



Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing 11 judgments on Tuesday 28 November 2023 and 118 judgments and / or decisions on Thursday 30 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 28 November 2023

[Krachunova v. Bulgaria \(application no. 18269/18\)](#)

The applicant, Daniela Danailova Krachunova, is a Bulgarian national who was born in 1985 and lives in Koshava (Bulgaria).

The case concerns Ms Krachunova's attempts to obtain compensation for the earnings from sex work that X, her trafficker, had taken from her. The Bulgarian courts refused compensation, stating she had been engaged in prostitution and returning the earnings from that would be contrary to "good morals".

Relying on Article 4 (prohibition of slavery and forced labour) and 13 (right to an effective remedy) of the European Convention on Human Rights, Ms Krachunova complains that there was no legal avenue for her to obtain compensation in respect of her earnings from sex work that were taken away from her.

[Tadić v. Croatia \(no. 25551/18\)](#)

The applicant, Drago Tadić, is a Croatian national who was born in 1961 and lives in Osijek (Croatia).

The case concerns criminal proceedings in which Mr Tadić was found guilty of conspiring to influence the Supreme Court, by paying a sum of money, to render a decision favourable to a well-known politician who was being tried for a war crime.

Relying on Articles 6 § 1 (right to a fair hearing) and 6 § 2 (presumption of innocence) of the European Convention, the applicant complains that the Supreme Court, the appellate court in his case, was not impartial because of the circumstances surrounding its president, who had testified as a witness for the prosecution. He also complains that the publication in the media, two months before the Supreme Court adopted a decision in his case, of recordings of his telephone conversations made by the Security Intelligence Agency, exerted pressure on the Supreme Court judges to uphold his conviction and breached his right to be presumed innocent.

[Schmidt and Šmigol v. Estonia \(nos. 3501/20, 45907/20, and 43128/21\)](#)

The applicant Allan Schmidt is an Estonian national who was born in 1978 and lives in Narva (Estonia). The applicant Ilja Šmigol is a stateless person who was born in 1993 and lives in Tallinn.

The case concerns consecutive enforcement of disciplinary punishments against the applicants when they were serving sentences in Viru Prison. This resulted in their spending protracted periods in conditions that effectively amounted to solitary confinement.

The applicants complain that the periods they spent in solitary confinement violated their rights under Article 3 (prohibition of inhuman or degrading treatment) of the Convention.

[Associations de copropriété forestière Porceni Pleșa et Piciorul Bătrân Banciu \(*Obște de Pădure Porceni Pleșa și Composesoratul Piciorul Bătrân Banciu*\) v. Romania \(nos. 46201/16 and 47379/18\)](#)

The applicants are two legal entities registered under Romanian law, associations of communally-owned mountain forestry proprietors, *Obște de Pădure Porceni Pleșa*, based in Pleșa, and *Composesoratul Piciorul Bătrân Banciu*, based in Recea.

The case concerns these two associations of forestry proprietors, which complain under Article 1 of Protocol No. 1 (protection of property) that they have not received compensation, in spite of a legally recognised right, for the fact that they are unable to make use of their forests, given that these forests have been classified as protected natural zones for the purposes of the European “Natura 2000” network.

[Mariya Alekhina and Others v. Russia \(no. 2\) \(no. 10299/15\)](#)

The applicants are three Russian nationals: Mariya Vladimirovna Alekhina and Nadezhda Andreyevna Tolokonnikova, members of the Pussy Riot punk band; and Vladimir Anatolyevich Rubashnyy, a retired official from the Russian Federal Prison Service.

The case concerns the Russian authorities’ refusal to register the applicants’ human rights organisation, “The Zone of Law”, which aimed to provide legal assistance to prisoners. Each of their three applications was unsuccessful, essentially because the registration authority found that their documents did not comply with the legislation on non-profit organisations.

Relying on Article 11 (freedom of association) and Article 13 (right to an effective remedy), the applicants complain about the refusal to register their organisation, arguing that, instead of an outright refusal, registration could have been suspended until their requests had been corrected.

[Nadir Yıldırım and Others v. Türkiye \(no. 39712/16\)](#)

The applicants, Nadir Yıldırım, Selma Irmak, Besime Konca, Alican Önlü, Dirayet Taşdemir and Ahmet Yıldırım are six Turkish nationals who were born between 1967 and 1982 and live in Ankara, Diyarbakır, Kocaeli, Tunceli and Siirt (all Turkey).

The applicants allege that in a criminal case brought against them – at the same time as which they were elected as members of the Turkish Grand National Assembly –, the president of the trial court stated in the investigatory reports drawn up for the lifting of their parliamentary immunity that they had committed the offences that they were accused of.

The applicants complain of a breach of their right to be presumed innocent under Article 6 § 2 of the Convention.

Thursday 30 November 2023

[Société d'exploitation d'un service d'information CNews v. France \(no. 60131/21\)](#)

The applicant company, the Société d’Exploitation d’un Service d’Information CNews, is a company incorporated under French law with its registered office in Issy-Les-Moulineaux. A television service provider, it holds a licence to operate a national television channel, namely CNews, issued in 2005 by France’s national broadcasting authority (*Conseil supérieur de l’audiovisuel*, the CSA).

The case concerns an enforcement notice served on it by the CSA following statements made by a commentator in a programme broadcast on CNews.

Relying on Articles 6 § 1 (right to a fair hearing) and 10 (freedom of expression), the applicant company alleges in this connection that there were insufficient reasons in the CSA’s decision of

27 November 2019 and the *Conseil d'État's* decision of 16 June 2021, and that there has been a breach of its freedom of expression.

Georgian Muslim Relations and Others v. Georgia (no. 24225/19)

The first applicant, Georgian Muslim Relations, is a non-profit association, whose main objective is to foster support for religious education and to provide free education to socially vulnerable children. The other applicants are seven Georgian nationals who belong to the Muslim minority.

The case concerns the authorities' response to the applicants' being prevented from opening a Muslim boarding school. In August 2014 the applicants started renting a building in Kobuleti (Georgia) which they intended to use for the school. However, according to the applicants, their attempts to open the school were repeatedly blocked by local residents, with the connivance of the police and other local authorities. The applicants allege various illegal actions against them, including verbal abuse, the entrance to the school building being barricaded and at one point, in September 2014, a pig being slaughtered in front of the school and its head nailed to the entranceway. The criminal investigation into the applicants' allegations is still ongoing.

Relying on Articles 3 (prohibition of inhuman or degrading treatment), 8 (right to respect for private and family life) and 9 (freedom of religion) of the Convention, alone and in conjunction with Article 14 (prohibition of discrimination), the applicant individuals allege that the State failed to take adequate measures to protect them from unlawful mob action, hate speech and other discriminatory actions in the context of their being prevented from opening the Muslim boarding school.

The applicant association, Georgian Muslim Relations, complains under Article 1 of Protocol No. 1 (protection of property) that the authorities failed to ensure that it could use the school building, notably by connecting it to the Kobuleti sewerage system.

Asociación de Abogados Cristianos v. Spain (no. 22604/18)

The applicant, Asociación de Abogados Cristianos, is an association which was created in 2008 with the aim of restoring and maintaining the principles of Christian faith in society.

The case concerns an artwork, called *Amen*, exhibited in a municipal hall in Pamplona in 2015. The artwork showed pictures of the artist posing naked next to the word "paedophilia" (*pederastia*) spelled out on the floor with hosts he had taken from 242 Catholic Masses that he had attended. It sparked public outrage and led the applicant association to lodge a criminal complaint against both the artist and the councillor who had given approval for and inaugurated the exhibition. The proceedings were, however, discontinued by the investigating judge who found that the acts in question did not constitute a criminal offence, a decision upheld by the national courts.

Relying on Article 9 (freedom of religion), the applicants complain that: the local authorities financed, hosted and refused to cancel the exhibition of a piece of art which offended religious feelings, in breach of their duty of neutrality; and, that the judicial authorities did not prosecute the artist and the local councillor involved.

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 28 November 2023

Name	Main application number
Ghazaryan v. Armenia	30129/21
Tepļjakov v. Estonia	10753/21
Beltsios v. Greece	57333/14
Burgaç and Others v. Türkiye	57407/19
Oğuz v. Türkiye	37404/18

Thursday 30 November 2023

Name	Main application number
Alsula and Others v. Albania	63975/10
Cepiku and Seni Sh.P.K. v. Albania	18175/12
Firtash v. Austria	33024/19
G.L. and L.G.P. v. Austria	31702/18
G.L. and L.G.P. v. Austria	51235/19
Abbasov and Others v. Azerbaijan	5671/20
Azerbaijan Popular Front Party v. Azerbaijan	83241/17
Hasanli and Others v. Azerbaijan	33139/19
Haziye v. Azerbaijan	38931/20
Huseynov v. Azerbaijan	51181/19
Insanov v. Azerbaijan	9965/17
M.C. and F.S.B. v. Azerbaijan	8143/18
Mammadov v. Azerbaijan	42574/13
Salayev and Others v. Azerbaijan	7322/20
Suleymanov v. Azerbaijan	27290/15
Bastiaens and Others v. Belgium	25930/12
Deckmyn v. Belgium	44813/14
Van Eekert and Lavrijsen v. Belgium	33262/15
Trumbić v. Croatia	11514/18
Zahtila and Koletić v. Croatia	63344/17
Damianou Charalambide v. Cyprus	80777/17
Brockhoff v. France	60246/19
Lehmann v. France	27441/19
M.D. v. France	60592/21
Varlot v. France	51057/19
D.S. v. Greece	2080/19
Iliopoulos v. Greece	79448/16
Diószegi and Others v. Hungary	2384/23
Kamarás and Others v. Hungary	16771/23
S.AB. and S.AR. v. Hungary	17089/19
Arcidiocesi di Palermo v. Italy	53352/17
Cai Service Group S.p.A. and Esposito v. Italy	50363/22
Licandro v. Italy	40004/16
Loguercio and Conglobit di Ercolino G&E S.r.l v. Italy	8551/23
Vadalà v. Italy	14656/15

Name	Main application number
Busuioc v. the Republic of Moldova	21240/16
Ejupi and Others v. North Macedonia	21501/21
Ilijevska and Others v. North Macedonia	55173/20
Ripiloski v. North Macedonia	8793/19
S.B. v. North Macedonia	64163/19
Trajcheska v. North Macedonia	13980/19
Tutunovska and Others v. North Macedonia	23258/21
Hęś and Others v. Poland	43772/20
Jerszów v. Poland	31731/20
Kankowski v. Poland	27122/21
Karpińscy and Others v. Poland	24865/21
Mariański v. Poland	14630/22
Olechno v. Poland	44719/21
Pietrowski and Others v. Poland	30512/21
Puchalski v. Poland	20792/21
Rykalski and Others v. Poland	58201/19
Tatera and Kosim v. Poland	43076/19
Trela and Others v. Poland	25347/19
Wołosz v. Poland	8341/20
Nieuwolt v. Portugal	15767/21
Oliveira Arcanjo v. Portugal	12367/22
Padeirinha Cardoso v. Portugal	42791/21
Sociedade Produtora de Sal, Lda v. Portugal	37222/19
Udochukwu Uchenna and Uzoma Metu v. Portugal	25581/22
Albescu and Others v. Romania	23686/16
Brănişteanu and Others v. Romania	10600/18
Corciu-Wernhardt and Others v. Romania	12343/17
Covaciu v. Romania	3403/18
Diță and Others v. Romania	23712/16
Dobrin v. Romania	40176/16
Fieraru and Others v. Romania	27234/16
Fînați v. Romania	14917/16
Ivan and Others v. Romania	42554/16
Jianu and Teodorescu v. Romania	46765/16
Kolcsar and Others v. Romania	64973/16
Mihai and Others v. Romania	36691/16
Mihalciuc and Others v. Romania	73418/17
Niculaie and Others v. Romania	46523/16
Porojan and Others v. Romania	15543/18
Stan and Others v. Romania	1382/18
Abakumov and Others v. Russia	50116/18
Chivkin and Others v. Russia	55248/18
Filimonov and Others v. Russia	3219/19
Kushtayev and Others v. Russia	24326/18
Resin and Others v. Russia	41090/18

Name	Main application number
Tingayev and Others v. Russia	41071/18
Bajović v. Serbia	51035/22
Bošković v. Serbia	16045/22
Cirok v. Serbia	9072/22
Damnjanović v. Serbia	51733/22
Đedović and Petronijević v. Serbia	53663/22
Džanković and Slavković v. Serbia	20929/22
Jeremić and Others v. Serbia	14310/22
Jovanovic and Others v. Serbia	39568/22
Jovanović v. Serbia	28502/22
Kozomara and Others v. Serbia	44176/22
Lazić v. Serbia	32992/22
Medical System d.o.o. Beograd and Others v. Serbia	20717/21
Metalprom doo Valjevo and Centrodust doo Smederevo v. Serbia	17826/22
Milojević v. Serbia	54227/22
Pavlović and Others v. Serbia	32941/22
Pažitnaj v. Serbia	46813/22
ŠINVOZ doo v. Serbia	26894/22
Stanisavljević v. Serbia	47613/16
Stojanović v. Serbia	55191/22
Stojković and Others v. Serbia	26893/22
Stošić and Others v. Serbia	32982/22
Subotin v. Serbia	55200/22
Turundžić and Others v. Serbia	12531/22
Venev v. Serbia	48699/22
Cihán v. Slovakia	17755/23
LiNi s.r.o. v. Slovakia	7206/22
Lukić and Kovinar d.o.o. v. Slovenia	19557/22
Ölmez v. Türkiye	2010/22
Babkin and Others v. Ukraine	36496/21
Dovbyshev v. Ukraine	68447/12
Goloborodko and Others v. Ukraine	17860/17
Pulnyev and Gvaliya v. Ukraine	67158/13
Sholomytskyy and Others v. Ukraine	12260/15
Skvyrasilrybgosp, VAT v. Ukraine	27128/11

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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.