



Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing four judgments on Tuesday 21 November 2023 and 33 judgments and / or decisions on Thursday 23 November 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).

Tuesday 21 November 2023

[Laurijsen and Others v. the Netherlands \(applications nos. 56896/17, 56910/17, 56914/17, 56917/17, and 57307/17\)](#)

The applicants are five Dutch nationals, Cornelis Laurijsen, Wendy Springer, Nicky van Oostrum, Rosa Koenen and Anat Segal. Mr Laurijsen was born in 1955 and the others were born between 1984 and 1988. They live in Amsterdam and Den Dolder (the Netherlands).

The case concerns a protest of about 150 persons, including the applicants, in July 2011, against the announced eviction of a squat at Passeerdersgracht in Amsterdam. The applicants were arrested for blockading the road in front of and near the squat and summoned for acts prohibited by the municipal by-law. The Regional Court partly acquitted and partly discharged them as it considered that the municipal by-law did not apply because the protest fell within the scope of the Public Assemblies Act (*Wet openbare manifestaties*). The Court of Appeal and the Supreme Court, however, found that the protest had not had a peaceful character because the organisers and participants had intended, from the outset, to confront the police and to physically prevent the squat from being cleared. Those courts considered that the protest was therefore excluded from the protective scope of the Public Assemblies Act and the Convention. The applicants were each fined 100 euros in total.

The applicants argue that they had no violent intentions and complain that the dispersal of the gathering and their subsequent arrest, deprivation of liberty and criminal conviction unjustly interfered with their right to freedom of peaceful assembly, guaranteed by Article 11 of the European Convention on Human Rights.

[N.A. and Others v. Russia \(nos. 48523/19, 49533/19, 13837/20, 40452/20, and 49902/20\)](#)

The applicants are 13 Russian nationals who were born between 1956 and 2015 and live in Shali, Prigorodnoye, Kurchaloy, Argun, Naurskaya (all Chechnya), Bamberg (Germany) and Derbent (Dagestan). They are relatives of six men who were allegedly arrested by State officials in Chechnya and then disappeared.

The case concerns their complaints of the abduction of their family members between 2016 and 2020 and the lack of an effective investigation into the matter.

They rely on Article 2 (right to life) of the European Convention.

[Pleshkov and Others v. Russia \(nos. 29356/19 and 31119/19\)](#)

The applicants are seven Russian nationals who were born between 1942 and 1990.

The case concerns alleged restrictions imposed by the authorities on the exercise of their freedom of peaceful assembly. The applicant in 29356/19 was prevented from protesting, on 11 October 2018,

in front of the State Duma (lower chamber of the Russian Parliament) building in central Moscow against the recently voted increase in the State pension age. In application 31119/19, human rights activists were prevented from holding a large public gathering on 22 December 2018 in Pushkin Square in central Moscow to mark the anniversary of the first post-war political protest held there on 5 December 1965 and to urge the authorities to respect rights to freedom of expression and assembly. The authorities proposed alternative locations for each event.

Relying mainly on Articles 10 (freedom of expression) and 11 (freedom of assembly and association) of the Convention, the applicants complain about the restrictions on the location of their public events.

[Erdal Muhammet Arslan and Others v. Türkiye \(no. 42749/19\)](#)

The applicants are six Turkish nationals who were born between 1942 and 2007 and live in Diyarbakır (Türkiye).

The case concerns the death of one of the applicants' family members (Ercan Arslan), who was buried in the ruins of the Bayram Hotel in the earthquake that struck Van Province in eastern Türkiye on 9 November 2011. The deceased was the son of applicant Mahmut Arslan, the husband of applicant Zuhale Arslan, the father of applicants Erdal Muhammet Arslan and Mustafa Serdar Arslan, and the brother of applicants Orhan Arslan and Turan Arslan.

The applicants submit that the circumstances of their family member's death entailed a violation of Article 2 (right to life) of the Convention.

Thursday 23 November 2023

[Wałęsa v. Poland \(no. 50849/21\)](#)

The applicant, Lech Wałęsa, is a Polish national, who was born in 1943 and lives in Gdańsk (Poland). He is the former leader of the Solidarność ("Solidarity") trade union and a former President of Poland who was awarded the Nobel Peace Prize in 1983.

The case concerns a civil suit that Mr Wałęsa took against a former associate, Krzysztof Wyszowski, who had accused him publicly of collaboration with the secret services under the communist regime. Although he won the case, the judgment in his favour was overturned by the Chamber of Extraordinary Review and Public Affairs following an extraordinary appeal by the Prosecutor General.

Relying on Article 6 § 1 (right to a fair trial), Mr Wałęsa complains that the Chamber of Extraordinary Review and Public Affairs was not an "independent and impartial tribunal established by law", that one of the judges was partial, and that the extraordinary appeal violated legal certainty. Relying on Articles 8 (right to respect for private and family life) and 18 (limitation on the use of restriction of rights), Mr Wałęsa also argues that the quashing of the judgment in his favour damaged his reputation, and that the extraordinary appeal was used as a form of retaliation against him personally as a known critic of the current rule-of-law crisis in Poland.

[Bryska and Others v. Ukraine \(no. 11706/13\)](#)

The applicants are five Ukrainian nationals, Lyudmyla Vasylyivna Bryska, Irina Petrovna Shpilevaya, Vasyl Ivanovych Zhymelko, Natalya Mykhaylivna Poltorak and Viktoras Vilenko Frolovas, and the Trade Union Organisation of Arselormittal Kryvyi Rih, which is based in Kryvyi Rih (Ukraine).

The case concerns various applications lodged before the Russian military attack on Ukraine on 24 February 2022 under various Convention articles.

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.

Thursday 23 November 2023

Name	Main application number
Al Assad v. France	1924/23
Belghiti and Zniber v. France	16416/23
C.C. v. France	48689/18
Fougasse v. France	44710/22
S.A. and Others v. France	40429/19
T.A. and Y.T. v. France	14787/19
M.B. v. Greece	8389/20
M.L. v. Greece	8386/20
Mirzai and Others v. Greece	44312/13
A.T. and Others v. Italy	47287/17
Bolognesi Guelfi v. Italy	35261/20
Pernechele and Others v. Italy	7222/22
Andreyev and Others v. Russia	26870/19
Buzin and Others v. Russia	65015/19
Chernova and Others v. Russia	51892/19
Gabuyev and Others v. Russia	28628/21
Grechek and Others v. Russia	50837/18
Grishin and Others v. Russia	44437/21
Kompanyets and Petrosyan v. Russia	31186/22
Kotov and Others v. Russia	21527/18
Mazanov and Others v. Russia	2954/18
Muzhetskii and Others v. Russia	40311/19
OOO Orion and Others v. Russia	16154/19
Ponomarev and Others v. Russia	12205/18
Popov and Others v. Russia	711/18
Prokayeva and Others v. Russia	13079/17
Savelyevy and Others v. Russia	83654/17
Soldatov and Others v. Russia	10881/21
Zubarev and Others v. Russia	19753/18
L.L. v. Slovakia	30515/22
Ecological and Humanitarian Association Zelenyy Svit v. Ukraine	37316/16

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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.