

ECHR 143 (2025) 19.06.2025

## Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing ten judgments on Tuesday 24 June 2025 and 18 judgments and / or decisions on Thursday 26 June 2025.

Press releases and texts of the judgments and decisions will be available at **10 a.m.** (local time) on the Court's Internet site (<u>www.echr.coe.int</u>).

Tuesday 24 June 2025

**Just Satisfaction** 

Bagirova and Others v. Azerbaijan (application no. 37706/17 and five other applications)

The applicants are six Azerbaijani nationals.

The judgment will concern the just satisfaction to be awarded following the European Court's ruling of <u>31 August 2023</u> with regard to the expropriation of the applicants' properties for a road-improvement project. In that ruling the Court held that there had been a violation of Article 1 of Protocol No. 1 (protection of property) to the European Convention on Human Rights.

As the question of the application of Article 41 (just satisfaction) of the European Convention had not been ready for decision, the Court had reserved it. It will rule on this question in its judgment of 24 June 2025.

# Karović and Others v. Bosnia and Herzegovina (nos. 43201/22, 555/23, 5241/23, and 23976/23)

The applicants are four nationals of Bosnia and Herzegovina, Zlatan Karović, Tarik Kršlak, Vanja Bradarić and Osman Šabanović who were born in 1987, 1979, 1976 and 1967. They all live in Sarajevo, except for Mr Šabanović, who lives in Ilidža (Bosnia and Herzegovina).

The case concerns the non-enforcement of domestic decisions in their favour in respect of unpaid work-related benefits.

Relying on Article 6 § 1 (right to a fair trial) and Article 1 of Protocol No. 1 (protection of property) to the European Convention, the applicants complain that, unlike others, the enforcement of the decision in their favour had not been prioritised as they had refused to renounce their claims for default interest and legal costs.

## Sagir and Others v. Greece (no. 34724/18)

The applicants are seven Greek nationals who live in Xanthi (Greece).

The case concerned the refusal of the authorities to register the Cultural Association of Turkish Women of the Prefecture of Xanthi.

Relying on Article 11 (freedom of assembly and association) of the Convention, the applicants complain of the refusal to register their association.

## H.Q. and Others v. Hungary (nos. 46084/21, 40185/22, and 53952/22)

The applicants, Mr H.Q. and Mr Z.A., Afghan nationals, and Mr A.S.A., a Syrian national, were born in 1996, 2006, and 2000 respectively. They live in Austria, Serbia and Germany.



The case concerns the removal of the three applicants from Hungary to Serbia and their alleged lack of effective access to the international-protection procedure, which could be initiated only after a positive outcome of a preliminary procedure at the Hungarian embassy in Belgrade (the so-called "embassy procedure").

Relying on Article 4 of Protocol No. 4 (prohibition of collective expulsion of aliens) to the Convention and on Article 13 (right to an effective remedy), the applicants complain that they were subject to a collective expulsion and that they had no legal avenue to complain in that regard. Relying on Article 3 (prohibition of torture and of inhuman or degrading treatment), Mr H.Q. and Mr A.S.A. complain that they were expelled to Serbia without the consequences of their removal being assessed.

#### A and B v. Malta (no. 4986/24)

The applicants are Mr A and, his son, B who were born in 1980 and 2012, respectively, and live in Swieqi (Malta).

Mr A separated from the mother of B in 2017. Mr A filed a request with the courts in 2018 for B to reside with him and to have no contact with his mother's partner who was accused of drug offences. That request was granted. The case concerns the subsequent childcare proceedings, and in particular the mother's contact rights and supervision of visits.

Relying on Article 6 § 1 (right to a fair trial), the applicants allege that a judge in the childcare proceedings was not impartial because she had links to the opposing party's lawyer and had decided herself on the challenge lodged against her. Also relying on Article 8 (right to respect for private and family life), they allege that the decisions ordering B to spend time with his mother were not in the child's best interests.

#### M.L. v. North Macedonia (no. 30206/23)

The applicant, M.L., is a Macedonian/citizen of the Republic of North Macedonia who was born in 1984 and lives in Skopje.

In December 2013 a daughter, D., was born to M.L. and his then wife D.B.L. In December 2021 M.L. filed for divorce and requested custody of D. In 2022, while the divorce and custody proceedings were still pending, D.B.L. initiated criminal proceedings against M.L. in 2022. The case concerns the issuing and prolonged validity of a barring order in the context of the criminal proceedings, preventing M.L. from seeing his daughter, owing to allegations of physical and psychological abuse. The criminal complaints against M.L. were dismissed.

Relying on Article 8 (right to respect for private and family life), M.L. complains of the barring order which prevented him from approaching his daughter.

## Păcurar v. Romania (no. 17985/18)

The applicant, Ioan Păcurar, w a Romanian national who was born in 1960 and lives in Cluj-Napoca (Romania). He was a chief of a county police inspectorate.

The case concerns the confiscation of assets belonging to Mr Păcurar on the basis of legal provisions aimed at preserving integrity in the exercise of public office, as the provenance of the assets was "unexplained". He had been investigated by the National Integrity Agency (*Agenția Națională de Integritate*) from the start of 2012, with that agency finding that there had been significant differences between Mr Păcurar's income and expenses. That led to the confiscation of approximately 57,000 euros in assets being ordered by the Cluj Court of Appeal in February 2016.

Relying on Article 6 § 1 (right to a fair trial) and Article 1 of Protocol No. 1 (protection of property), Mr Păcurar complains that his property was confiscated and that the confiscation proceedings were unfair.

## Aksüngür and Others v. Serbia (no. 69080/13 and four other applications)

The applicants are Adem Aksüngür, Ensar Kaya, Zeki Dinlemez, Ahmet Karabulut and Abdullah Coşkun. They are German (Mr Aksüngür) or Turkish nationals, or hold both nationalities (Mr Coşkun). They live in Germany, France (Mr Dinlemez) and the Netherlands (Mr Karabulut).

The case concerns the confiscation of sums of cash that the applicants failed to declare when separately crossing Serbia's borders.

Relying on Article 1 of Protocol No. 1 (protection of property), the applicants allege that the confiscation of their money was unlawful, not in the public interest and disproportionate.

## D.G. and S.G. v. Serbia (no. 61347/21)

The applicants, Mr D.G. and Ms S.G., are Serbian nationals who were born in 1964 and 1977 respectively.

The case concerns the placement of the applicants' three-year-old son, M., in foster care in 2017 due to his allegedly being left at home without adequate care and supervision while his mother was at work and the proceedings to divest the applicants of their parental rights in his respect.

Relying on Articles 6 § 1 (right to a fair trial), 8 (right to respect for private and family life) and 13 (right to an effective remedy) of the Convention, the applicants complain of M.'s initial and continued placement in foster care, their lack of regular contact with him, the length of the proceedings to divest them of their parental rights in his respect, and there being no legal avenue for these complaints.

## Thursday 26 June 2025

#### Cimpaka Kapeta v. Belgium (no. 55000/18)

The applicant is a Belgian national who was born in 1990 and lives in Belgium.

The case concerns the Belgian authorities' refusal to issue him with a passport on national-security and public-safety grounds.

The applicant complains of an interference with his rights under Article 8 (right to respect for private and family life) and Article 2 (freedom of movement) of Protocol No. 4 to the Convention. He also relies on Article 13 (right to an effective remedy).

#### Seydi and Others v. France (no. 35844/17)

The applicants (Mounir Seydi, Dia Abdillahi, Bocar Niane, Karim Touil, Amine Mohamed Dif and Lyes Kaouah) are six French nationals who were born between 1979 and 1991 and live in Roubaix, Marseilles, Vaulx-en-Velin, Saint-Ouen and Besançon.

The case concerns identity checks by the police to which the applicants – who describe themselves as being of African or North African origin – were subjected between 2011 and 2012, and which they claim constituted racial or ethnic profiling.

The applicants rely on Articles 8 (right to respect for private life) and 14 (prohibition of discrimination), Article 13 (right to an effective remedy) and Article 2 of Protocol No. 4 (freedom of movement).

#### S.O. v. Spain (no. 5742/22)

The applicant, S.O., is a Venezuelan national who was born in 1956 and lives in Madrid.

The case concerns the removal of Ms S.O.'s nipple, allegedly carried out without her consent, during an operation to save her breasts from cancer.

Relying on Article 8 (right to respect for private and family life), Ms S.O. complains that she did not give valid consent to the removal of her nipple and areola.

#### Alakhverdyan v. Ukraine (no. 8838/20)

The applicant, Sergiy Volodymrovych Alakhverdyan, is a Ukrainian national who was born in 1984 and is currently serving a life sentence in Vinnytsya (Ukraine).

The case concerns Mr Alakhverdyan's application to the Supreme Court for review of his conviction for the murders of two people and causing minor bodily injuries to a third person in 2004. His request was made based on the <u>judgment of the European Court on 16 April 2019</u> (no. 12224/09) that there had been a violation of Article 6 § 1 and 3 (c) of the Convention due to restrictions on the right to defence.

The Supreme Court allowed Mr Alakhverdyan's application for review in part and excluded pieces of evidence obtained which it held to be in breach of his right to defence and therefore inadmissible, but upheld the conviction on the basis of the remaining evidence.

Relying on Article 6 (right to a fair trial), Mr Alakhverdyan submits that the Supreme Court lacked the power to conduct a re-examination of the evidence, and that a remittal to the trial court for rehearing. Mr Alakhverdyan further submits that such exclusion of evidence constituted a considerable change in the body of evidence in his case, and he had inadequate time and facilities to prepare his defence in the framework of the review proceedings.

## Benyukh v. Ukraine (no. 39150/20)

The applicant, Oleksiy Anatoliyovych Benyukh, is a Ukrainian national who was born in 1974. He has been serving a sentence of life imprisonment since 1999 and is currently detained in Vinnytsya (Ukraine).

According to Mr Benyukh, since his detention he has had to have almost all his teeth extracted for medical reasons. The case concerns his being refused free dentures despite the existence of legislation making dentures available free of charge to prisoners with an established need for them but no means to pay. It took 19 months for him to be fitted for dentures and only due to a non-governmental organisation's providing him with free dental care.

Relying on Article 3 (prohibition of inhuman and degrading treatment), Mr Benyukh alleges that he was not given adequate dental treatment in detention. He also raised a complaint under Article 13 (right to an effective remedy) concerning the lack of a legal avenue in Ukraine for his complaint.

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 <u>HUDOC</u>. They will not appear in the press release issued on that day.

## Tuesday 24 June 2025

Name	Main application number
ÇOBANTUR TURİZM TİCARET VE NAKLİYAT LTD. ŞTİ. v. Serbia	32398/19

## Thursday 26 June 2025

Name	Main application number
Bouša v. the Czech Republic	34067/23
Bouchibi v. France	19312/24
Izard v. France	36633/23
Pere v. France	59822/21
Kanellopoulos v. Greece	232/16
Antognini and Others v. Italy	60019/13
Orłowski v. Poland	5648/21
REJTING CENTAR SRBIJE v. Serbia	15419/17
Bystrý v. Slovakia	46293/22
Agat, MKP and Sharapov v. Ukraine	72486/17
Galytskyy v. Ukraine	9151/17
Markettrans, Pp v. Ukraine	16989/15
Savych v. Ukraine	2498/14

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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.