

## Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing 12 judgments on Tuesday 12 December 2023 and 123 judgments and / or decisions on Thursday 14 December 2023.

*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 12 December 2023

#### [Vučković v. Croatia \(application no. 15798/20\)](#)

The applicant, Maja Vučković, is a Croatian national who was born in 1978 and lives in Rijeka (Croatia).

The case concerns the sexual assaults that Ms Vučković, a nurse, suffered at the hands of an ambulance driver colleague while working shifts together. The assaults resulted in her having to go on sick leave because of injuries and later because of post-traumatic stress disorder. Her assailant was sentenced to 10 months' imprisonment, but that sentence was commuted to community service on appeal.

Relying on Article 3 (prohibition of inhuman and degrading treatment) and Article 8 (right to respect for private and family life) of the European Convention on Human Rights Ms Vučković complains of the commuting of the sentence of her co-worker, arguing that it was disproportionately lenient given the seriousness of the offences committed.

#### [Jasuitis and Šimaitis v. Lithuania \(nos. 28186/19 and 29092/19\)](#)

The applicants, Vilandas Jasuitis and Darius Šimaitis, are Lithuanian nationals who were born in 1988 and live in Šiauliai (Lithuania).

The case concerns the applicants' conviction for trafficking in human beings. They had hired a number of women to work as "web models", but complaints were made by one woman that they had used threats and psychological violence to force her to carry out that work.

Relying on Article 7 (no punishment without law) of the European Convention the applicants allege that the national courts interpreted the relevant law too widely.

#### [Naskov and Others v. North Macedonia \(nos. 31620/15, 34859/15, and 14659/16\)](#)

The applicants are 10 Macedonians/citizens of the Republic of North Macedonia, who were born between 1937 and 1952 and live in Skopje.

Agricultural land in two plots belonging to the applicants' legal predecessors was expropriated in the 1950s. In 2001 the national courts declared the applicants to be the successors to ownership of this land. The case concerns their attempts to gain restitution of the land, which continued to be used by companies and on which a petrol station and business premises were built, frustrating the applicants' attempts to take possession.

Relying on Article 1 of Protocol No. 1 to the Convention, the applicants complain of the quashing of a final restitution order in their favour.

### [Przybyszewska and Others v. Poland \(no. 11454/17 and 9 other applications\)](#)

The applicants are 10 Polish nationals who were born between 1963 and 1991. They live in various parts of Poland. They are five same-sex couples in stable relationships.

The case concerns the alleged lack of any form of legal recognition and protection available for their respective relationships.

They rely on Article 8 (right to respect for private and family life) and Article 14 (prohibition of discrimination) in conjunction with Article 8.

### [Stefan-Gabriel Mocanu and Others v. Romania \(no. 34323/21 and 8 other applications\)](#)

The case concerns nine applications lodged by nine Romanian nationals who were born between 1949 and 1990. It relates to the Romanian authorities' investigation into the repression of the anti-government protests that were held in University Square in Bucharest in June 1990, after the fall of the communist regime.

The nine applicants allege that the investigation into the events complained of was ineffective. Relying on Article 3 (prohibition of inhuman or degrading treatment) of the Convention, seven applicants complain that they were subjected to ill-treatment during the events in question, while two applicants rely on Article 2 (right to life) of the Convention to complain of their father's death from a gunshot fired by law enforcement personnel during those same events.

### [Deliktaş v. Türkiye \(no. 25852/18\)](#)

The applicant, Yunus Deliktaş, is a Turkish national who was born in 1983 and lives in Malatya (Türkiye).

The case concerns the criminal proceedings against the applicant, in particular the proceedings before the Ankara Regional Court of Appeal. He was convicted of bribery-related offences, which occurred while working as a forest-protection officer, at first instance following an in-person hearing, but his appeal was tried in written proceedings. This is the first case where the Court has been called upon to assess the requirement to hold a public hearing under Article 6 § 1 of the Convention in the context of appellate reviews carried out by the regional courts of appeal in Türkiye, which became operational as in July 2016.

Relying on Article 6 § 1 (right to a fair trial) Mr Deliktaş complains of the failure of the appellate court in his case to hold a hearing despite his having requested it.

### [Halit Kara v. Türkiye \(no. 60846/19\)](#)

The applicant, Halit Kara, is a Turkish national who was born in 1987 and lives in Mersin (Türkiye).

At time of the events in question, Mr Kara was detained in a prison in Şanlıurfa for membership of an armed terrorist organisation. The case concerns the refusal of the prison authorities to send a letter from him to his brother. The reason for the refusal was that the letter allegedly contained false and slanderous statements about public officials.

Mr Kara relies mainly on Article 8 (right to respect for correspondence).

Thursday 14 December 2023

### [Léotard v. France \(no. 41298/21\)](#)

The applicant, François Léotard, is a former French Minister of Defence who died on 25 April 2023.

The case concerns criminal proceedings brought against the applicant which resulted in his conviction by the Court of Justice of the Republic (*Cour de justice de la République* – CJR) on 4 March

2021 on charges of aiding and abetting the misuse, for personal advantage, of the property or credit of two companies.

Relying on Article 6 §§ 1, 3 (b) et 3 (d) of the Convention (right to a fair trial), the applicant submits that he was not tried within a reasonable time and complains that his trial was unfair. In the latter regard, he complains more specifically of having been informed belatedly of his right to remain silent during the trial, of the circumstances in which the CJR dispensed with hearing absent witnesses and that the length of time that had elapsed since the events in question had undermined the rights of the defence. He further alleges that items of evidence apt to establish that the prosecution was out of time were concealed from him by the investigating judge and were subsequently misconstrued by the CJR.

### [Syndicat National Des Journalistes and Others v. France \(no. 41236/18\)](#)

The applicants are three trade unions, the Syndicat National des Journalistes (National trade union for journalists – SNJ), the Syndicat National des Médias de l'Écrit CFDT (National trade union for written media CFDT – SNME-CFDT) and the Union Générale des Ingénieurs, Cadres et Techniciens CGT (General Union for Engineers, Executives and Technicians CGT – UGICT-CGT). Their registered offices are in Paris (SNJ and SNME-CFDT) and Montreuil (UGICT-CGT).

The case concerns an alleged violation of the right to a fair hearing, by an impartial court, resulting from the involvement of three Court of Cassation judges – whom the applicants submit had ties with the opposing party – in the examination of their appeal on points of law.

On 30 June 2007 a restructuring operation within the WK group – resulting from the merger of two Dutch publishing firms – gave rise to the transfer of assets and liabilities from nine group companies to WK France SAS (WKF), a subsidiary of Holding WKF (HWKF). In order to acquire the shares of the wound-up group companies, WKF took out a loan of 445 million euros from HWKF, which resulted in a level of indebtedness that precluded making any mandatory profit-sharing payments to the employees. On 28 June 2012 four trade unions, including two of the applicants, the SNJ and the SNE-CFDT, brought proceedings against WKF and HWKF in the *tribunal de grande instance* to obtain a court order for the two companies to recreate a special profit-sharing reserve for each fiscal year from 2007 to 2022.

Relying on Article 6 § 1 (right to a fair hearing), the applicant unions complain of an alleged violation of their right to a fair hearing, by an impartial court, as a result of the involvement of three Court of Cassation judges – whom they submit had ties with the opposing party – in the examination of their appeal on points of law. They allege that there was a legitimate doubt – heightened by a number of aggravating circumstances – as to the judges' impartiality.

### [M.L. v. Poland \(no. 40119/21\)](#)

The applicant, M.L., is a Polish national who was born in 1985 and lives in Warsaw.

The case concerns the restriction on abortion on the grounds of foetal abnormalities which was introduced through a 2020 Constitutional Court judgment, following an application lodged by 104 parliamentarians.

The applicant became pregnant in 2020 and at about 14 weeks the foetus was diagnosed with trisomy 21 (Down's syndrome). Unable to have an abortion in Poland, M.L. ultimately had to travel to a private clinic in the Netherlands for the procedure.

Relying on Article 3 (prohibition of inhuman and degrading treatment) and Article 8 (right to respect for private and family life), M.L. complains of being unable to obtain an abortion in Poland and so having to travel for treatment, that the restriction was not "prescribed by law", and that the judges whose ruling introduced the restriction had been appointed in a procedure that had been in violation of Article 6 (right to a fair trial).

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 12 December 2023

Name	Main application number
P. v. Romania	36049/21
Kazimir v. Switzerland	71522/17
İncedere and Altay v. Türkiye	58778/19
Kolay and Others v. Türkiye	15231/17
Mecit and Others v. Türkiye	69884/17

### Thursday 14 December 2023

Name	Main application number
Prifti v. Albania	56288/12
Harutyunyan and Hakobyan v. Armenia	34544/21
Nikoghosyan and Others v. Armenia	4396/21
Muradverdiyev v. Azerbaijan	55772/15
Harizanov v. Bulgaria	49745/20
Nadrchal v. the Czech Republic	46323/20
Husseini v. Denmark	14270/21
Alppi v. Finland	15736/22
Khmaladze v. Georgia	29836/19
Khundadzebi v. Georgia	12549/11
Vladimer Mtchedlishvili v. Georgia	8827/19
Rausch v. Germany	23092/20
I.B. and Others v. Greece	30555/20
R.R. and Others v. Greece	30579/20
Bokodi v. Hungary	39823/22
Bozsó and Others v. Hungary	8065/23
Császár v. Hungary	57955/22
Görtl v. Hungary	54566/21
Castelnuovo v. Italy	42897/16
Catullo and Others v. Italy	3843/23
ConSORCASA Regione Lazio Societa' Cooperativa Edilizia S.C.A.R.L. and Others v. Italy	52473/07
D'Angelo Vincenzo s.r.l. and Sirtec s.r.l. v. Italy	11717/21
Di Nicola and Salerno v. Italy	46045/06
G.R. and Z.B. v. Italy	49769/22
Grand Orient of Italy of Palazzo Giustiniani v. Italy	69817/12
Pachucki v. Italy	34788/22
Pagliuca and Others v. Italy	1723/23
Ravelli v. Italy	48864/22
Rizza and Cappello v. Italy	38931/22

Name	Main application number
Vainieri and Others v. Italy	15550/11
Zanola v. Italy	59963/21
Simons and Others v. Latvia	41183/16
Gebrehiwet Gebremedhin and Others v. the Netherlands	34425/22
Damjanovski and Others v. North Macedonia	35700/22
Stojanovski and Others v. North Macedonia	32079/22
Velkovska and Others v. North Macedonia	10826/22
Avesani v. Poland	24877/20
Blanckenstein and Others v. Poland	16500/20
Frankowski and Krantz v. Poland	32589/22
Kossowski and Others v. Poland	36254/22
Królak and Others v. Poland	5983/22
M.B. and Others v. Poland	3030/21
Malinowski v. Poland	49230/22
Pantol and Kamiński v. Poland	1739/22
Wójcicki and Kubiak v. Poland	21720/21
Wojewoda and Others v. Poland	61007/21
Carreto Ribeiro v. Portugal	28236/19
Préstimo - Prestígio Imobiliário S.A. v. Portugal	23720/17
Anghelache and Others v. Romania	44628/19
Barbu v. Romania	19531/20
Blaj and Ghivnici v. Romania	11209/17
Bolohan v. Romania	12183/21
Coca v. Romania	38320/17
Codreanu v. Romania	42277/17
Constantin v. Romania	55775/19
Cristea and Varga v. Romania	46486/16
Deleanu v. Romania	68881/16
Donici v. Romania	49580/16
Frunză and Others v. Romania	40834/16
Gavrilă and Others v. Romania	44311/16
Gherguți v. Romania	69932/16
Gicoveanu v. Romania	17713/20
Godgea and Others v. Romania	71994/16
Holban v. Romania	66467/16
Ioana and Lupăescu v. Romania	10307/17
Leonte and Axinte v. Romania	17859/16
Lucan and Others v. Romania	36743/16
Lupou v. Romania	31560/19
Mátyás and Ghiocel v. Romania	7374/18
Milea and Others v. Romania	48707/18
Mîrleneanu and Others v. Romania	53604/16
Murdeală and Others v. Romania	45056/16
Neațsu and Others v. Romania	52459/16
Pântea v. Romania	31766/17

Name	Main application number
Rusu and Others v. Romania	7828/23
Șchiopu v. Romania	22128/18
Sîngeorzan and Gaiță v. Romania	12725/17
Turcu and Others v. Romania	44588/16
Varzar v. Romania	23132/16
Weissmann v. Romania	21449/05
Burkov and Others v. Russia	13567/13
Doronin and Others v. Russia	44105/21
Khorrshr and Others v. Russia	34241/16
Mezak and Others v. Russia	20948/13
Pukhtvent and Others v. Russia	33236/18
Stalin and Others v. Russia	2825/21
Zatynayko and Others v. Russia	21514/18
Cajić and Others v. Serbia	14903/23
Filip doo and Euromodul doo v. Serbia	11814/23
Hil Ivić and Others v. Serbia	51889/18
Kočiš and Others v. Serbia	1224/23
Petraković and Gulić v. Serbia	20396/17
Šekularac v. Serbia	9680/21
Fúrová and Nevedelová v. Slovakia	1780/22
M. and Others v. Sweden	11644/21
Y and A v. Sweden	11628/21
N.K. v. Switzerland	52873/20
Genç v. Türkiye	4646/17
Gökçe v. Türkiye	33876/23
Kürkut v. Türkiye	53933/11
Özel and Others v. Türkiye	24957/18
Özel and Others v. Türkiye	25005/18
Bi v. Ukraine	31523/16
Byelosludtseva v. Ukraine	30787/16
Finik and Others v. Ukraine	24793/17
Kazmina and Others v. Ukraine	7822/12
Klymenko v. Ukraine	20832/18
Korgun v. Ukraine	68907/14
Korunov v. Ukraine	25127/16
Kravchenko and Others v. Ukraine	52292/16
Lens v. Ukraine	341/15
Lychkatyy and Others v. Ukraine	46933/19
P.S. and Others v. Ukraine	16677/16
Pylypchuk and Others v. Ukraine	59255/14
Reagent, Tov v. Ukraine	78658/14
Travinski v. Ukraine	58791/14
Yakovlyeva v. Ukraine	50704/15
Yuan v. Ukraine	60787/14
Zasymchuk v. Ukraine	48831/18

Name	Main application number
AB v. the United Kingdom	474/22

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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.