



## Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing two judgments on Tuesday 29 August 2023 and 16 judgments and / or decisions on Thursday 31 August 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](http://www.echr.coe.int)).*

### Tuesday 29 August 2023

#### [Kovačević v. Bosnia and Herzegovina \(application no. 43651/22\)](#)

The applicant, Slaven Kovačević, is a national of Bosnia and Herzegovina who was born in 1972 and lives in Sarajevo. He is a political scientist.

The case concerns constitutional power-sharing arrangements for the second chamber of the State Parliament, that is, the House of Peoples of the Parliamentary Assembly of Bosnia and Herzegovina, and for the Presidency of Bosnia and Herzegovina.

Relying on Article 14 (prohibition of discrimination) of the European Convention on Human Rights taken in conjunction with Article 3 of Protocol No. 1 (right to free elections) and on Article 1 of Protocol No. 12 (general prohibition of discrimination) to the European Convention, the applicant complains that because of a combination of the territorial and ethnic requirements applicable to the House of Peoples, he was unable to vote for the candidates of his choice in the 2022 legislative elections. Similarly, he was unable to vote for the candidates of his choice in the 2022 presidential elections. He raises additional complaints under Article 3 of Protocol No. 1 taken alone and/or in conjunction with Article 14, and under Articles 13 (right to an effective remedy) and 17 (prohibition of abuse of rights).

#### [Verzilov and Others v. Russia \(no. 25276/15\)](#)

The applicants are five Russian nationals who were members of the feminist punk band, Pussy Riot, founded in late 2011. The band are known for their impromptu performances of songs which are critical of the Government.

The case concerns the band's complaint that they were attacked by Cossacks while performing a new song in Sochi during the 2014 Winter Olympics. They were grabbed, pushed and pulled about, lashed at with a whip and had pepper gas sprayed in their faces.

Relying on Article 3 (prohibition of inhuman or degrading treatment) and Article 10 (freedom of expression) of the Convention, the applicants allege that the State was responsible for the violent attack against them by the Cossacks, and that such ill-treatment was in order to repress their artistic performance and political speech. They argue in particular that the State failed to take into account the context in which the performance had taken place and that, even if it had been provocative and could have been considered offensive, the use of force and whips could not be justified in a democratic society. They also allege that the authorities failed to carry out an effective investigation into the incident, in further violation of Article 3.

Thursday 31 August 2023

[Bagirova and Others v. Azerbaijan \(no. 37706/17 and 5 other applications\)](#)

The applicants are six Azerbaijani nationals who owned property – private houses, parts of houses or flats – in Baku which were demolished on various dates in 2015-16 for a road-improvement project.

The case concerns the applicants' complaint about the expropriation of their properties. They had unsuccessfully brought proceedings in the courts, which found that the expropriation had been in compliance with the law.

Relying on Article 1 of Protocol No. 1 (protection of property), the applicants complain that the expropriation of their properties was unlawful.

[Lenis v. Greece \(no. 47833/20\)](#)

The applicant, Amvrosios-Athanasios Lenis, is a Greek national who was born in 1938 and lives in Aigio (Greece). At the time of the events, he was the Metropolitan (equivalent of a bishop) of the Greek Orthodox Church for Kalavryta and Aigialeia.

The case concerns his posting an anti-homosexual article on his personal blog in December 2015, when the Hellenic Parliament was about to debate proposed legislation introducing civil unions for same-sex couples, and his subsequent prosecution and sentencing for incitement to discrimination and hatred.

The applicant complains that his criminal conviction for publishing the article on his personal blog violated his freedom of expression under Article 10 of the Convention.

[C v. Italy \(no. 47196/21\)](#)

The biological father, L.B., and the intended mother, E.A.M., are acting on behalf of C, who was born in 2019, is a stateless person, and lives in C.S.

The case concerns the Italian authorities' refusal to recognise the parent-child relationship established by a Ukrainian birth certificate between the child C, born in another country through a surrogacy arrangement, and her biological father and her intended mother.

Relying on Article 8 (right to respect for private and family life), the applicant (C) complains about the impossibility of securing recognition in Italy of the parent-child relationship, legally established abroad following a surrogacy arrangement.

[M.A. v. Italy \(no. 70583/17\)](#)

The applicant, Ms M.A., is a Ghanaian national who was born in 1999 and lives in Serramazzoini (Modena, Italy).

The case concerns an alleged failure to protect her rights as a minor migrant, arriving unaccompanied in Italy by boat in October 2016. She complains in particular about the eight months she spent in the Osvaldo Cappelletti adult reception centre in Como (Italy) before being transferred to a suitable facility for minors under an urgent measure (Rule 39) granted by the European Court.

Relying on Article 3 (prohibition of inhuman or degrading treatment), Article 8 (right to respect for private life), Article 13 (right to an effective remedy), she complains about the conditions and protracted length of her stay in the Como reception centre. She also alleges that the proximity to adults there was not appropriate for her vulnerable situation as an unaccompanied minor who had been a victim of sexual abuse while still in Ghana and then in Libya – where she had first fled before arriving in Italy.

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 31 August 2023

Name	Main application number
Guliyeva v. Azerbaijan	51424/08
Musayev v. Azerbaijan	54567/13
Grande Paroisse SA and Biechlin v. France	24746/20
Hammoudi v. France	47247/22
M. A. and Others v. France	63664/19
Shala v. Italy	71304/16
Zelger and Rainer v. Italy	50840/12
X v. Slovakia	57752/21
A.A. and Others v. Sweden	12470/21
Borisov v. Ukraine	2371/11
Kachurovskyy v. Ukraine	6312/16
Oksuzoglu v. Ukraine	56669/18

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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.