



## Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing 24 judgments on Tuesday 19 October 2021 and 24 judgments and / or decisions on Thursday 21 October 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](http://www.echr.coe.int))*

### Tuesday 19 October 2021

#### [Laçi v. Albania \(application no. 28142/17\)](#)

The applicant, Mustafa Laçi, is an Albanian national who was born in 1968 and lives in Kavaje (Albania).

The case concerns the domestic courts' continuing failure to examine the applicant's eligibility for exemption from stamp duty. Pending such examination, a claim for compensation submitted by him at the same time as 70 other people for the loss of life of family members in an explosion in an ammunition dismantling facility, the management of which had been outsourced by the authorities to private companies, has not yet been considered on the merits.

Relying on Article 6 § 1 (access to court) of the European Convention on Human Rights, the applicant complains that the domestic courts' failure to examine the merits of his claim on account of his failure to pay stamp duty constituted an unjustified restriction of his right of access to a court.

#### [Miroslava Todorova v. Bulgaria \(no. 40072/13\)](#)

The applicant, Miroslava Stefanova Todorova, is a Bulgarian national who was born in 1972 and lives in Sofia. She is a judge and was the president of the main professional association of judges.

The case concerns two sets of proceedings brought against the applicant. The Supreme Judicial Council (SJC) imposed a salary reduction and then ordered the applicant's removal from office on the grounds of delays in the processing of the cases heard by her.

Relying on Article 6 § 1 (right to a fair trial) of the European Convention, the applicant complains about various aspects of the fairness of the disciplinary proceedings against her. Under Article 8 (right to respect for private life), she maintains that the disciplinary sanctions and the publicity given to the disciplinary proceedings infringed her right to respect for her private life and her reputation. Relying on Article 10 (freedom of expression), she contends that the disciplinary proceedings against her amounted to a disguised penalty for her publicly expressed views criticising the work of the SJC and the repeated intervention of the executive in pending cases. Under Article 14 (prohibition of discrimination) taken together with Article 10, she argues that the interference with her right to freedom of expression was discriminatory. Relying on Article 18 (limitations on use of restrictions on rights), she alleges that the disciplinary proceedings pursued an ulterior purpose.

### Just Satisfaction

#### [Pavlovici v. the Republic of Moldova \(no. 5711/03\)](#)

The applicant, Vladimir Pavlovici, is a Moldovan national who was born in 1951 and lives in Chişinău. The case concerned the non-enforcement of a final judgment in the applicant's favour ordering the restitution to him of buildings belonging to his family.

In a judgment of 30 January 2018 the Court found a violation of Article 6 § 1 (right of access to a court) and of Article 1 of Protocol No. 1 (protection of property).

As the question of the application of Article 41 (just satisfaction) of the Convention was not ready for decision, the Court reserved it. It will rule on this question in its judgment.

#### [Danilevich v. Russia \(no. 31469/08\)](#)

The applicant, Danil Aleksandrovich Danilevich, is a Russian national who was born in 1982 and lived in Naberezhnyye Chelny, Tatarstan (Russia). He is currently serving a life sentence for organised group crime.

The case concerns the applicant being deprived of telephone contact with his relatives, including his young son, who lived a significant distance away, as a result of the general ban on telephone calls for prisoners serving life sentences under the strict regime during at least the first ten years of their sentences, set out in the Russian Code of Execution of Criminal Sentences.

Relying on Article 8 (right to respect for private and family life), the applicant complains about the ban on telephone communications with his relatives. He also complains, under Article 6 § 1 (right to a fair hearing), that a hearing in his civil case concerning the ban on telephone calls with his family was held in his absence.

#### [Kartoyev and Others v. Russia \(nos. 9418/13, 9421/13, and 49007/13\)](#)

The applicants are nine Russian nationals. On 2 March 2010 they were apprehended in the village of Ekazhevo, Republic of Ingushetia (Russia), by members of the FSB special forces and the armed forces, on suspicion of being members of a terrorist group and in particular of carrying out the attacks of 28 and 29 November 2009 on the Moscow to St Petersburg “Nevsky Express” train.

The case concerns the public character and fairness of the criminal proceedings against the applicants.

Relying on Article 6 § 1 (right to a fair trial), the applicants maintain that the examination of their criminal case in closed hearings of the Regional Court and the Supreme Court infringed their right to a public hearing. Alleging that the prosecutors were present in the deliberation room prior to the delivery of the Regional Court judgment of 22 May 2012, they complain that they were not tried by an independent and impartial tribunal. Lastly, they contend that the criminal proceedings against them were unfair in various respects.

#### [Khayauri and Others v. Russia \(nos. 33862/17, 83040/17, and 83409/17\)](#)

The applicants are Russian nationals who live in the Republic of Ingushetia (Russia). They are close relatives of Magomed Khayauri, born in 1991, Islam Tachiyev, born in 1992, and Artur Karsamauli, born in 1986.

The case concerns the killing by State agents of the three young men on a university campus in July 2012. The investigation into the incident was terminated, owing to the death of the suspects, and re-opened by decision of the investigators’ superiors more than ten times. It is still pending.

Relying on Article 2 (right to life), the applicants allege that State agents killed their relatives in a botched security operation and that the authorities failed to investigate the matter effectively. Under Article 13 (right to an effective remedy), the applicants complain that they had no effective remedy at their disposal.

#### [Pjević v. Russia \(no. 1764/18\)](#)

The applicant, Aleksandar Pjević, is a Serbian national who was born in 1971 and lives in Belgrade.

The case concerns the failure of the Russian authorities to enforce contact between the applicant and his son who has Russian and Serbian nationality and resides in Russia with his mother. In 2017 the Russian courts dismissed the applicant's claim concerning contact rights without examination in view of the identical ongoing proceedings in the courts of Serbia. The Serbian courts also declined jurisdiction in 2018.

Relying on Article 8 (right to respect for private and family life), the applicant complains that he has been deprived of an opportunity to maintain and develop family life with his son. He also complains that the absence of an effective domestic remedy is in violation of Article 13 (right to an effective remedy).

#### [S.T. and Y.B. v. Russia \(no. 40125/20\)](#)

The applicants, Mr S.T. and Ms Y.B., are Russian nationals who were born in 2001 and 1999 respectively and live in Grozny (Chechen Republic, Russia). They are a couple.

The case concerns an allegation of unlawful detention and ill-treatment of the first applicant, a moderator of an opposition channel known for criticising the Chechen authorities, by State agents in September 2020 in Chechnya, and the ineffectiveness of the ensuing investigation into the matter.

Relying on Article 3 (prohibition of inhuman or degrading treatment) and Article 5 (right to liberty and security), the applicants complain that the first applicant was unlawfully detained and subjected to inhuman and degrading treatment by State agents.

#### [Spinelli v. Russia \(no. 57777/17\)](#)

The applicant, Carlo Spinelli, is an Italian national who was born in 1973 and lives in Vimercate (Italy).

The case concerns the alleged failure of the Russian authorities to assist the applicant in being reunited with his child after the latter had been taken from Italy to Russia by his mother and retained there.

The applicant complains that the Russian authorities failed to assist him in being reunited with his son in violation of Article 8 (right to respect for private and family life) of the Convention. He also complains that the absence of an effective domestic remedy is in violation of Article 13 (right to an effective remedy).

#### [Lavanchy v. Switzerland \(no. 69997/17\)](#)

The applicant, Christiane Dominique Lavanchy, is a Swiss national. She lives in Penthaz (Switzerland).

Following her birth in 1964 the applicant was entered in the register of births as the child of an unknown father and was placed under the guardianship of the guardianship authority (*Tuteur Général*) with a view to establishing her paternity. She was raised by her maternal grandparents until 1967 and was then placed in a specialised facility until she reached the age of majority in 1984.

The case concerns the refusal of the Swiss courts to exempt the applicant from compliance with the limitation period laid down in domestic law (one year from reaching the age of majority) for the purposes of bringing an action to establish a legal parent-child relationship, and the consequent rejection of the action brought by the applicant seeking to have her biological father's details entered in the civil-status register.

Relying on Article 8 (right to respect for private and family life), the applicant complains that the Swiss authorities prevented her from establishing a legal parent-child relationship by failing to acknowledge the existence of a valid reason for not complying with the time-limit for bringing paternity proceedings.

### [Vedat Şorli v. Turkey \(no. 42048/19\)](#)

The applicant, Vedat Şorli, is a Turkish national who was born in 1989 and lives in Istanbul.

The case concerns the criminal proceedings instituted against Mr Şorli, on conclusion of which he was sentenced in 2017 to a prison term of 11 months and 20 days (with delivery of the judgment suspended for five years) for insulting the President of the Republic, on account of two posts which he shared on his Facebook account in 2014 and 2016. The applicant was placed in pre-trial detention for two months and two days.

The first post consisted of a caricature featuring the former US President Barack Obama kissing the President of the Turkish Republic, who was depicted in female dress. A speech bubble above the image of the President of the Republic contained the following words written in Kurdish: “Will you register ownership of Syria in my name, my dear husband?”.

The second post contained photos of the President of the Republic and the former Prime Minister of Turkey, beneath which the following comments were written: “May your blood-fuelled power be buried in the depths of the earth/May the seats you hold on to by taking lives be buried in the depths of the earth/May the lives of luxury you lead thanks to stolen dreams be buried in the depths of the earth/May your presidency, your power and your ambitions be buried in the depths of the earth”.

Relying on Article 10 (freedom of expression), Mr Şorli complains about the criminal proceedings brought against him. He alleges that the content he shared on Facebook constituted critical comments on current political developments. He argues that the offence of insulting the President of the Republic, affording special protection to the Head of State and punishable by a more severe penalty than the offence of ordinary insult, is incompatible with the spirit of the Convention and the Court’s case-law. He maintains that his placement in pre-trial detention and his criminal conviction were disproportionate and that the decision to suspend delivery of the judgment has had a chilling effect on his freedom of expression.

Thursday 21 October 2021

### [Selygenenko and Others v. Ukraine \(nos. 24919/16 and 28658/16\)](#)

The applicants, Oleksandra Selygenenko, Anastasiya Martynovska, Darya Svyrydova and Yevgeniya Terekhova, are Ukrainian nationals who were born in 1986, 1990, 1985 and 1948 respectively. They live in Kyiv.

The applicants, who are all internally displaced persons who fled the conflict with Russia in Donetsk and the Crimea, came to Kyiv in 2015. They were denied a vote in the Kyiv local elections in 2015 as, despite their IDP documents showing their place of residence as being Kyiv, the authorities held that they were still residents of their towns of origin.

Relying on Articles 1 of Protocol No. 12 (general prohibition of discrimination), the applicants complain of being deprived of the right to vote in local elections in Kyiv in a discriminatory manner.

[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 19 October 2021

Name	Main application number
Marazas v. Lithuania	42177/19
Prodius and Others v. the Republic of Moldova	44894/13
Svernei v. the Republic of Moldova	42787/19
Kichikova v. Russia	49139/11
Kuriyeva v. Russia	34205/17
Maksimova and Kapustin v. Russia	43955/11
Portnyagin v. Russia	44071/06
Puzyrev v. Russia	15010/11
Tatayev and Others v. Russia	51928/15
Temnikov and Others v. Russia	39169/07
Nikolić v. Serbia	15352/11
A.M. v. Turkey	67199/17
Yeşil v. Turkey	28349/11

Thursday 21 October 2021

Name	Main application number
Bregu and Nokshiqi v. Albania	41411/11
Kamić v. Croatia	37517/16
Pintarić v. Croatia	31691/14
Laniado v. France	27789/17
Bekoyeva and Others v. Georgia	48347/08
Shavlokhova and Others v. Georgia	45431/08
Arfan and Others v. Greece	33352/15
Tryfonas v. Greece	24865/15
Nagyné Völgyesi v. Hungary	76527/17
Vincze v. Hungary	44390/16
Butkevič v. Lithuania	39344/19
Chemimart Limited v. Malta	29567/19
Khizriyev v. Russia	12211/15
Lyupayev and Others v. Russia	31231/06
Shkrebko v. Russia	9945/18
Salay and Zemanová v. Slovakia	43225/19
García Saíz v. Spain	70501/17
Jafari v. Sweden	18568/19
Ali Haydar Sevgi v. Turkey	33964/12
Berent and Others v. Turkey	33461/09
Dinç v. Turkey	73727/11
İpek v. Turkey	4158/19
Mukiy v. Ukraine	12064/08

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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.