



Judgments and decisions of 6 February 2025

The European Court of Human Rights has today notified in writing 28 judgments¹ and ten decisions²: three Chamber judgments are summarised below;

two separate press releases have been issued for two other Chamber judgments in the cases of *Italgomme Pneumatici S.r.l. and Others v. Italy* (application no. 36617/18 and 12 other applications) and *M.B. v. Spain* (no. 38239/22);

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

The judgment summarised below is available only in English.

[Caldarar and Others v. Poland](#) (application no. 6142/16)

The applicants are five families comprising 16 Romanian nationals of Roma origin.

The case concerns the demolition in 2015 of an encampment that the families had built without planning permission on a plot of land at Paprotna Street in the city of Wrocław (Poland). The applicant families submit that following the demolition, they had lived on the streets before some moved to another site and others took up offers of welfare housing. At the time nine of the applicants were adults and seven were children.

Relying in particular on Articles 8 (right to respect for private and family life and the home), 13 (right to an effective remedy) and 14 (prohibition of discrimination) of the European Convention on Human Rights, the applicants complain that the public authorities demolished their encampment following administrative proceedings in which they had not been given the opportunity to participate. They argue that their community had been broken up, with the authorities failing to provide them with an adequate alternative solution that respected their way of life.

Violation of Article 8

Just satisfaction:

non-pecuniary damage: 5,000 euros (EUR) to each of the five households

[Gaydashevskyy v. Ukraine](#) (no. 11553/21)

The applicant, Vadim Oleksandrovykh Gaydashevskyy, is a Ukrainian national who was born in 1990 and lives in Khmelnytskyi (Ukraine).

The case concerns an administrative-offence case against the applicant for driving under the influence of drugs in 2020. He was convicted as charged, given a fine and had his driving licence

¹ Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a Chamber 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.

suspended for a year. On appeal he argued that his intoxication had only been established by a quick test, with no laboratory testing. The Court of Appeal rejected this argument and upheld the conviction, after holding hearings in the presence of the applicant and his lawyer.

Relying on Article 6 § 1 (right to a fair trial) of the European Convention the applicant complains that there was no party to support the prosecution's case against the applicant, meaning there was a confusion between the roles of prosecutor and judge, and the Court of Appeal could not be considered impartial.

Violation of Article 6 § 1

Just satisfaction: The applicant did not submit a claim for just satisfaction.

Ukrkava, TOV v. Ukraine (no. 10233/20)

The applicant Ukrkava, TOV, is a Ukrainian limited liability company based in Ukraine.

In 2011 the applicant company entered into a loan agreement with the State Savings Bank. The loan was secured by a mortgage, which the bank had to have endorsed by a notary. The case concerns the proceedings instituted by the applicant company against the bank and the question of the time-limit for the notary to endorse the mortgage document, after the bank requested repayment of the loan in 2016. The lower courts ruled that the bank had exceeded the time-limit, but the Supreme Court found against the applicant company in 2019.

Relying on Article 6 § 1 (right to a fair trial) and Article 1 of Protocol No. 1 (protection of property) to the Convention, the applicant company complains that the Supreme Court of Ukraine reinterpreted the one-year time-limit for the notarisation of an endorsement on a document in the case of proceedings between legal entities, in breach of the principle of legal certainty.

Violation of Article 6 § 1

Just satisfaction: The applicant company did not submit a claim for just satisfaction.

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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.