



Judgments and decisions of 4 May 2023

The European Court of Human Rights has today given notification in writing of 11 judgments¹ and nine decisions²:

three Chamber judgments are summarised below;

a separate press release has been issued for one decision in the case of *Stassart v. France* (application no. 79356/17);

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

The judgments in French below are indicated with an asterisk ().*

[Alif Ahmadov and Others v. Azerbaijan](#) (application no. 22619/14)

The applicants, Alif Ahmadov, Nazbika Ahmadova, Ruslan Ahmadov, and Ibrahim Ahmadov, are Azerbaijani nationals who were born in 1956, 1958, 1978 and 1982 respectively and live in Baku, apart from Ms Ahmadova, who died in 2016.

The case concerns the planned eviction of the applicants from the house they have lived in for many years, and its demolition. The land was claimed by Azneft, a subsidiary of the State oil company. The domestic courts ruled in favour of Azneft and ordered the demolition at the applicants' expense.

Relying on Article 8 (right to respect for private and family life) of the European Convention on Human Rights and Article 1 of Protocol No. 1 (protection of property) to the European Convention, the applicants complain of their eviction from their home and demolition of their house.

Violation of Article 8 should the eviction order be enforced without carrying out an adequate review of its proportionality in the light of the applicants' personal circumstances

Just satisfaction: the Court held that the finding of a violation constitutes in itself sufficient just satisfaction.

[A.C. and M.C. v. France](#) (no. 4289/21)*

The applicants, A.C. and M.C., a mother and her son, are Guinean nationals who were born in 1997 and 2020 respectively.

The case concerns the placement in administrative detention of the first applicant and her minor son, aged seven and a half months at the relevant time, for a period of nine days with a view to their transfer to Spain under Regulation (EU) No 604/2013 of the European Parliament and of the Council of 26 June 2013 (the "Dublin III Regulation").

¹ 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.

² Inadmissibility and strike-out decisions are final.

The applicants maintain that their placement in administrative detention was contrary to Articles 3 (prohibition of inhuman or degrading treatment) and 8 (right to respect for private and family life) of the Convention. The minor applicant, M.C., contends that his placement in administrative detention was also in breach of Article 5 § 1 (right to liberty and security). Relying on Article 5 § 4 (right to a speedy review of the lawfulness of detention), M.C. also alleges that he did not have an effective remedy by which to challenge the order for his administrative detention.

Violation of Article 3 in respect of both applicants

Violation of Article 5 §§ 1 and 4 in respect of M. C. concerning the extension of the administrative detention

Interim measure (Rule 39 of the Rules of Court): has become devoid of purpose

Just satisfaction:

non-pecuniary damage: 10,000 euros (EUR) to the applicants

costs and expenses: EUR 9,000

Dieudonné and Others v. France (no. 59832/19 and 6 other applications)

The applicants, Beatrice Dieudonné, Grégory Bazin, Luc Terrolle, Béatrice Dias, Marguerite Courlet, Yves Gimenez and Fabienne Tardy, are French nationals who were born in 1985, 1978, 1972, 1955, 1957, 1948 and 1981 respectively and live in Villeurbanne and Douvres (Mr Gimenez).

The case concerns the inability of the applicants, co-owners of an expropriated property, to appeal against the judgment determining the level of compensation for the expropriation.

Relying on Articles 6 § 1 (right to a fair hearing) and 13 (right to an effective remedy), and on Article 1 of Protocol No. 1 (protection of property), the applicants complain that they did not have access to the courts for the determination of the compensation to which they were entitled following the expropriation of the property of which they were co-owners.

No violation of Article 6 § 1

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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.