



## Judgments and decisions of 2 November 2023

The European Court of Human Rights has today given notification in writing of nine judgments<sup>1</sup> and four decisions<sup>2</sup>:

one Chamber judgment is summarised below;

eight Committee judgments, concerning issues which have already been examined by the Court, and the four decisions can be consulted on [Hudoc](#) and do not appear in this press release.

*The judgment summarised below is available only in French.*

### Just Satisfaction

#### [N.M. and Others v. France](#) (application no. 66328/14)

The applicants, Ms N.M., Mr M. and their son A. are French nationals who were born in 1972, 1971 and 2001.

In a [judgment](#) of 3 February 2022 the Court found that Article 1 of Protocol No. 1 to the European Convention on Human Rights had been breached in respect of the first two applicants. It considered that they could legitimately have expected to be able to obtain compensation for the special costs arising from their child's disability, which had not been detected at the time of the prenatal diagnosis.

Under Article 41 of the European Convention, the applicants claimed that they had sustained pecuniary damage, comprising mainly the costs related to A.'s disability in the past and future, together with non-pecuniary damage.

The Court awarded the applicants 24,902.50 euros (EUR) for the costs and expenses they had incurred in the proceedings before it.

As regards the sum to be awarded to the applicants for any pecuniary or non-pecuniary damage under Article 41, the Court held that the question was not ready for decision and invited the Government and the applicants to submit their observations on the matter in writing, within six months, and to keep it apprised of any agreement reached. The question of costs and expenses was settled in the judgment on the merits.

In its judgment today the Court held that the Respondent State was to pay the first two applicants 220,000 euros (EUR) in respect of pecuniary and non-pecuniary damage.

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<sup>1</sup> Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a judgment's delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Under Article 28 of the Convention, judgments delivered by a Committee are final.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: [www.coe.int/t/dghl/monitoring/execution](http://www.coe.int/t/dghl/monitoring/execution).

<sup>2</sup> Inadmissibility and strike-out decisions are final.

**Press contacts**

[echrpress@echr.coe.int](mailto:echrpress@echr.coe.int) | tel.: +33 3 90 21 42 08

**We would encourage journalists to send their enquiries via email.**

Tracey Turner-Tretz (tel.: + 33 3 88 41 35 30)

Denis Lambert (tel.: + 33 3 90 21 41 09)

Inci Ertekin (tel.: + 33 3 90 21 55 30)

Neil Connolly (tel.: + 33 3 90 21 48 05)

Jane Swift (tel.: + 33 3 88 41 29 04)

**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.