Komarov and Others v. Russia	59242/19
Konina and Others v. Russia	49126/21
Korotitskiy and Others v. Russia	40328/21
Legal Initiative Foundation and Others v. Russia	45822/20
Makarenko and Others v. Russia	33808/21
Mamin and Others v. Russia	64304/19
Melnikov and Others v. Russia	11354/20
Oblasova and Others v. Russia	23295/21
Samarina and Others v. Russia	52360/21
Strunin and Others v. Russia	39000/18
Tereshonkov and Others v. Russia	64899/14
Vinogradov and Others v. Russia	25903/21
Yershov and Others v. Russia	719/19
Zakharova and Others v. Russia	43102/15
Zakharova and Others v. Russia	53194/16
Kalabić and Others v. Serbia	21406/23

Name	Main application number
Šišović and Others v. Serbia	22049/23
Mangold v. Switzerland	46807/21
Rajaratnam and Others v. Switzerland	30995/19
Kavak (Ersak) and Others v. Türkiye	61869/17
Özkazanç and Others v. Türkiye	63512/16
TMMOB and Tezcan Karakuş Candan v. Türkiye	46514/15
Kilikhevich v. Ukraine	43958/15
Komunistychna partiya Ukrayiny v. Ukraine	44186/16
Korytko and Others v. Ukraine	35716/16
Kryvchenko and Oliynyk v. Ukraine	58568/17
Lyubomyrchenko and Ryshko v. Ukraine	13306/23
Minkairov and Others v. Ukraine	11794/19
Musiichenko v. Ukraine	78879/16
Obolonchuk and Others v. Ukraine	19532/23
Orlov v. Ukraine (no. 2)	54015/17
Shcherbyna and Others v. Ukraine	30798/21
Snezhko v. Ukraine	18900/17
Vladyka and Others v. Ukraine	26341/17

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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.