

Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing ten judgments on Tuesday 25 June 2024 and 53 judgments and / or decisions on Thursday 27 June 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 25 June 2024

National Youth Council of Moldova v. the Republic of Moldova (application no. 15379/13)

The applicant, the National Youth Council of Moldova, is a Moldovan non-governmental organisation (NGO) based in Chişinău (the Republic of Moldova).

The case concerns the local authorities' refusal to allow the applicant NGO to display anti-discrimination illustrations on advertising panels, on the grounds that they depicted some social groups in an undignified and humiliating manner.

Relying on Article 10 (freedom of expression) of the European Convention on Human Rights, the applicant NGO complains that there has been an unlawful, disproportionate interference with its freedom to use caricatures to represent prohibited grounds of discrimination for advertising purposes, and its freedom to impart information on the roll-out of a toll-free discrimination helpline.

Vlaisavljevikj v. North Macedonia (no. 23215/21)

The applicant, Velimir Vlaisavljevikj, is a Macedonian/citizen of the Republic of North Macedonia who was born in 1953 and lives in Skopje.

This case concerns the collection and use of Mr Vlaisavljevikj's personal data by a private heating company, which requires users of private heating systems who have been disconnected to pay heating utilities a standing heating charge. A private heating company issued Mr Vlaisavljevikj invoices regarding the standing heating charge and initiated proceedings against him for payment of that charge. Mr Vlaisavljevikj did not have heating pipes installed in his apartment and had never registered with the heating company.

With several final civil judgments issued between 2017 and 2021, the national civil courts found that Mr Vlaisavljevikj was not liable to pay the standing heating charges. The highest administrative court dismissed his data-protection claim.

Relying on Article 8 (respect for private and family life) of the European Convention, Mr Vlaisavljevikj complains that the domestic authorities failed to protect his personal data from unlawful collection and use.

Bechi v. Romania (no. 45709/20)

The applicant, Daniel Bechi, is a Romanian national who was born in 1982 and lives in Reteag (Romania).

Mr Bechi, who was diagnosed with HIV, was placed in specially designated prison wings equipped with facilities to accommodate the medical needs of HIV-positive prisoners in Targu-Ocna Prison and Poarta Alba Prison. The prisons were located a distance of 500km and 800km respectively from Mr Bechi's family home.

Relying on Article 3 (prohibition of inhumane or degrading treatment), Article 14 (prohibition on discrimination), and Article 8 (respect for private and family life) of the Convention, Mr Bechi complains his detention was unsuitable, in that he was subjected to poor prison conditions during his incarceration from 2019 to 2022, including conditions of overcrowding which exposed him to a high contamination risk for hepatitis C. He alleges he was placed in separate wings of the two prisons from other prisoners and restricted from engaging in any work or activities because of his HIV status. He also alleges the distance from his family residence to the prisons interfered with his ability to maintain contact with his family.

[Kurkut and Others v. Türkiye \(nos. 58901/19, 59988/19, 14944/20, 23565/20, 29101/20; 42116/20, and 28956/21\)](#)

The applicants, Naci Kurkut, Şükran Kesgin, Zeycan Doğan Özdemir, Bahar Dolgun Kılıç, Agit Tetik, Baran Tekin, Mehmet Tanrikulu, are Turkish nationals who were born in 1985, 1990, 1986, 1989, 1992, 1991, and 1987 respectively and live in Türkiye.

The applicants are Turkish nationals who successfully secured initial employment with the State in civil service roles, State universities, or State hospitals. They did not have criminal convictions but were still later refused employment for failed background checks. The concrete factual grounds for the failed background checks were not disclosed to the applicants, at least until a later stage in the court proceedings.

This case concerns the Legislative Decree no. 676, which was effective from 2016 to 2019. It created an amendment to the Civil Servants Act that required a clear background check prior to appointment to the civil service. Background checks included not only criminal convictions, but also previous acquittals, police investigations and suspicions regarding whether a prospective employee had engaged in criminal activity as well as an assessment of character.

Relying on Article 6 § 1 (right to a fair trial) the applicants complain that the national courts did not carry out effective examinations of their appeals against the authorities' refusal to appoint them, as the courts failed to scrutinise the administration authorities' allegations and evidence that the applicants, or their relatives, were involved in illegal activities.

Mr Tetik, relying on Article 6 § 2 (presumption of innocence), complains the domestic court's reasoning breached his presumption of innocence pending his trial.

Thursday 27 June 2024

[Büttner and Krebs v. Germany \(no. 27547/18\)](#)

The applicants, John Büttner and Jutta Krebs, are German nationals who were born in 1967 and 1939 respectively and live in Zeuthen (Germany).

This case concerns the planning permission for the construction of the Berlin Brandenburg Airport. The authorities knowingly provided incorrect information about the projected flight paths during the planning approval procedure that did not accurately represent the airport's impact on the applicants' properties.

The applicants challenged the planning decision in the German courts but were unsuccessful.

Relying on Article 6 § 1 (right to a fair trial) and Article 8 (respect for private and family life), the applicants complain that the domestic courts failed to remedy the procedural defects in the decision-making process, which breached the respect for their property as well as their private and family life. They allege they did not have access to all the relevant information, which impaired their ability to effectively challenge a planning decision that negatively impacted their properties and family life.

[Cotena v. Italy \(no. 15717/16\)](#), [Gelsomino v. Italy \(no. 74064/17\)](#), [Prinari v. Italy \(no. 20402/16\)](#), and [Rotolo v. Italy \(no. 38908/15\)](#)

The applicants, Giovanni Prinari, Salvatore Cotena, Antonino Rotolo, and Giovanni Gelsomino are Italian nationals who were born respectively in 1963, 1958, 1946 and 1967. The applicants are detained respectively in Sulmona, San Gimignano (Siena), Opera (Milan) and Parma (all Italy).

All four applicants were convicted of multiple serious crimes dating from the 1980s and 1990s, including murder. The cases concern the rejection of the applicants' separate applications to the Italian authorities for a reduction in their life sentences to 30 years' imprisonment within proceedings for the review of the enforcement order relating to their sentences (*incidente di esecuzione*).

Relying on Articles 7 (no punishment without law), Mr Gelsomino and Mr Prinari complain that the denial of access to the summary procedure deprived them of the benefit of the more lenient provision and therefore a lighter sentence, while Mr Cotena and Mr Rotolo complain that the domestic courts failed to apply the more lenient sentence provided for by the law in connection with the summary procedure.

Mr Cotena and Mr Rotolo also rely on Article 6 (right to a fair trial) to argue, respectively, that if the former's trial ended earlier, he would have received the more lenient penalty of 30 years' imprisonment, or that the latter was forced to give up his right to a lighter punishment by the entry into force of Decree-Law no. 341 of 2000.

[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 25 June 2024

Name	Main application number
Hrvatín v. Croatia	15655/19
Kalčiček v. Croatia	22458/18
Romić and Others v. Croatia	24501/19
Buttigieg v. Malta	7615/21
Duymaz and Others v. Türkiye	58437/17
Kuriş and Others v. Türkiye	56483/16

Thursday 27 June 2024

Name	Main application number
Blažević v. Croatia	26835/19
Tomić v. Croatia	26264/19
Zadeh v. the Czech Republic	35207/17
Priguza v. the Republic of Moldova	81258/17
Platon v. the Republic of Moldova	63588/17
C.C. v. Monaco	37218/19
A.M. v. Norway	2287/22
I.L. v. Norway	28160/22

Name	Main application number
M.T. v. Norway	24148/22
S.G. and S.O. v. Norway	18004/21
T.E. and J.E. v. Norway	43483/22
Avetisyan v. Poland	73964/17
Boisteau v. Poland	19561/22
Ciszewski and Others v. Poland	31732/18
K.B. and K.C. v. Poland	1819/21
Urbanek and Polaczek v. Poland	18931/18
Pereira Lobo and Others v. Portugal	51230/20
Arbuzov and Others v. Russia	9494/20
Arshinov and Others v. Russia	17472/18
Aydarov and Others v. Russia	84744/17
Barybin and Others v. Russia	28623/21
Bogdanov and Others v. Russia	38690/21
Dmitriyeva and Others v. Russia	83641/17
Dmitriyevskiy and Others v. Russia	19016/18
Fetisov and Others v. Russia	54727/14
Golikov and Others v. Russia	44131/18
Karimullina and Others v. Russia	45351/21
Kislov and Others v. Russia	20864/18
Kokshin and Others v. Russia	45057/21
Kotugin and Others v. Russia	33736/22
Monetov and Others v. Russia	42294/21
Pavlikova and Others v. Russia	32241/18
Rudik and Others v. Russia	60846/15
Rybakin and Others v. Russia	83322/17
Shurshev and Others v. Russia	30947/19
Smolev and Others v. Russia	20140/21
Sokolovskaya and Others v. Russia	14129/20
Sorokin and Others v. Russia	73825/13
Starodubtseva and Others v. Russia	47730/21
Voskresenskiy and Others v. Russia	24098/21
C.M. v. Spain	39920/22
Mousoupetrou Mrobert and Others v. Türkiye	51601/17
Philitas v. Türkiye	48432/19
Futornyak v. Ukraine	41678/20
Krot v. Ukraine	38112/14
Padaguts v. Ukraine	62818/16
Tsimeyko v. Ukraine	32960/13
Voloshchuk v. Ukraine	46352/19

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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.