



Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing five judgments on Tuesday 4 November 2025 and 30 judgments and / or decisions on Thursday 6 November 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).

Tuesday 4 November 2025

[Vainik and Others v. Estonia \(applications nos. 3184/21, 17982/21, 43852/21, and 44600/21\)](#)

The case concerns the total ban on smoking in Estonian prisons.

The applicants are Rene Vainik, Denis Lvov and Dmitri Tsajun, three Estonian nationals, and Nikolai Smeljov, who is of unknown citizenship. They are all long-term smokers and were prisoners at the time the smoking ban entered into force in Estonia, that is, on 1 October 2017.

Relying on Article 3 (prohibition of inhuman or degrading treatment) and Article 8 (right to respect for private and family life) of the European Convention on Human Rights, the applicants complain both about the ban on smoking itself and about the withdrawal symptoms they have had – including weight gain, sleeping problems, depression and anxiety. Mr Tsajun and Mr Smeljov also allege that they have not been offered nicotine replacement therapy for their withdrawal symptoms.

[Zakaidze v. Georgia \(no. 42199/22\)](#)

The applicant, Besik Zakaidze, is a Georgian national who was born in 1973 and lives in the village of Tvalivi (Dusheti municipality).

The case concerns criminal proceedings brought against three of Mr Zakaidze's neighbours after they assaulted him on 9 February 2021 during an altercation over some borrowed money. He was taken to hospital with a fractured jaw and concussion. The three neighbours were ultimately convicted and given suspended prison sentences.

Mr Zakaidze complains that the authorities' investigation into the assault was inadequate, resulting in lenient charges against his neighbours and a suspended prison sentence. He also alleges that he was prevented from participating effectively in the criminal proceedings. The Court will examine the complaints under Article 3 (prohibition of inhuman or degrading treatment) of the European Convention.

[Vasile Rusu v. Romania \(no. 53021/20\)](#)

The applicant, Vasile Rusu, is a Romanian national who was born in 1963 and lives in Bucharest.

In April 2019 Mr Rusu, the director of a company, was found guilty of complicity in tax evasion and participation in money laundering. He was given a total prison sentence of nine years. The case concerns his complaint that the proceedings against him were unfair because he had not been able to present his defence before the Court of Appeal, having in the meantime moved to the United Kingdom.

Relying on Article 6 §§ 1 and 3 (c) (right to a fair trial/right to defend oneself in person or through legal assistance of own choosing) of the Convention, Mr Rusu alleges in particular that he had never

received any summon at his home in the UK, meaning the Court of Appeal had failed to properly summons him, and that in any event the proceedings should have been stayed owing to restrictions on international travel during the COVID-19 pandemic.

[Marko Tešić v. Serbia \(no. 61891/19\)](#)

The applicant, Marko Tešić, is a Serbian national who was born in 1981 and lives in Belgrade.

In 2015 Mr Tešić, a lawyer, raised objections at a hearing when defending a client accused of attempted murder. He subsequently submitted a five-page document to the court complaining that, despite his repeated requests, his objections had not been entered verbatim in the written record. He also complained about the presiding judge. The case concerns his ensuing fine for contempt of court.

Relying on Article 10 (freedom of expression), Mr Tešić alleges that the decision of the High Court to fine him for contempt of court violated his right to freedom of expression.

Thursday 6 November 2025

[Kyrian v. the Czech Republic \(no. 15956/23\)](#)

The applicant, David Kyrian, is a Czech national who was born in 1982 and lives in Dublovice (the Czech Republic).

The case concerns the Czech courts' denying Mr Kyrian contact rights with and information about his son, born in 2013 from an extramarital relationship. The mother's then husband became the child's legal father. The courts ruled that it was not in the child's best interests to grant contact rights and provide information about the child to Mr Kyrian, given his complex and conflictual relationship with the legal parents.

The legal parents of the child have since divorced and the legal father has custody of the child.

In his case before the Court, Mr Kyrian complains that the courts failed to strike a fair balance between the interests of all those involved. He submits that he had been able to see his son up until February 2016 and develop a relationship of trust with him; the situation had changed on account of a change of attitude by the mother. He stresses that conflict could not be the only reason to deny him his rights and that the courts could have at least granted him a separate right to information about his child. The Court will examine the complaints under Article 8 (right to private and family life).

[M.A. v. Latvia \(no. 55234/21\)](#)

The applicant, Ms M.A., is a Latvian national who was born in 1967.

The applicant has had mental health problems since 2005. The case concerns her detention in an ordinary prison environment, despite the fact that a court ordered her medical treatment in a psychiatric hospital.

She had been involved in two sets of criminal proceedings. She was first convicted in 2018 of fraud, tax evasion and forgery and sentenced to four years' imprisonment. While serving her sentence, another set of proceedings for fraud were instituted against her. It was during those proceedings, in 2021, that the courts ordered her placement in a psychiatric hospital. However, the decision could not be enforced until the procedure for her release from serving the sentence in the first set of proceedings was completed, that is in February 2022.

The applicant alleges that her detention in ordinary prison facilities from July 2021 to February 2022 without specialised psychiatric treatment was in breach of Article 3 (prohibition of inhuman or

degrading treatment), Article 5 § 1 (right to liberty and security) and Article 13 (right to an effective remedy).

[B.M. v. Spain \(no. 25893/23\)](#)

The applicant, Mr B.M., is a Spanish national who was born in 1963 and lives in Madrid.

On 14 May 2021 the applicant was taken to hospital after a conflict at his workplace. The case concerns his compulsory committal to a psychiatric hospital the next day. On 18 May 2021 the Madrid Court of First Instance no. 30 approved the committal after holding a hearing in the presence of the judge, registrar, court-appointed doctor and the applicant, who attended remotely. The court held that the applicant's hospitalisation was necessary as he had been diagnosed with a "psychotic symptomatology to be determined". He was discharged on 28 May 2021.

Relying on Article 5 § 1 (e) (right to liberty and security), the applicant alleges that his compulsory committal was unlawful. He argues in particular that the procedure prescribed by law was not followed in his case, in particular he had not been represented by a lawyer.

[Baena Salamanca v. Spain \(no. 23236/22\)](#)

The applicant, Maria del Carmen Baena Salamanca, is a Spanish national who was born in 1962 and lives in Madrid.

The case concerns an article published by a national newspaper in September 2012 suggesting that the applicant, who, at the time, was a forensic medical doctor, had not complied with a judicial order to examine in person a convicted terrorist before issuing a report about him. The applicant maintains that she never received the order and was unaware of its existence or contents until the newspaper article appeared.

A claim against the newspaper and the journalist, brought by the applicant, asking for a retraction was unsuccessful. In 2013 the applicant lodged a criminal complaint against the journalist and a lawyer alleging that the order and its cover letter, which had been produced as evidence in the retraction proceedings, had been tampered with. The investigating court declared that the cover letter had been tampered with, but the proceedings were discontinued as it could not be established that either the journalist or the lawyer had altered the document, or that they had been aware of the modification.

A further civil claim brought by the applicant against the newspaper for defamation was also unsuccessful.

Relying on Article 8 (right to respect for private and family life) the applicant complains that by rejecting her civil claim against the newspaper in the defamation proceedings, the domestic courts failed to protect her right to reputation.

[Sanchez i Picanyol and Others v. Spain \(nos. 25608/20, 27250/20, and 46481/20\)](#)

The case concerns the pre-trial detention of three Spanish nationals and alleged restrictions on their freedom of expression and political rights under the Convention.

Their pre-trial detention was ordered by the Spanish courts in the wake of the demonstrations in Barcelona on 20 and 21 September 2017 and the referendum of 1 October 2017.

At the relevant time, the first applicant, Jordi Sànchez i Picanyol, who was born in 1964 and lives in Barcelona, was the Chair of *Assemblea Nacional Catalana* ("the ANC"), a civil-law association for the promotion of Catalan independence.

The second applicant, Jordi Turull i Negre, who was born in 1966 and lives in Parets del Vallès (Spain), was Minister of the Presidency and spokesperson for the Catalan Autonomous Government ("the *Generalitat*").

The third applicant, Oriol Junqueras Vies, who was born in 1969 and lives in Barcelona, was Vice-President of the *Generalitat*.

Before the Court, they rely on Articles 5 (right to liberty and security), 10 (freedom of expression) and 18 (limitation on use of restrictions on rights) of the Convention and on Article 3 (right to free elections) of Protocol No. 1 to the Convention.

[A.V. v. Switzerland \(no. 37639/19\)](#)

The applicant, A.V., is an Italian national who was born in 1955 and is imprisoned in Lonay.

On 29 June 2017 the applicant was placed in pre-trial detention for, *inter alia*, attempted murder. She was suspected of having fired several bullets at her daughter and of having seriously injured her.

The case concerns the prison authorities' inspection of the applicant's correspondence, except for her correspondence with her lawyer and a number of public institutions.

Relying on Article 8 (right to respect for one's private and family life, one's home and one's correspondence), the applicant complains that all her mail, except for her correspondence with her lawyer, was systematically inspected by the authorities of the prison where she was in pre-trial detention counting towards a possible custodial sentence.

[Guyvan v. Ukraine \(no. 46704/16\)](#)

The applicant, Petro Dmytrovykh Guyan, is a Ukrainian national who was born in 1958 and lives in Poltava (Ukraine).

The case concerns the processing of data from his work mobile telephone by his employer. In 2015, in the context of an internal investigation, his employer asked the mobile phone operator, with which the employer had a contract, for detailed information about certain calls from the applicant's mobile telephone. The operator provided that information. A claim lodged by the applicant against his employer was unsuccessful, the Supreme Court finding that the information in question did not constitute the applicant's personal data.

Relying on Article 8, the applicant complains that the courts failed to protect his right to privacy in relation to his employer having processed his personal data.

[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 November 2025

Name	Main application number
Omeragić v. Bosnia and Herzegovina	44804/22

Thursday 6 November 2025

Name	Main application number
Khandanyan v. Armenia	19022/22
Minasyan v. Armenia	54620/16
Mkrtchyan v. Armenia	40662/16

Name	Main application number
Mihaylov and Others v. Bulgaria	9059/25
RTL Television GmbH v. Germany	46527/22
Banakou v. Greece	63728/16
Kavga and Others v. Greece	41897/18
Koutra and Katzaki v. Greece	459/16
Patai and Faragó v. Hungary	49059/18
Gísli Reynisson v. Iceland	27350/19
Petrevski v. North Macedonia	19198/19
Kłucinska-Głuszcak v. Poland	33274/22
Terrinca Marques Ramos v. Portugal	19344/22
Adrian Valeriu Rus and Mircea Rus v. Romania	1951/19
Fundația Szekler Monitor v. Romania	3520/20
Gonț v. Romania	18269/20
Pour Hayavi Zadeh v. Switzerland	69503/17
Ruckstuhl v. Switzerland	43820/17
Société Suisse de Radiodiffusion et Télévision (SSR) and Others v. Switzerland	43335/18
Kraynyak and Gumenyuk v. Ukraine	12971/19
Nikolayev v. Ukraine	54309/20
Pankratyev v. Ukraine	36459/19
Romanenko v. Ukraine	54825/18

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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.