

ECHR 104 (2025) 30.04.2025

Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing five judgments on Tuesday 6 May 2025 and 15 judgments and / or decisions on Friday 9 May 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 (<u>www.echr.coe.int</u>).

Tuesday 6 May 2025

Bayramov v. Azerbaijan (application no. 45735/21)

The applicant, Bahruz Front oglu Bayramov, is an Azerbaijani national who was born in 1974 and lives in Baku. He is a lawyer.

The case concerns the filming of the applicant by the police in 2018 when he was stopped for alleged drink-driving and taken to a doctor for a blood-alcohol test. The video footage was subsequently published on television channels and websites, with among other headlines: "Well-known advocate arrested drunk". His subsequent civil action against the police was dismissed by the national courts, which found that he had failed to prove that the police had distributed the video footage to the media.

The administrative-offence proceedings brought against the applicant for driving his car without a seatbelt and while drunk were discontinued in 2020 as time-barred.

Relying in particular on Article 8 (right to respect for private and family life) of the European Convention on Human Rights, the applicant complains about the unlawful filming of him and the subsequent publication of the video footage, as well as the inadequate reasoning in the courts' decision dismissing his claim against the police.

Jewish Community of Thessaloniki v. Greece (no. 13959/20)

The applicant community is a public-law entity (νομικό πρόσωπο δημοσίου δικαίου) based in Thessaloniki. It was founded by royal decree in 1920, in accordance with Law no. 2456/1920, which regulated the organisation of Jewish communities in Greece.

The case concerns the dismissal in 2019 of the applicant community's demand to be judicially recognised as the sole owner of a plot of land on the grounds that it was categorised as "enemy property" after the end of World War II – although the ownership of the plot had been transferred to them in 1934.

The community complains that the Court of Cassation's decision violated their right to peacefully enjoy their property under Article 1 of Protocol 1 to the European Convention and also violated their right to a fair hearing under Article 6 § 1 of the Convention.

Demirci v. Hungary (no. 48302/21)

The applicants are Orhan, Margit and Nadire Demirci, a married couple and their daughter. Mr Demirci is a Turkish national, while his wife and daughter are Hungarian nationals. They were born in 1953, 1966 and 1995, respectively.

The case concerns a decision to expel Mr Demirci on national-security grounds and the ensuing separation with his wife and daughter. He arrived in Hungary in 1990. He married the second



applicant in 1994 and was subsequently granted permanent residence status. The immigration authorities initiated expulsion proceedings against him following a recommendation in 2020 by the Hungarian specialised intelligence agency that he was a danger to national security. He was removed from Hungary on 25 March 2021.

The applicants complain that Mr Demirci had been expelled from Hungary in breach of Article 1 of Protocol No. 7 (procedural safeguards relating to expulsion of aliens), Article 8 (right to respect for private and family life) and Article 13 (right to an effective remedy) of the Convention. They complain in particular that the expulsion order had been based on classified information that they had had no access to either in the administrative proceedings or ensuing judicial review proceedings in his case.

L.F. and Others v. Italy (no. 52854/18)

The applicants are 153 Italian nationals who live variously in Baronissi, Pellezzano and Salerno (Italy).

The case concerns pollution allegedly caused by a foundry near the applicants' homes in the municipality of Salerno.

The foundry, Fonderie Pisano, smelts ferrous metals and has been operating in the municipality of Salerno (Campania) since 1960. In 2006 the industrial area where the plant was located was designated for residential use, under the condition that the plant would be relocated. No relocation was carried out, but the area was nonetheless opened for residential development.

The foundry has been the object of numerous inspections and administrative and criminal proceedings, all finding shortcomings in the operation of the plant. From 2016 the authorities took measures, accompanied by monitoring, to minimise the harmful effects of the foundry on the environment and health of the local population.

Relying on Articles 2 (right to life) and 8 (right to respect for private and family life), the applicants allege that the State's allowing residential development around the foundry and failing to take the necessary measures against pollution has caused serious damage to the environment, endangered their lives and health and affected their personal well-being. Several of the applicants specifically submit that they have suffered from cardiovascular, respiratory and neurological diseases. The applicants also complain that the authorities neglected to inform them of the risks of living in the area surrounding the plant and to involve them in the decision-making process for authorising its operation.

Lastly, under Article 46 (binding force and implementation), the applicants have asked the Court to require the national authorities: to monitor the plant and make its continued operation conditional on a positive environmental and health impact assessment; and, to put in place a plan to reduce emissions and decontaminate the areas surrounding the foundry.

Friday 9 May 2025

Sadomski v. Poland (no. 56297/21)

The applicant, Jacek Roman Sadomski, is a Polish national who was born in 1970 and lives in Marki (Poland). He is a judge.

In 2018 Mr Sadomski's applied for a post as a judge of the Civil Chamber of the Supreme Court of Poland. The National Council of the Judiciary (NCJ) put forward 7 of the 27 candidates for appointment by the President of the Republic but did not recommend the applicant. The case concerns the review of that decision, which Mr Sadomski and the other candidates not recommended instigated before the Supreme Administrative Court.

The Supreme Administrative Court ordered a stay in appointments to the posts in question. Nevertheless, in October 2018 the candidates recommended by the NCJ were appointed by the President. Mr Sadomski's appeal was successful as the Supreme Administrative Court later annulled the NCJ's recommendation, but he was not able to have his application re-examined.

This case is related to the so-called rule-of-law crisis in Poland, which the Court examined in *Advance Pharma sp. z o.o. v. Poland* (application no. 1469/20) and *Grzęda v. Poland* (no. 43572/18).

Relying on Article 6 § 1 (right to a fair trial), Mr Sadomski alleges, in particular, that the judicial review in his case was inadequate to protect his rights, and that the judgment in his favour had no practical effect for him.

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 <u>HUDOC</u>. They will not appear in the press release issued on that day.

Tuesday 6 May 2025

Name	Main application number
Raduk v. Serbia	13696/23

Friday 9 May 2025

Name	Main application number
Boydev v. Bulgaria	11917/21
W v. the Czech Republic	5400/23
Irampour v. France	40328/23
Lucia v. France	20095/23
Rimoldi v. Italy	26454/19
Birău v. the Republic of Moldova	62019/17
Łaciak v. Poland	24414/15
Manowska and Others v. Poland	51455/21
Savić v. Serbia	11789/21
Piro Planet d.o.o. v. Slovenia	34568/22
Costa i Rosselló v. Spain	28054/24
Cuartero Lorente and Others v. Spain	28643/23
Bondar v. Ukraine	29184/15
Kulyk v. Ukraine	40214/16

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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.