



Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing nine judgments on Tuesday 5 November 2024 and 45 judgments and / or decisions on Thursday 7 November 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)

Tuesday 5 November 2024

[Nezirić v. Bosnia and Herzegovina \(no. 4088/21\)](#)

The applicant, Sanel Nezirić, is a national of Bosnia and Herzegovina who was born in 1976 and lives in Sarajevo. He is a lawyer.

The case concerns the seizure and examination of Mr Nezirić's mobile phone in the context of a criminal investigation against him.

Relying on Article 8 (right to respect for correspondence) of the European Convention on Human Rights, Mr Nezirić complains about the seizure and examination of his mobile phone, alleging that it breached his right to legal professional privilege.

[Lindholm and the Estate after Leif Lindholm v. Denmark \(no. 25636/22\)](#)

The applicants are Lilian Elisabeth Lindholm, born in 1953 and currently living in Randers (Denmark); and the estate of her late husband, Leif Ingolf Lindholm, born in 1947. They are/were both Jehovah's Witnesses.

Ms Lindholm's husband died on 21 October 2014; he had spent the previous month in hospital after a two-metre fall through a roof, first disoriented and then unconscious. The case concerns a blood transfusion administered to him, despite his carrying a "blood-refusal card" at the time of the accident.

Ms Lindholm unsuccessfully brought legal proceedings to complain that the blood transfusion had been against her husband's will. In 2022 the Supreme Court found in particular that doctors had avoided giving Mr Lindholm blood until they had considered it necessary to save his life; and, that there had been a legal basis for that decision in national law, which provided that a patient's refusal of a blood transfusion had to be "current and informed".

The applicants complain that the Supreme Court judgment finding the blood transfusion lawful, despite Mr Lindholm's previously stated refusal of the procedure on account of his religious beliefs, was in violation of Articles 8 (right to respect for private and family life) and 9 (freedom of religion) of the European Convention.

[Zahariev v. North Macedonia \(no. 26760/22\)](#)

The applicant, Borislav Zahariev Zahariev, is a Bulgarian national who was born in 1965 and lives in Sofia.

The case concerns the indictment of Mr Zahariev in February 2013 and his subsequent trial for abuse of office and tax evasion. He asserts that he had immunity from prosecution at that time as his wife was an official at the Bulgarian Cultural and Information Centre attached to the Bulgarian embassy in Skopje.

Relying on Article 6 § 1 (right to a fair trial) of the Convention, Mr Zahariev complains about the manner in which the courts of North Macedonia dealt with his arguments related to his alleged immunity from prosecution under the 1961 Vienna Convention on Diplomatic Relations.

[Miron v. Romania \(no. 37324/16\)](#)

The applicant, Adriana-Laura Miron, is a Romanian national who was born in 1977 and lives in Bucharest.

The case concerns the fairness of criminal proceedings. The applicant alleges that the trial court which convicted her did not take evidence directly from either the witnesses or her co-defendants.

In December 2012 the Bucharest District Court prosecutor's office committed for trial the applicant and four other civil servants from the Ministry of the Interior's Human Resources Management Department, on charges of forgery and abuse of office. They were accused of having hired D.R.C. unlawfully and of having paid him for a fictitious job. D.R.C. was also committed for trial on the charge of aiding and abetting those offences.

Relying on Article 6 (right to a fair trial), the applicant complains that the criminal proceedings against her were unfair because the domestic courts failed to comply with the principle that witnesses should be examined at trial.

[Roxana-Mihaela Ioniță v. Romania \(no. 51309/20\)](#)

The applicant, Roxana Mihaela Ioniță, is a Romanian national who was born in 1976 and lives in Constanța.

The case concerns the effectiveness of the criminal investigation into her parents' death following a fire in their building on the night of 26 to 27 January 2016. The applicant's mother died on 27 January 2016 and her father on 18 February of the same year.

Relying on Article 6 (right to a fair hearing), Article 8 (right to respect for private and family life) and Article 13 (right to an effective remedy), the applicant alleges that the national authorities failed to clarify the circumstances of her parents' death and, in particular, overlooked material evidence.

Thursday 7 November 2024

[Rybářství Třeboň a.s. and Rybářství Třeboň Hld. a.s. v. the Czech Republic \(nos. 18037/19 and 33175/22\)](#)

The applicants, Rybářství Třeboň a.s. and Rybářství Třeboň Hld. a.s., are two companies registered in the Czech Republic.

In the 1990s some fishponds and land located in Novosedly nad Nežárkou and Lutová which had been seized by the communist regime from two Roman Catholic Church parishes were privatised and came into the ownership of the applicant companies. The case concerns the annulment without compensation of the privatisation and the property's return to the Catholic Church.

Relying on Article 1 of Protocol No. 1 (protection of property) and Article 6 § 1 (right to a fair trial), the applicant companies complain, in particular, of the dispossession of the property, and of inadequate reasoning in the relevant court decisions.

[S. v. the Czech Republic \(no. 37614/22\)](#)

The applicants, a mother and her son, are Czech nationals who were born in 1979 and 2004 respectively and live in Silůvky.

The case concerns an alleged lack of reasonable accommodation for the son, who has autism, during his first year of primary school and during the subsequent judicial proceedings, together with the adverse effects that this situation has had on the mother.

Relying on Article 14 (prohibition of discrimination) taken together with Article 2 of Protocol No. 1 (right to education), the applicants complain of discrimination on the basis of the son's disability, arguing that the school in issue failed to make reasonable accommodation for his specific needs.

Revision

[Leroy and Others v. France \(nos. 32439/19 and 46898/19\)](#)

The applications concerned the conditions of detention of the applicants – including Romain Leroy and Sid-Ahmed Lahreche, French nationals who were born in 1984 and 1989 respectively – during industrial action at Alençon-Condé-sur-Sarthe Prison in March 2019, and the availability of effective remedies in that regard.

In a [judgment](#) delivered on 18 April 2024 the Court held that there had been a violation of Article 3 of the Convention on account of the conditions of Mr Leroy's and Mr Lahreche's detention during the industrial action in question. The Court also awarded them 2,000 euros each in respect of non-pecuniary damage and dismissed the remainder of the claims for just satisfaction.

Mr Leroy's representative subsequently informed the Court that he had learned Mr Leroy had died on 9 August 2022. Accordingly, he requests the revision of the judgment.

[Bakradze v. Georgia \(no. 20592/21\)](#)

The applicant, Maia Bakradze, is a Georgian national who was born in 1971 and lives in Tbilisi. She was a judge on the Tbilisi Court of Appeal and a founding member and the President of a non-governmental organisation called The Unity of Judges of Georgia.

The case concerns Ms Bakradze's failure in two judicial competitions in Georgia, which she alleges was the result of discrimination due to her role in The Unity of Judges of Georgia. That organisation had as its aim the promotion of independence and transparency of the judiciary in the State.

She relies on Articles 10 (freedom of expression) and 11 (freedom of assembly and association) of the Convention in conjunction with Article 14 (prohibition of discrimination), and on Article 1 of Protocol No. 12 to the Convention (general prohibition of discrimination).

[Lavorgna v. Italy \(no. 8436/21\)](#)

The applicant, Matteo Lavorgna, is an Italian national who was born in 1995 and lives in Segrate (Italy). He suffers from a psychotic disorder not otherwise specified (*psicosi non altrimenti specificata*).

The case concerns the treatment he was given while in compulsory confinement in a psychiatric ward. He was strapped down and given sedatives owing to reported violent actions he had engaged in recently.

Relying on Article 3 (prohibition of inhuman and degrading treatment), Mr Lavorgna complains of his psychiatric treatment. He also complains of an inadequate investigation in that connection.

[I.G. v. Poland \(no. 42668/21 and 19 other applications\) and Wiesław Dudek and Dariusz Lazur v. Poland \(nos. 41097/20 and 39577/22\)](#)

The applicants are 22 Polish nationals who live in Poland and abroad.

The cases concern proceedings involving the applicants which were decided by formations of the Polish Supreme Court, which they allege were not "independent and impartial tribunal[s] established

by law". The applications came in the context of the reorganisation of the judicial system in Poland in what had been described by many observers as a "rule-of-law crisis".

Currently around 700 cases against Poland on the Court's docket concern the alleged breach of the right to an "independent and impartial tribunal established by law".

Relying on Article 6 (right to a fair trial), the applicants complain that the judicial formations of the Supreme Court which examined their cases were not "independent and impartial tribunal[s] established by law".

[Kazachynska v. Ukraine \(no. 79412/17\)](#)

The applicant, Kseniya Pavlivna Kazachynska, is a Ukrainian national who was born in 1986 and lives in Ankeny, USA.

The case concerns her allegedly unlawful detention and compulsory treatment in a psychiatric hospital in the Kherson region, Ukraine, and the subsequent failure of the national authorities to investigate those events. She was admitted to the hospital on the basis of a document said to record her informed consent. However, she later contested the authenticity of her signature on the consent form, suggesting it had been forged by her then husband.

Relying on Articles 3 (prohibition of inhuman or degrading treatment), 8 (right to respect for private and family life) and 13 (right to an effective remedy), the applicant complains that her compulsory detention and confinement in the psychiatric hospital was unlawful and that she was ill-treated there. She also complains that the investigation into her complaints was ineffective and too long.

[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 5 November 2024

Name	Main application number
Antonov and Banković v. Bulgaria	37520/21
Madzharov v. Bulgaria	5113/20
Ferreira e Castro da Costa Laranjo v. Portugal	33203/20
Stefanović and Banković v. Serbia	21784/16

Thursday 7 November 2024

Name	Main application number
Abdullayev v. Azerbaijan	43346/14
Jašari v. Croatia	5584/24
Sassi and Benchellali v. France	35884/21
JSC Wallmill Services v. Georgia	31294/22
Nicolai v. Germany	21987/18
Schelhorn v. Germany	10876/21
Schüttke and Others v. Germany	8422/19

Name	Main application number
Simatupang Hermann and Others v. Germany	12974/20
Wagner-Lippoldt v. Germany	19667/18
Zeisig v. Germany	27485/18
Cutelli and Russo v. Italy	2645/22
Scardaccione v. Italy	9968/14
Fundação D. Anna de Sommer Champalimaud e Dr. Carlos Montez Champalimaud and Others v. Portugal	28469/17
Mladin v. Romania	35499/17
Stoica v. Romania	8789/17
Babintseva v. Russia	2877/21
Dendobrenko v. Russia	20728/22
Drozdov and Others v. Russia	75804/17
Gerasimov v. Russia	74582/17
K.O. and K.G. v. Russia	71772/17
Karavayev and Others v. Russia	26888/21
Konstantinov and Others v. Russia	25465/16
Kulminskiy v. Russia	15083/20
Maro and Others v. Russia	31274/19
Misakyan and Others v. Russia	41542/20
Romanova v. Russia	25224/18
V.K. and M.A. v. Russia	41001/20
V.P. and Others v. Russia	33140/15
Vakulenko and Others v. Russia	38875/20
Krušarski v. Serbia	33805/20
Petrović v. Serbia	7861/23
Šimetić v. Serbia	27296/22
Ali Aba Kadr and Rouhi v. Spain	41788/22
Bryska v. Ukraine	11706/13
Cherednychenko v. Ukraine	33630/17
Nechayenko v. Ukraine	41362/13
Serhiyenko v. Ukraine	72678/16

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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.