



## Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing nine judgments on Tuesday 22 March 2022 and 14 judgments and / or decisions on Thursday 24 March 2022.

*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 22 March 2022

#### [Christian Religious Organization of Jehovah's Witnesses in the NKR v. Armenia \(application no. 41817/10\)](#)

The applicant, the Christian Religious Organization of Jehovah's Witnesses in the NKR, is a religious community based in Nagorno-Karabakh.

The case concerns the refusal by the unrecognised "Nagorno Karabakh Republic" authorities to register the applicant as a religious organisation. The Jehovah's Witnesses had been a registered religious organisation in Armenia since 2004.

Relying on Article 9 (freedom of thought, conscience and religion), Article 11 (freedom of assembly and association) and Article 14 (prohibition of discrimination) of the European Convention on Human Rights, the applicant organisation complains of that refusal.

#### [Y and Others v. Bulgaria \(no. 9077/18\)](#)

The case concerns the complaints brought by the mother and daughters of a victim of marital murder.

The applicants are Ms Y and her two granddaughters, Ms X and Ms Z. They are Bulgarian nationals who were born in 1948, 2007 and 2012, respectively, and live in Sofia.

Ms V., their close relative, was shot dead in a café in Sofia by her husband just after leaving the district prosecutor's office to complain he owned a handgun and she feared for her life. She had made several similar complaints in the years and months leading up to her killing concerning her husband's angry, violent and obsessive attitude towards her.

Relying on Article 2 (right to life) of the European Convention, the applicants allege that the Bulgarian authorities did not take their relative's complaints about her husband seriously and failed to take measures to avert the risk to her life. They also allege, under Article 14 (prohibition of discrimination) read in conjunction with Article 2, that such failure to take effective measures was not an isolated occurrence, but was because of the authorities' general complacency towards violence against women.

#### [T.K. and Others v. Lithuania \(no. 55978/20\)](#)

The applicants, T.K., O.O. and their four children, are Tajik nationals who were born between 1981 and 2013 and live in Vilnius.

The case concerns the proceedings by which the applicants were denied asylum in Lithuania, and their potential removal to Tajikistan. They had arrived in Lithuania in 2019 and claimed asylum there, arguing that T.K. was a member of Islamic Renaissance Party of Tajikistan, which was a banned organisation in that country.

On 23 December 2020 the Court applied an interim measure, indicating that the applicants should not be removed to Lithuania for the duration of the proceedings before the Court.

Relying on Article 3 (prohibition on inhuman and degrading treatment) and Article 13 (right to an effective remedy) of the Convention, the applicants complain that their removal to Tajikistan would expose them to a risk of ill-treatment. They also complain that the Lithuanian authorities have not correctly assessed that risk.

#### [Cosovan v. the Republic of Moldova \(no. 13472/18\)](#)

The applicant, Serghei Cosovan, is a Moldovan national who was born in 1971 and lived in Chişinău until his death in 2021.

The case concerns the applicant's remand and then conviction on charges of fraud, for which he received, among other penalties, a seven-year prison sentence. It also concerns his medical treatment in and conditions of detention, as he suffered from, among other diseases, hepatitis and cirrhosis.

Relying on Article 2 (right to life), Article 3 (prohibition of inhuman and degrading treatment) and Article 5 § 3 (right to liberty and security), the applicant complains that the authorities failed to provide him with the necessary medical care, that his state of health was incompatible with detention, and that there were insufficient reasons given for his placement in pre-trial detention.

#### [Filippov v. Russia \(no. 19355/09\)](#)

The applicants, Aleksandr Vasilyevich Filippov and Nadezhda Anatolyevna Filippova are Russian nationals who were born in 1956 and 1959 respectively and live in Ulyanovsk (Russia).

The case concerns the applicants' son's alleged ill-treatment and death during compulsory military service and the subsequent investigation. A private in their son's unit was convicted of committing a breach with serious consequences of the rules governing relations between servicemen of equal rank, and sentenced to five years' imprisonment.

Relying on Article 2 (right to life), Article 3 (prohibition of inhuman or degrading treatment), and Article 13 (right to an effective remedy) the applicants complain of their son's ill-treatment and death and that the investigation into the death was ineffective.

#### [Gvozdeva v. Russia \(no. 69997/11\)](#)

The applicant, Galina Konstantinovna Gvozdeva, is a Russian national who was born in 1954 and lives in St Petersburg.

The case concerns the suicide of her son, Mr G., in 2009 during his military service. He was found hanging from a tree in woods not far from his battalion's camp while on a field exercise. Two investigations concluded that Mr G. had been suffering from depression, and found no fault on the part of his sergeant major, who had been investigated for incitement to suicide.

Relying on Article 2 (right to life/investigation), Ms Gvozdeva alleges that the authorities did not monitor conscripts' psychological state or provide them with support and they thus failed to protect her son's life during his military service. She also alleges that the investigation into her son's death was ineffective.

Thursday 24 March 2022

[Zayidov v. Azerbaijan \(no. 2\) \(no. 5386/10\)](#)

The applicant, Ganimat Salim oglu Zayidov, is an Azerbaijani national who was born in 1963 and currently lives in Strasbourg. He is a journalist, and was notably the chief editor of the opposition newspaper *Azadliq*.

The case mainly concerns his allegation that the authorities seized and destroyed the manuscript of a book he wrote while he was in detention for hooliganism. It also concerns the ensuing proceedings he brought to claim damages.

Relying on Article 10 (freedom of expression), the applicant complains that the seizure and destruction of his manuscript, which he intended to publish as a book, was not lawful. Also relying on Article 6 § 1 (right to a fair trial), he alleges that the civil proceedings concerning his claim for damages were unfair, in particular because he was not heard in person at court hearings, some of his requests to call witnesses were refused and the courts' decisions in his case lacked adequate reasoning. He also relies on Articles 13 (right to an effective remedy) and 14 (prohibition of discrimination) of the Convention and Article 1 of Protocol No. 1 (protection of property) to the Convention.

[Pálka and Others v. the Czech Republic \(no. 30262/13\)](#)

The applicants are five Czech nationals: Václav Pálka; Marie Hochmanová; Bohuslav Kučera and his son (of the same name); and Josef Pálka. They live in Hradec Králové, Jinačovice and Brno.

The case concerns the expropriation of the applicants' land in 2005 in order to build a motorway.

Relying on Article 1 of Protocol No. 1 (protection of property), they allege in particular that the compensation paid to them was calculated too formalistically and amounted to only 13% of the market price of the expropriated property.

[Benghezal v. France \(no. 48045/15\)](#)

The applicant, Rachid Benghezal, is a French national who was born in 1960 and lives in Le Tampon.

The case concerns the reasoning of the Court of Appeal judgment ordering the applicant to pay damages, which was worded in a way that could suggest that he was guilty of the offence of which he had been acquitted.

Relying on Article 6 §§ 1 and 2 (presumption of innocence), the applicant alleges a violation of his right to be presumed innocent, in that the Saint-Denis de la Réunion Court of Appeal, in its judgment of 11 December 2013, found that for civil-law purposes he should be "found to have committed the offence of fraud", despite the fact that the Saint-Pierre *tribunal de grande instance* had acquitted him in a final judgment of 24 May 2012. He also complains of being ordered by the Court of Cassation to pay an amount to the civil party in respect of her expenses in the Court of Cassation proceedings.

[C.E. and Others v. France \(nos. 29775/18 and 29693/19\)](#)

The applicants C.E., C.B. and M.B. (application no. 29775/18) were born in 1974, 1967 and 2002 respectively. The applicants A.E. and T.G. (application no. 29693/19) were born in 1980 and 2008 respectively. All the applicants live in France.

The first application concerns the rejection by the domestic courts of the application for full adoption of the child M.B. submitted by C.E., the former partner of C.B., the child's biological mother. The second concerns the domestic courts' refusal to issue an official document (*acte de*

*notoriété*) recognising a legal parent-child relationship between A.E. (the former partner of T.G.'s biological mother) and T.G., on the basis of *de facto* enjoyment of status (*possession d'état*).

The applicants allege a breach by the authorities of Article 8 (right to respect for private and family life).

#### [Mickovski v. North Macedonia \(nos. 39726/18 and 39107/18\)](#)

The applicant is a Macedonian/citizen of the Republic of North Macedonia, Vlado Mickovski, together with his registered bailiff practice. Mr Mickovski was born in 1964 and lives in Vraneshtica (North Macedonia).

The case concerns the temporary suspension of his bailiff practice's activities – in connection with a criminal investigation launched in respect of him – and the judicial decisions rejecting his ensuing claim for compensation.

Relying on Article 1 of Protocol No.1 (protection of property), the applicant complains that the seven-month suspension was an unjustified interference with his business interests and warranted compensation.

#### [A.M. v. Norway \(no. 30254/18\)](#)

The applicant, A.M., is a Norwegian national who was born in 1962 and lives in Oslo.

The case concerns complaints relating to proceedings between the applicant and her ex-partner, and proceedings against relevant administrative decisions in Norway, concerning parental rights in respect of a child, X, born by surrogacy in the United States of America.

Relying on Article 8 (right to respect for private and family life) and Article 14 (prohibition of discrimination), the applicant complains about the domestic authorities' not having granted her contact rights in respect of X or recognising her as X's mother, either by acknowledging the birth certificate issued in the United States or by approving her requests for parenthood.

#### [Wyszyński v. Poland \(no. 66/12\)](#)

The applicant, Antoni Wyszyński, is a Polish national who was born in 1946 and lives in Poznań (Poland).

The case concerns the domestic authorities' refusal to grant the applicant compensation for a tenant who had occupied his flat illegally.

The applicant complains that the refusal amounted to an interference with his right to peaceful enjoyment of his possessions in breach of Article 1 of Protocol No. 1 (protection of property).

#### [Wikimedia Foundation, Inc. v. Turkey \(no. 25479/19\)](#)

The applicant, Wikimedia Foundation, Inc., is a foundation based in San Francisco. It is dedicated to the free sharing of knowledge through the Wikimedia projects, which are aimed at developing a collective, universal and multilingual online encyclopaedia available free of charge.

The case concerns the request by the Telecommunications and Information Technology Directorate for the removal of certain pages from the applicant's website or, if it was not technically feasible to remove only certain pages, for access to the entire website to be blocked.

Relying on Articles 6 (right to a fair hearing), 10 (freedom of expression) and 15 (derogation in time of emergency), the applicant foundation alleges that the wholesale blocking of access to the Wikipedia website amounted to unjustified interference with its right to freedom of expression, and that the procedure for judicial review of blocking orders against websites is inadequate to prevent abuse. It further alleges that no effective remedy was available under Turkish law and that its

individual application to the Turkish Constitutional Court was rendered ineffective since its activity consists in publishing the content on its webpages in good time.

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 22 March 2022

Name	Main application number
Daurbekov and Others v. Russia	60844/11
Ragimov v. Russia	54611/18
Shumilina v. Russia	32128/08

## Thursday 24 March 2022

Name	Main application number
Koci v. France	41218/21
Saakashvili v. Georgia	6232/20
Tskhovrebova and Others v. Georgia	43733/08
Aspiotis v. Greece	4561/17
Mateuț v. Romania	35959/15
Nemchinov v. Russia	76022/14

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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.