

Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing five judgments on Tuesday 29 November 2022 and 100 judgments and / or decisions on Thursday 1 December 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)

Tuesday 29 November 2022

[Çela v. Albania \(application no. 73274/17\)](#)

The applicant, Pëllumb Çela, is an Albanian national who was born in 1953 and lives in Tirana.

The case concerns a constitutional complaint lodged by Mr Çela, which was declared inadmissible as having been lodged outside a newly introduced four-month time-limit. The constitutional complaint originated in proceedings taken against the applicant and his company with a view to obtaining an order for him to vacate particular premises.

Relying on Article 6 § 1 (right of access to court) of the European Convention on Human Rights, Mr Çela argues that there were no clear rules concerning the calculation of the time-limit for lodging a constitutional complaint, and alleges that the new time-limit was wrongly applied in his case.

[Godenau v. Germany \(no. 80450/17\)](#)

The applicant, Ingeborg Godenau, is a German national who was born in 1954 and lives in Gilserberg (Germany).

She was a secondary school teacher in the *Land* of Hesse until 2006 when she was dismissed because of significant doubts as to her loyalty to the Constitution. The case concerns her complaint that she has since been included on a list of teachers considered unsuitable for reappointment to a post at public schools in Hesse. Her attempts to have her name deleted from the list were all refused. The domestic courts found that there continued to be doubts over her loyalty, in particular with regard to her active involvement in the Pro Schwalm-Eder Civic Alliance, which had links to far-right organisations, and statements at political rallies between 2006 and 2009.

She complains that the refusal to delete her name from the list was based on her political views, in breach of her rights under Article 10 (freedom of expression), 11 (freedom of association) and Article 14 (prohibition of discrimination) of the European Convention.

[Balan v. the Republic of Moldova \(no. 2\) \(no. 49016/10\)](#)

The applicant, Pavel Balan, is a Moldovan national who was born in 1938 and lives in Chişinău.

The case concerns reopened proceedings in the Moldovan courts following a judgment by the European Court in the applicant's favour with regard to a breach of his intellectual property rights (*Balan v. Moldova*, no. 19247/03).

Relying on Article 6 § 1 (right to a fair trial) of the Convention and Article 1 of Protocol No. 1 (protection of property) to the Convention, Mr Balan alleges that in the reopened proceedings the Supreme Court of Justice breached the principle of legal certainty by reducing the sum awarded to him in a final judgment.

Thursday 1 December 2022

[A.D. and Others v. Georgia \(nos. 57864/17, 79087/17, and 55353/19\)](#)

The applicants, Mr A.D., Mr A.K. and Nikolo Ghviniashvili, are Georgian nationals who were born in 1979, 1988 and 1973.

The applicants are transgender men (assigned female at birth). The case concerns their complaints that they were unable to obtain legal recognition of their gender because they had not undergone sex reassignment surgery.

Relying in particular on Article 8 (right to respect for private and family life), they argue in particular that the legal framework in Georgia for them to have their gender changed in civil-status records was unclear.

[D.K. v. Italy \(no. 14260/17\)](#)

The applicant is an Italian and Irish national who was born in 1963. She lives in Italy.

In this case she complains that the Italian authorities did not carry out an effective investigation into her allegations of sexual abuse by her uncle. In particular, she alleges that between 1974 and 1987 she and her sister were subjected to sexual abuse which occurred at her uncle's house while her parents were at work, and subsequently at his legal practice, where the applicant worked from the age of 16. The alleged violence reportedly ceased when she moved to another town at the age of 21. After reaching the age of majority and receiving psychological counselling, the applicant lodged a criminal complaint in 1999, which was dismissed in 2003 as being out of time. She brought an action for damages in the civil courts which was subsequently dismissed.

In the proceedings before the Court the applicant relies on Article 3 (prohibition of inhuman or degrading treatment) and Article 8 (right to respect for private and family life) of the Convention, arguing that the Italian authorities failed in their duty to protect her physical and psychological integrity.

[M.H. v. Poland \(no. 73247/14\)](#)

The applicant, M.H., is a Polish national who was born in 1973 and lives in Warsaw.

She and her husband had a child in March 2006. In 2009, her husband, without M.H.'s knowledge or consent, moved out of the family home together with their child. The case concerns the outcome and the length of proceedings in the subsequent child-custody case.

Relying on Article 6 (length of civil proceedings), the applicant complains of the unreasonable length of the proceedings in which her custody rights and the residence of her daughter was first decided. She also complains under Article 8 (right to respect for private and family life) of the outcome of those proceedings.

[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 29 November 2022

| Name | Main application number |
|--------------------|-------------------------|
| Karadağ v. Türkiye | 47711/18 |

| Name | Main application number |
|--------------------|-------------------------|
| Nacakis v. Türkiye | 35429/10 |

Thursday 1 December 2022

| Name | Main application number |
|---|-------------------------|
| Docì v. Albania | 59748/13 |
| Xhacka and Others v. Albania | 21636/05 |
| Bisi Wa Bisi v. Belgium | 33082/15 |
| Juričić v. Croatia | 646/17 |
| Komlenac v. Croatia | 47520/16 |
| OTP banka d.d. and Others v. Croatia | 38541/21 |
| Robert Bosch d.o.o. v. Croatia | 6598/22 |
| Stipančić v. Croatia | 55283/21 |
| Sudar v. Croatia | 61085/21 |
| KAYAT TRADING LIMITED v. Cyprus | 55509/18 |
| Buisson v. France | 16352/20 |
| Bolkvadze and Others v. Georgia | 17354/19 |
| Janelidze v. Georgia | 25395/11 |
| Barmaxizoglou and Others v. Greece | 53326/14 |
| Chrysikopoulos and Others v. Greece | 2002/20 |
| Doko v. Greece | 33662/21 |
| Kalaítzidis v. Greece | 42861/21 |
| Kapiris v. Greece | 30173/20 |
| Mallios and Kondilopoulos v. Greece | 26447/15 |
| Papadopoulos v. Greece | 13276/15 |
| Persidis v. Greece | 30852/15 |
| Pothitakis v. Greece | 55523/19 |
| Sotiriadis v. Greece | 73489/17 |
| Balázs and Others v. Hungary | 15460/21 |
| Jón Ásgeir Jóhannesson v. Iceland | 60288/19 |
| Acampora and Others v. Italy | 10479/21 |
| Aiello v. Italy | 6419/15 |
| Alicicco and Others v. Italy | 27881/10 |
| Avma S.R.L. v. Italy | 11340/07 |
| Basile and Others v. Italy | 36251/17 |
| Berlusconi and Fininvest v. Italy | 59012/19 |
| Casa nel Verde Prima S.r.l. and Others v. Italy | 51572/07 |
| Casini v. Italy | 47503/07 |
| D'Addamio and Others v. Italy | 36465/17 |
| Mazzei Salvatore S.R.L. and Salvaguardia ambientale S.p.A. v. Italy | 36175/21 |
| Mocavero v. Italy | 4330/17 |
| Schermi and van Dijk v. Italy | 41089/15 |
| Societa' Famarc Zabban S.P.A. and Others v. Italy | 11223/13 |
| Zappacosta and Others v. Italy | 29614/12 |
| Gurițanu v. the Republic of Moldova | 75732/12 |

| Name | Main application number |
|--|-------------------------|
| S.R.L. 'Vulpe E.' v. the Republic of Moldova | 56223/15 |
| Josifovski v. North Macedonia | 29911/15 |
| Bajer and Others v. Poland | 55212/15 |
| Gontarek v. Poland | 56942/18 |
| Lechowicz v. Poland | 45561/17 |
| Ryckie v. Poland | 52097/18 |
| Sachadel and Others v. Poland | 45187/19 |
| Stodolski and Others v. Poland | 41142/17 |
| Wajda and Others v. Poland | 64760/19 |
| Santos Sousa and Others v. Portugal | 53925/19 |
| Antonie and Others v. Romania | 2805/16 |
| Diaconu and Others v. Romania | 16673/16 |
| Dinică v. Romania | 54384/16 |
| Ilie and Others v. Romania | 25468/16 |
| Pădurariu and Others v. Romania | 37813/15 |
| Popa v. Romania | 75210/16 |
| Chumachenko v. Russia | 13448/11 |
| Churkin v. Russia | 36445/18 |
| Gatagazhev and Lugachev v. Russia | 43813/16 |
| Gvozdev v. Russia | 29606/19 |
| Ilyichev and Zubkov v. Russia | 2703/18 |
| Kashin and Petkyavichus v. Russia | 15007/19 |
| Khakulov v. Russia | 47061/15 |
| Korchemkin and Others v. Russia | 59396/19 |
| Kovalev v. Russia | 41681/20 |
| Lugachev v. Russia | 35356/18 |
| Makarov and Others v. Russia | 56439/07 |
| Milashina v. Russia | 26161/20 |
| Monakhov and Silverstov v. Russia | 19560/16 |
| Nikonorov v. Russia | 71889/11 |
| Novgorodov and Others v. Russia | 17274/18 |
| Novikov v. Russia | 26023/18 |
| Ponomarev v. Russia | 33245/11 |
| Rudak v. Russia | 76685/17 |
| Savelov and Others v. Russia | 62815/10 |
| Shishkin v. Russia | 37797/18 |
| Sysoyevy v. Russia | 74779/17 |
| Talybov v. Russia | 52736/20 |
| Vovchuk v. Russia | 55358/16 |
| Yarullin v. Russia | 28106/21 |
| Zaretskiy v. Russia | 61097/13 |
| Zhukov and Others v. Russia | 41323/18 |
| Aksić v. Serbia | 13353/19 |
| Aleksić v. Serbia | 40825/15 |
| Denćan and Others v. Serbia | 21758/22 |

| Name | Main application number |
|--|-------------------------|
| Magazin v. Serbia | 4122/15 |
| Matović v. Serbia | 19933/17 |
| Akgün and Others v. Türkiye | 57165/17 |
| Şengül and Others v. Türkiye | 61016/16 |
| Tuna Çolak and Others v. Türkiye | 27737/20 |
| Galychyy v. Ukraine | 34263/16 |
| Gupalo v. Ukraine | 33705/17 |
| Korotchenko v. Ukraine | 43929/15 |
| Marmylova v. Ukraine | 40436/16 |
| Martynchuk and Others v. Ukraine | 69195/17 |
| Novograd-Volynskyy Myasokombinat, PAT v. Ukraine | 39054/13 |
| Sydorenko and Others v. Ukraine | 26269/13 |

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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.