



Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing ten judgments on Tuesday 17 December 2024 and 20 judgments and / or decisions on Thursday 19 December 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 17 December 2024

[Gaba v. Albania \(application no. 33369/17\)](#)

The applicant, Hasan Gaba, was an Albanian national who was born in 1940 and died in 2018. He lived in Tirana.

The case concerns the annulment of a decision by a property commission which had awarded a plot of mountain pastureland in Lazarat to the applicant several years earlier. The applicant alleged that that land had belonged to his father but had been expropriated sometime after 1945 by the communist authorities. Although the decision to restore the plot of land to the applicant had become final in 2006, it was quashed in 2010 to enable the construction of a broadcast relay station (*pikë transmetimi radio televizive*).

The applicant complained that the annulment of the decision breached the principle of legal certainty under Article 6 § 1 (right to a fair hearing) of the European Convention on Human Rights.

[Hellgren v. Finland \(no. 52977/19\)](#)

The applicant, Anu Marjaana Hellgren, is a Finnish national who was born in 1976 and lives in Tuulos (Finland). She was employed as a postal worker for the Finnish postal service – which is operated by a State-owned company governed by private law named *Posti Oy*.

The case concerns the applicant's wages being withheld for two days due to her refusal – in keeping with her trade union's stance – to give induction training to externally hired employees taken on to counteract impending industrial action. Although she had been down on the shift roster for ordinary mail delivery work on those days, her employer sent her home and withheld her wages.

Relying on Articles 11 (freedom of assembly and association) and 14 (prohibition of discrimination) of the European Convention, the applicant complains that the reasons behind her being sent home and having her wages withheld restricted her rights to trade union membership and industrial action.

[Taganova and Others v. Georgia and Russia \(nos. 18102/04, 5148/04, 26166/05, 42765/05, and 48656/06\)](#)

This case encompasses five applications concerning hostilities in Abkhazia, Georgia, which started prior to the armed conflict in 2008 between Georgia and Russia. They were brought by two Russian and four Georgian nationals who were born between 1914 and 1960.

The case concerns complaints related to property that the applicants had had to leave behind or could not use in Abkhaz territory – namely the right to enjoy one's property and home.

The applicants rely on Article 1 of Protocol No. 1 (protection of property) to the Convention, and on Articles 8 (right to respect for private and family life), 3 (prohibition of inhuman or degrading

treatment), 6 § 1 (right to a fair hearing), 13 (right to an effective remedy) and 14 (prohibition of discrimination).

[Side by Side International Film Festival and Others v. Russia \(nos. 32678/18, 17172/20, and 30564/21\)](#)

The applicants are Side by Side International Film Festival OOO, a legal entity incorporated in the Russian Federation which, from 2016-2020, organised an annual Lesbian, Gay, Bisexual and Transgender (LGBT) film festival, and two Russian nationals, Gulnara Sultanova and Andrey Petrov, born in 1975 and 1984 respectively. Ms Sultanova is the managing director of the film festival company and lives in St Petersburg. Mr Petrov allegedly attended the LGBT festival in Moscow in 2016, and lives in Omsk.

The case concerns repeated attempts to disrupt film screenings held within the framework of the international LGBT film festival organised in Russia by the applicant company. On numerous occasions, the festival activities were either delayed or interrupted by telephone bomb scares or other false security alerts. In 2020, the screening of the films was not allowed in view of the organisers' failure to comply with sanitary protection measures introduced during the COVID-19 pandemic.

Relying on Articles 8 (right to respect for private and family life), 10 (freedom of expression), 11 (freedom of assembly and association), 13 (right to an effective remedy) and 14 (prohibition of discrimination), the applicants complain that the State failed to comply with its duty to protect the organisers of the festival and its audience in the exercise of their Convention rights. They further allege that the authorities' decision to suspend the festival in November 2020, under measures introduced to combat COVID-19, was unjustified and disproportionate.

Thursday 19 December 2024

[Episcopo and Bassani v. Italy \(nos. 47284/16 and 84604/17\)](#)

The applicants, Luigi Episcopo and Nello Bassani, are Italian nationals who were born in 1956 and 1960 and live in Polla and Arsiè (both in Italy) respectively.

The case concerns the confiscation of the applicants' assets, which were considered to constitute the direct proceeds of crime (*confisca diretta*) under Article 322 *ter* of the Italian Criminal Code, despite the related proceedings having been discontinued as time-barred.

Mr Episcopo, who was the director of and a shareholder in a company in the field of tourist facility construction and management, had been convicted at first instance of aggravated fraud for having submitted false information and documents to the authorities in order to obtain public funds for the construction of a hotel (*truffa aggravata per il conseguimento di erogazioni pubbliche*).

Mr Bassani, who was the director and sole shareholder of a company, had, together with other persons, been convicted at first instance of participating in a criminal organisation and of issuing false tax statements (namely, invoices for non-existing operations).

On appeal, both sets of proceedings became time-barred and were discontinued. Nevertheless the domestic courts ordered the confiscation of the assets of the applicants that they considered to be proceeds of the crimes for which the applicants had previously been convicted at first instance. Particularly, in the case of Mr Episcopo, the hotel that had been built with the public funds was confiscated up to the value of 844,121 euros (EUR), whereas in the case of Mr Bassani, his assets were confiscated for the overall amount of EUR 32,410.

Relying on Article 7 (no punishment without law), both applicants complain that the confiscation of their assets despite the discontinuance of the proceedings was unlawful. Mr Episcopo also complains under Article 6 § 1 (right to a fair hearing) of a breach of the principle of legal certainty, and, under Article 6 § 2, that his right to be presumed innocent had been breached. Mr Bassani also complains that the confiscation of his assets had lacked a foreseeable legal basis and was disproportionate, in breach of Article 1 of Protocol No. 1 (protection of property) to the Convention.

[Grande Oriente d'Italia v. Italy \(no. 29550/17\)](#)

The applicant is a Masonic association registered under Italian law, Grande Oriente d'Italia. It was founded in 1805 and groups together several lodges. In Italian law it has the status of an unrecognised private law association and therefore does not have legal personality.

The case concerns a search of the applicant association's premises ordered by a parliamentary commission of inquiry and the subsequent seizure of a number of paper and digital documents, in particular a list, including names and personal data, of more than 6,000 members of the association.

Relying on Articles 8 (right to respect for private and family life), 11 (freedom of assembly and association) and 13 (right to an effective remedy), the applicant association complains that the search of its premises and the seizure of the list of its members was unlawful, that it interfered with its right to freedom of association, and that there was no effective means of putting that right.

[X and Others v. Slovenia \(nos. 27746/22 and 28291/22\)](#)

The first applicant, X, born in 1976, lodged the applications on both her own and her children's behalf.

The case concerns custody decisions and contact rights following the separation of X from the children's father in 2018. The separation was acrimonious and the former couple could not agree on custody or contact arrangements for their three children. Although X was the primary caregiver, the father was granted provisional custody of the children in 2019, because of X's obstruction of contact between the children and their father. The son, aged eight, and his twin-sisters, aged six, were subsequently forcibly removed from X by a bailiff. The operation took four hours and was witnessed by neighbours, police, and social workers. Between March and August 2020, X was not allowed any contact with them. She was again refused contact in August 2022, but that decision was overturned on appeal in July 2023. Following their placement with their father, the children kept trying to run away to go back to their mother. They ended up being placed with her through an interim order at the end of 2023. The custody and contact proceedings were for the most part presided by the judge, to whom the case had been allocated following the departure of the judge originally in charge of the case. A final decision on long-term custody and contact has yet to be made.

Relying on Article 6 § 1 (right to a fair hearing), X complains that her case was reassigned, in breach of the established method of allocating cases to judges randomly. Relying on Article 8 (right to private and family life), she and the children complain that their wish to live with her was disregarded by the authorities, that they were treated like "objects" without any rights, that their removal from X was unjustified, as were the restrictions on X's custody and contact rights.

[Beley v. Ukraine \(no. 2705/20\)](#)

The applicant, Vitaliy Nikolayevich Beley, is a Ukrainian national who was born in 1977 and lives in Chutove in the Poltava Region of Ukraine.

The case concerns the continued, and allegedly ineffective, investigation into the applicant's complaints of police brutality after the Court's [2019 judgment in his case](#) in which it found that he had been tortured and that there had not been an effective investigation into his allegations.

The applicant complains under Article 13 (right to an effective remedy) of the Convention about the State's continued failure to investigate his complaints, and submits, in particular, that he has not been informed of the start of the investigation and has not been granted victim status. He claims that no actual investigative measures have been undertaken at all.

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 17 December 2024

Name	Main application number
Pavlović v. Croatia	62744/19
Zobec v. Croatia	25930/20
Sultana v. Malta	36184/21
Deniz and Others v. Türkiye	43382/19
Necdet Vural v. Türkiye	35555/19
Taş and Others v. Türkiye	41527/17

Thursday 19 December 2024

Name	Main application number
Soubeste and Others v. Austria	31925/22
Iwen v. Germany	8464/23
N.N. and Others v. Greece	59319/19
M.D.A. and Others v. Hungary	16217/19
Società Sviluppo Finanziario M.G. S.r.l. v. Italy	1697/20
Danevski v. North Macedonia	31015/20
Alexa v. Romania	41493/19
Alexandrescu v. Romania	3388/21
Anghel v. Romania	54313/16
Boureanu v. Romania	9563/20
Copos v. Romania	32625/15
M.B. v. Slovakia	36989/21
R.Z. v. Switzerland	20596/18
Guyvan and Kos v. Ukraine	43018/17
Ivanyuta v. Ukraine	24897/17
Kharchuk v. Ukraine	13809/20

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on www.echr.coe.int. To receive the Court's press releases, please subscribe here: www.echr.coe.int/RSS/en or follow us on X (Twitter) [@ECHR_CEDH](https://twitter.com/ECHR_CEDH).

Press contacts

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

We are happy to receive journalists' enquiries via either email or telephone.

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.