



Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing 13 judgments on Tuesday 6 July 2021 and 54 judgments and/ or decisions on Thursday 8 July 2021.

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 6 July 2021

[Titan Total Group S.R.L. v. the Republic of Moldova \(application no. 61458/08\)](#)

The applicant company, Titan Total Group Ltd., is a limited liability company set up under Romanian law with its main office in Bucharest.

The case primarily concerns the failure to enforce payment of a claim on the part of the applicant company *vis-à-vis* a State enterprise. In the framework of the domestic compensatory remedy, the applicant company had failed to obtain a finding of a violation on account of an excessive waiting period. Before the Court, the company complains about the overall period of non-enforcement, whereby it abstained from using the compensatory remedy again in respect of the period following that examined by the domestic courts because it considered the domestic remedy ineffective.

Relying on Article 1 of Protocol No. 1 (protection of property) to the European Convention on Human Rights and on Article 6 § 1 (right to a fair trial) of the Convention, the applicant company complains of the failure to enforce the final judicial decisions given in its favour on 1 November 2005, 3 November 2008 and 22 June 2010.

Relying on Article 13 (right to an effective remedy), it complains of the lack of an effective remedy to uphold its rights under the aforementioned provisions.

Relying on Article 6 § 1 (right to a fair trial), the applicant company alleges that on 12 January 2009 the Court of Appeal unduly examined an appeal lodged by the State enterprise even though it should have been dismissed as out of time. By thus setting aside the interlocutory judgment which had become final, the Court of Appeal infringed the right to legal certainty.

Under the same Article, the applicant society complains that it had not been notified of the date of the 12 January 2009 hearing before the Court of Appeal, in breach of the right to a public hearing.

[A.M. and Others v. Russia \(no. 47220/19\)](#)

The applicants, A.M., M.M. and K.M., are Russian nationals. A.M. is the parent of the other two applicants. She is a post-operative transgender woman.

The case concerns a court decision to restrict A.M.'s parental rights and to deprive her of contact with her children on account of her gender transitioning and the allegedly negative effect it might have on her children's psychological health and development.

The applicants complain under Articles 8 (right to respect for private and family life) and 14 (prohibition of discrimination) of the European Convention.

[Abdulkhanov v. Russia \(no. 35012/10\)](#)

The applicant, Rizvan Abdulkhanov, is a Russian national who was born in 1974 and lives in Grozny (Russia).

The case concerns the serious wounding of the applicant by the police and their allegedly obstructing him from receiving medical treatment for his injuries.

Relying on Articles 2 (right to life), 3 (prohibition of inhuman or degrading treatment) and 13 (right to an effective remedy) of the Convention, the applicant complains that he was seriously wounded as the result of excessive use of force by the police, that the authorities prevented him from receiving necessary medical treatment and failed to investigate the matter effectively.

[Chizhov v. Russia \(no. 11536/19\)](#)

The applicant, Aleksey Yuryevich Chizhov, is a Russian national who was born in 1968 and lives in Irkutsk (Russia).

The case concerns the decision of the Russian courts to limit the applicant's contact with his son to four hours per month in the presence of the child's mother and daily one-hour telephone calls.

Relying on Article 6 (right to a fair trial) and Article 5 of Protocol No. 7 (equality between spouses) to the Convention, the applicant complains that the judgment had been taken in breach of his and his son's right to mutual enjoyment of each other's company, that the proceedings leading to the judgment in question had been unfair, and the domestic courts had not taken into account the child's interests in their assessment of the case.

[Gruba and Others v. Russia \(no. 66180/09\)](#)

The applicants are four Russian nationals, Aleksandr Valeryevich Gruba, Aleksandr Mikhaylov, Oleg Marintsev and Aleksey Morozov, who were born in 1979, 1967, 1969 and 1970 respectively and live in Russia.

The case concerns the difference in entitlement to parental leave between policemen and policewomen.

Relying on Article 14 (prohibition of discrimination) taken in conjunction with Article 8 (right to respect for private and family life), the applicants complain that the refusal to grant them parental leave amounted to gender discrimination. In addition, relying on Article 6 § 1 (right to a fair hearing) Mr Morozov complains about the public prosecutor's participation in his hearing.

[Kasilov v. Russia \(no. 2599/18\)](#)

The applicant, Arkadiy Kasilov, is a Russian national who was born in 1969. He is detained in Yujno-Sakhalinsk (Sakhalin Region, Russia).

The case concerns Mr Kasilov's detention following the delivery, at first instance, of a judgment convicting him in 2017 (five-and-a-half years' imprisonment); the applicant's conditions of detention in a remand prison; and the retention of a security (totalling some 23,590 euros) which he had paid in 2015 for his release on licence during the trial, and which was refunded to him in 2018 following the delivery of the appeal judgment.

Relying on Article 3 (prohibition of inhuman or degrading treatment), Mr Kasilov complains about his conditions of detention in the remand prison, and in particular of the lack of space and the overcrowding in the cell in which he was detained.

Relying on Article 5 § 4 (right to a speedy decision on the lawfulness of detention), Mr Kasilov complains of his inability to appeal against the decision to place him in detention set out in the first-instance judgment convicting him.

Relying on Article 1 of Protocol No. 1 (protection of property), Mr Kasilov complains of the retention of the security between the delivery of the judgment convicting him (2017) and the delivery of the appeal judgment (2018), despite his immediate placement in detention.

Relying on Article 13 (right to an effective remedy) read in conjunction with Article 1 of Protocol No. 1, Mr Kasilov complains that he had had no effective remedy in order to claim the refund of his deposit before the judgment convicting him had become final.

[Tığrak v. Turkey \(no. 70306/10\)](#)

The applicant, Muhsine Rengin Tığrak, is a Turkish national who was born in 1961 and lives in Istanbul.

The case concerns the quashing of a final judgment awarding the applicant severance pay following her voluntary retirement.

Relying on Article 6 § 1 (right to a fair hearing) and Article 1 of Protocol No. 1 (protection of property), the applicant complains that the quashing of the final and binding decision in her favour by means of rectification-of-error proceedings had violated the principle of legal certainty and her right to peaceful enjoyment of her possessions.

[Norman v. the United Kingdom \(no. 41387/17\)](#)

The applicant, Robert Norman, is a British national who was born in 1960 and lives in Dawlish (United Kingdom).

The case concerns a prison officer – the applicant – who, over a number of years, provided information to a journalist in exchange for money. The newspaper subsequently disclosed the applicant's name to the police in the context of an investigation into allegations of inappropriate payments by newspapers to public officials. He was convicted of misconduct in public office.

Relying on Article 7 (no punishment without law) and Article 10 (freedom of expression), the applicant complains that he could not have foreseen that his actions would lead to his criminal prosecution and that his prosecution and conviction violated his right to protection as a journalistic source.

Thursday 8 July 2021

[Mammadov and Abbasov v. Azerbaijan \(no. 1172/12\)](#)

The applicants, Elnur Akif oğlu Mammadov and İdrak Telman oğlu Abbasov are Azerbaijani nationals who were born in 1984 and 1976 respectively and at the relevant time lived in Baku.

The case concerns a police operation at the premises of the *Milli Yol* newspaper.

Relying in particular on Article 10 (freedom of expression), the applicants, reporters for a Baku-based non-governmental organisation specialised in the protection of journalist's rights, allege that the police seized their camera equipment when they went to report on the ongoing operation, preventing them from recording. Also relying on Article 5 (right to liberty and security), the first applicant alleges that he was unlawfully arrested during the operation and detained for one hour.

[Quintanel and Others v. France \(no. 12528/17\)](#)

The applicants are 15 French nationals who were born between 1945 and 1968 and live in Doms, Amiens, Bégard, Brest, Locmaria-Plouzané, Lanester, Le Perreux-sur-Marne, Noailhac, L'Argentière-la-Bessée, Montfrin, Céret, Boulogne-Billancourt, Saïx, Saint-Piat, Saint-Gély-du-Fesc (France) respectively. They each have at least three children and worked in the civil service for at least fifteen years.

These civil servants applied for early retirement, also requesting that their pensions should be calculated to include a service credit for children. The administrative courts dismissed that request.

Relying on Articles 6 § 1 (right to a fair trial) and Article 13 (right to an effective remedy), the applicants submit that the *Conseil d'État* lacked impartiality in the framework of its *Quintanel* decision of 27 March 2015; they argue that the administrative courts failed to adjudicate on their compensatory remedies in an independent and impartial manner out of deference to the *Conseil d'État*; they criticise the reasoning of the decisions given not to refer a preliminary question to the Court of Justice of the European Union; and they consider that the domestic courts gave insufficient reasons for their decision on the merits. Relying on Article 6 § 1, Article 13 and Article 1 of Protocol No. 1 (protection of property), two of the applicants (applications nos. 34585/18 and 37769/18) complain of the retroactive application of provisions of the Civil and Military Retirement Pensions Code. Finally, one of the applicants (application no. 73975/17) considers that the domestic courts failed to draw the logical conclusions from a cassation judgment delivered in his favour, in breach of Article 6 and Article 1 of Protocol No. 1.

[Tkhelidze v. Georgia \(no. 33056/17\)](#)

The applicant, Taliko Tkhelidze, is a Georgian national who was born in 1958 and lives in Tbilisi.

The case concerns the Georgian authorities' alleged failure to protect the applicant's daughter from domestic violence and to conduct an effective investigation into the matter.

Relying on Articles 2 (right to life) and 14 (prohibition of discrimination), the applicant complains that the police were aware of the danger posed to her daughter's life, but failed to take the necessary preventive measures. In particular their response to the numerous complaints she and her daughter had made had been inappropriate and discriminatory.

[Shahzad v. Hungary \(no. 12625/17\)](#)

The applicant, Khurram Shahzad, is a Pakistani national who was born in 1986 and lives in Gujrat (Pakistan).

The case concerns the applicant's entry from Serbia to Hungary as part of a group and his subsequent summary expulsion by the police.

Relying on Article 4 of Protocol No. 4 (prohibition of collective expulsion of aliens) and Article 13 (right to an effective remedy) taken in conjunction with Article 4 of Protocol No. 4, the applicant complains that his expulsion from Hungary was part of a collective expulsion, and that he had no remedy for his complaint.

[Maestri and Others v. Italy \(nos. 20903/15, 20973/15, 20980/15 and 24505/15\)](#)

The applicants are seven Italian nationals, Cristina Maestri, Giovanni Robusti, Denis Maero, Francesco Robastro, Antonino Bedino, Celestino Giletta and Gianfranco Taricco, who were born between 1946 and 1972 and live in Viadana, Torre de Pinenardi, Saluces, Moretta, Scarnafigi, Cavallerleone and Fossano respectively.

The applicants were involved with other persons in criminal proceedings concerning abuse of the milk-quota system introduced under Regulation (EEC) No. 856/84.

Relying on Article 6 § 1 (right to a fair trial), the applicants complain that the appellate court failed to order a fresh hearing of the prosecution witnesses and had not heard them before overturning the acquittal verdict given in their favour at first instance.

[D.A. and Others v. Poland \(no. 51246/17\)](#)

The applicants, D.A., M.A. and S.K., were born in 1987, 1992 and 1993 respectively. They are Syrian nationals who currently reside in Belarus.

The case concerns alleged pushbacks of the applicants at the Polish-Belarusian border.

Relying on Article 3 (prohibition of torture and of inhuman or degrading treatment) and Article 4 of Protocol No. 4 (prohibition of collective expulsion of aliens), the applicants allege that the Polish authorities repeatedly denied them the possibility of lodging applications for international protection, that their situation was not reviewed individually and that they were victims of a general policy followed by the Polish authorities aiming at reducing the number of asylum applications registered in Poland. Relying on Article 13 (right to an effective remedy), they allege that lodging an appeal against a decision denying someone entry into Poland did not constitute an effective remedy for asylum-seekers as it would have no suspensive effect. Moreover, they complain under Article 34 (individual applications) that the Polish authorities returned them to Belarus, despite the European Court's interim measure to the Government indicating that they should not be removed.

[Berlizev v. Ukraine \(no. 43571/12\)](#)

The applicant, Vadym Yaroslavovych Berlizev, is a Ukrainian national who was born in 1978 and lives in Zboriv (Ukraine).

The case concerns the applicant's criminal conviction on a charge of taking a bribe following alleged police incitement and planting of marked cash in his office.

Relying on Article 8 (right to respect for private and family life) and Article 6 § 1 (right to a fair hearing), the applicant complains that the police unlawfully recorded him and that his conviction was based on unlawfully obtained evidence.

[Sili v. Ukraine \(no. 42903/14\)](#)

The applicant, Nikolay Yevdokimovich Sili, is a Ukrainian national who was born in 1958 and is serving a life sentence in Ukraine.

The case concerns the conditions of the applicant's detention in prison and his unsuccessful attempts to obtain a disability pension.

Relying on Article 3 (prohibition of inhuman or degrading treatment) and Article 1 of Protocol No. 1 (protection of property), the applicant complains that he was detained in appalling conditions, in particular owing to overcrowding, and alleges that the prison administration ignored his requests to help him with the formalities to receive a disability pension.

[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 6 July 2021

Name	Main application number
A.B. v. Russia	34804/17
Begiyeva v. Russia	14929/17
Lesnykh v. Russia	1609/13
Malsagov and Aldamov v. Russia	59079/17
Yemkuzheva v. Russia	71998/13

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Name	Main application number
Hasanov v. Azerbaijan	52584/09
Orujova v. Azerbaijan	1776/09
Salmanova v. Azerbaijan	12098/09
Tahirov v. Azerbaijan	4306/09
Slavnić v. Bosnia and Herzegovina	54475/19
J.S. v. Estonia	11761/20
Lasbleis v. France	46374/18
Batki and Others v. Hungary	63817/19
Puskás and Others v. Hungary	35711/20
Falzarano v. Italy	73357/14
Țiganciuc v. the Republic of Moldova	30913/10
Asanovski and Others v. North Macedonia	19137/18
Trajkov and Others v. North Macedonia	54551/16
Wiewiór v. Poland	48218/13
Ciucălău v. Portugal	24997/18
Ciobanu and Others v. Romania	41931/16
Furdui and Others v. Romania	167/16
Nistor and Răcșan v. Romania	27590/16
Parasca and Others v. Romania	34941/15
Stancu v. Romania	30829/16
Borodokin v. Russia	63614/11
Gataullin v. Russia	36395/18
Gimbatov v. Russia	9659/18
Khamastkhanova and Others v. Russia	1164/12
Orlov and Others v. Russia	34749/09
Ovchinnikov v. Russia	12546/20
Safiullin v. Russia	38915/18
Sokolov v. Russia	68027/10
Teterev and Others v. Russia	46937/09
Yevsyukov and Others v. Russia	39224/10
Kovačević v. Serbia	35951/14
Novković v. Serbia	29625/18
Pudić and Others v. Serbia	84050/17
Vučičević v. Serbia	62335/17
Altun v. Turkey	35034/10
Bayram v. Turkey	62660/12
Keskin and Sabuktay v. Turkey	22002/12
Kolu and Others v. Turkey	3446/10
Sönmezsoy and Others v. Turkey	22658/10
Bandura v. Ukraine	659/10
Koval v. Ukraine	8155/11
Panova and Others v. Ukraine	28519/10
Stoyka v. Ukraine	5372/20
Trofymenko and Makhmutov v. Ukraine	23635/20

Name	Main application number
Yegorov and Others v. Ukraine	54337/19
Ahmed v. the United Kingdom	26857/19

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Press contacts

echrpess@echr.coe.int | tel: +33 3 90 21 42 08

Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)

Denis Lambert (tel: + 33 3 90 21 41 09)

Inci Ertekin (tel: + 33 3 90 21 55 30)

Neil Connolly (tel: + 33 3 90 21 48 05)

Jane Swift (tel: + 33 3 88 41 29 04)

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.