



## Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing six judgments on Tuesday 4 February 2025 and 38 judgments and / or decisions on Thursday 6 February 2025.

*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 4 February 2025

#### [Skučai v. Lithuania \(application no. 60969/21\)](#)

The applicants, Juozas Skučas and Indrė Skučienė, are Lithuanian nationals who were born in 1973 and 1982 respectively and live in Neringa (Lithuania).

In February 2006 the applicants bought a house on the Curonian Spit (an elongated sand dune separating the Curonian Lagoon from the Baltic Sea, included on the UNESCO World Heritage List) and had it registered. Later that year a prosecutor claimed that the construction had violated the Curonian Spit National Park planning scheme, along with other legal rules on construction and environmental protection. The applicants' title to the house was annulled in 2010 and they were entitled to claim compensation from the company which had sold it to them. Between 2013 and 2016, various State authorities were looking into the possibility of reaching amicable settlements with multiple people in the applicants' situation, in order to enable the latter to keep their houses and to avoid having to pay them compensation, but no such settlement was reached. In the meantime, the company which had sold the house to the applicants became insolvent and went into liquidation. In 2018 the applicants instituted civil proceedings against the State, seeking compensation in respect of pecuniary and non-pecuniary damage in relation to the loss of their title. The courts dismissed their claim, finding, in particular, that it was time-barred because the settlement negotiations with the authorities had not interrupted the running of the statute of limitation.

Relying on Article 1 of Protocol No. 1 (protection of property) to the European Convention on Human Rights, and Article 6 § 1 (right to a fair trial) and Article 8 (right to respect for private and family life) of the European Convention, the applicants complain, in particular, that they were not compensated for the loss of their house despite that loss being the fault of the authorities.

#### [A.B. and Y.W. v. Malta \(no. 2559/23\)](#)

The applicants, A.B. and Y.W., are a married couple. They are Chinese nationals of Uighur ethnicity and Muslim faith from Xinjiang province (China). At the time of lodging the application, they were detained in Safi (Malta), but were released thereafter.

The couple arrived in Malta in August 2016 with valid Chinese passports bearing a 3-month Schengen visa. Prior to the expiration of their visa, they approached the Office of the Refugee Commissioner seeking international protection. They claimed in particular that, as they belonged to the Uighur ethnic group, their house and they themselves had been subjected to numerous searches and they were at risk of arbitrary arrest and ill-treatment in China. The case concerns their being issued with a removal decision after being refused international protection in Malta, and the remedy they undertook against that removal order.

Relying on Articles 2 (right to life) and 3 (prohibition of torture/inhuman or degrading treatment) of the Convention in conjunction with Article 13 (right to an effective remedy), the applicants complain that they would be at risk of ill-treatment if they were returned to China and that they had no effective remedy to assess that risk.

#### [Bazhenov and Others v. Russia \(nos. 8825/22 and 19130/22\)](#)

The applicants, Yevgeniy Bazhenov, Aleksandr Semkin and Artem Lapov, are three Russian nationals who were born in 1985, 1984 and 1988 respectively. They are homosexuals and are in same-sex marriages registered outside Russia. The first two applicants are a couple and live in Moscow. The third applicant and his husband left Russia in 2022, and are currently residing in a European country as refugees.

The case concerns disclosure of the applicants' personal data, including information about their sexual orientation, on social networks, and the alleged failure of the national authorities to respond adequately to those homophobia-driven incidents.

Relying on Article 8 (right to respect for private and family life) taken alone and in conjunction with Article 14 (prohibition of discrimination) of the Convention, the applicants complain that the national authorities failed to do their duty to ensure effective respect for their private lives and protect them from discrimination. They also complain under Article 13 that they had no effective domestic remedy at their disposal for their Convention complaints.

#### [Klimova and Others v. Russia \(nos. 33421/16, 8156/20, 32416/20, 39855/20, 10497/21, 33277/21, and 46226/21\)](#)

The applicants are six Russian nationals who were born on various dates between 1973 and 2000. They are the owner of a website and administrators of websites or social networking groups and communities, such as [www.gay.ru](#), one of the oldest and largest LGBTI websites in Russia, and an online project "Children-404. LGBT teenagers" (Дети-404. ЛГБТ-подростки). The websites and VKontakte a social networking platform communities and groups owned or administered by the applicants sought to encourage tolerance and acceptance of LGBTI people, to give support to troubled LGBTI teenagers, to provide information on, and a forum for discussion of, LGBTI-related topics or to provide a space where LGBTI people could meet to find friends or romantic partners.

The case concerns the applicants' convictions for an administrative offence and/or the blocking of access to their websites or webpages on social networking sites for "promoting homosexuality among minors". Legislation introduced in Russia from 2003 to 2013 made the "promotion of non-traditional sexual relationships" among minors an offence punishable by a fine (see [Bayev and Others v. Russia](#), applications nos. 67667/09, 44092/12 and 56717/12). The Russian courts notably found that the applicants' publications on the Internet were harmful for children.

Relying on Article 10 (freedom of expression), the applicants complain that the legislative ban on promoting homosexuality among minors as applied in their specific cases breached their freedom of expression.

One of the applicants, Yuliya Vladimirovna Tsvetkova (no. 39855/20), also complains that the security services collected user data from VKontakte related to her personal social networking account and to the social networking community administered by her. She relies on Article 8 (right to respect for private and family life).

Thursday 6 February 2025

[Italgomme Pneumatici S.r.l. and Others v. Italy \(no. 36617/18 and 12 other applications\)](#)

The 13 applicants are all legal entities, except for Mr Terrenzio, an Italian national who lodged his application on behalf of a company of which he is the sole proprietor (*ditta individuale*).

The case concerns access to and the inspection of their business premises, registered offices or premises used for professional activities, and the examination, copying and seizure (in some cases) of their accounting records, company books, invoices and other mandatory documents related to accounting, and several different types of documents relevant for tax assessment purposes. The contested measures were taken by officers or agents of the Revenue Police (*Guardia di Finanza*) or the Tax Authority (*Agenzia delle Entrate*) for the purpose of assessing the applicants' compliance with their tax obligations.

Relying on Article 8 (right to respect for home and correspondence) taken alone and in conjunction with Article 13 (right to an effective remedy), and Article 6 § 1 (right to a fair trial/access to court), the applicants complain of the excessively wide discretion that national legislation afforded to the domestic authorities and of the lack of sufficient procedural safeguards capable of protecting them against abuse or arbitrariness, and in particular that there had been no judicial or independent review of the contested measures either before they came into force or afterwards.

[Caldarar and Others v. Poland \(no. 6142/16\)](#)

The applicants are five families comprising 16 Romanian nationals of Roma origin.

The case concerns the demolition in 2015 of an encampment that the families had built without planning permission on a plot of land at Paprotna Street in the city of Wrocław (Poland). The applicant families submit that following the demolition, they had lived on the streets before some moved to another site and others took up offers of welfare housing. At the time nine of the applicants were adults and seven were children.

Relying in particular on Articles 8 (right to respect for private and family life and the home), 13 (right to an effective remedy) and 14 (prohibition of discrimination), the applicants complain that the public authorities demolished their encampment following administrative proceedings in which they had not been given the opportunity to participate. They argue that their community had been broken up, with the authorities failing to provide them with an adequate alternative solution that respected their way of life.

[M.B. v. Spain \(no. 38239/22\)](#)

The applicant, M.B., is a Moroccan national who was born in 1978.

M.B. suffers from psychotic disorder, borderline personality disorder and substance abuse. The case concerns her arrest in Spain in March 2018 for setting fire to the flat she was living in and her subsequent detention.

Relying on Articles 5 §§ 1, 3 and 4 (right to liberty and security) and 7 (no punishment without law), M.B. complains, in particular, that her pre-trial detention was unlawful, excessively lengthy and not reviewed; and that the security measure imposed on her (in the form of continued detention following her acquittal) was not sufficiently reasoned.

[Gaydashevskyy v. Ukraine \(no. 11553/21\)](#)

The applicant, Vadim Oleksandrovykh Gaydashevskyy, is a Ukrainian national who was born in 1990 and lives in Khmelnytskyi (Ukraine).

The case concerns an administrative-offence case against the applicant for driving under the influence of drugs in 2020. He was convicted as charged, given a fine and had his driving licence suspended for a year. On appeal he argued that his intoxication had only been established by a quick test, with no laboratory testing. The Court of Appeal rejected this argument and upheld the conviction, after holding hearings in the presence of the applicant and his lawyer.

Relying on Article 6 § 1 (right to a fair trial) the applicant complains that there was no party to support the prosecution's case against the applicant, meaning there was a confusion between the roles of prosecutor and judge, and the Court of Appeal could not be considered impartial.

#### [Ukrkava, TOV v. Ukraine \(no. 10233/20\)](#)

The applicant Ukrkava, TOV, is a Ukrainian limited liability company based in Ukraine.

In 2011 the applicant company entered into a loan agreement with the State Savings Bank. The loan was secured by a mortgage, which the bank had to have endorsed by a notary. The case concerns the proceedings instituted by the applicant company against the bank and the question of the time-limit for the notary to endorse the mortgage document, after the bank requested repayment of the loan in 2016. The lower courts ruled that the bank had exceeded the time-limit, but the Supreme Court found against the applicant company in 2019.

Relying on Article 6 § 1 (right to a fair trial) and Article 1 of Protocol No. 1 (protection of property), the applicant company complains that the Supreme Court of Ukraine reinterpreted the one-year time-limit for the notarisation of an endorsement on a document in the case of proceedings between legal entities, in breach of the principle of legal certainty.

[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 4 February 2025

Name	Main application number
Frroku v. Albania	30658/18
Salamova v. Azerbaijan	66345/12

#### Thursday 6 February 2025

Name	Main application number
Box v. Belgium	15740/16
Gotthelf v. France	46422/18
Société d'Exploitation d'un Service d'Information CNews v. France	41121/23
Arcerito v. Italy	50843/18
S.M. v. the Republic of Moldova	56353/15
Ferreira da Silva Macedo v. Portugal	31946/21
Pereira Cruz v. Portugal	29395/22
CTT – Correios de Portugal S.A. v. Portugal	34779/22
Kommersant and Vasilyev v. Russia	35662/05
Golubev v. Russia	66647/17

Name	Main application number
Tashuyev v. Russia	67503/17
Bikbulatov v. Russia	71537/17
Fedorova v. Russia	16855/18
Nikitin v. Russia	14176/20
Samodurov and Others v. Russia	3007/06
Novaya Gazeta and Others v. Russia	26410/10
Dvigun and Ovcharenko v. Russia	49238/12
Sugrobov and Others v. Russia	1687/15
Ivanov and Others v. Russia	20202/15
Terekhina and Others v. Russia	60976/15
Sharina and Others v. Russia	11075/17
Lashkin and Others v. Russia	24305/17
Alekseyev and Lyashkov v. Russia	24732/17
Matveyev and Others v. Russia	4128/18
Lobacheva and Others v. Russia	16041/19
Vaka and Others v. Russia	40526/19
Barakhoyev and Others v. Russia	54912/19
Zaripov and Others v. Russia	26955/20
Klabukov and Others v. Russia	46603/20
Lyanov and Others v. Russia	12881/21
Jevtić v. Serbia	34033/15
Abaffy v. Slovakia	38838/21
Y.D. v. Ukraine	21725/15

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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.