



Judgments and decisions of 7 November 2024

The European Court of Human Rights has today notified in writing 16 judgments¹ and 29 decisions²: four Chamber judgments are summarised below;

a separate press release has been issued for a Chamber judgment in the case of *Lavorgna v. Italy* (application no. 8436/21);

a separate press release has been issued for a Committee judgment in the case of *Kazachynska v. Ukraine* (no. 79412/17);

a separate press release has also been issued for two decisions in the cases of *I.G. and Others v. Poland* (no. 42668/21 and 19 other applications) and *Dudek and Lazur v. Poland* (nos. 41097/20 and 39577/22).

The ten other Committee judgments, concerning issues which have already been examined by the Court, and the 27 other decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

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

[Rybářství Třeboň a.s. and Rybářství Třeboň Hld. a.s. v. the Czech Republic](#) (applications nos. 18037/19 and 33175/22)

The applicants, Rybářství Třeboň a.s. and Rybářství Třeboň Hld. a.s., are two companies registered in the Czech Republic.

In the 1990s some fishponds and land located in Novosedly nad Nežárkou and Lutová which had been seized by the communist regime from two Roman Catholic Church parishes were privatised and came into the ownership of the applicant companies. The case concerns the annulment without compensation of the privatisation and the property's return to the Catholic Church.

Relying on Article 1 of Protocol No. 1 (protection of property) to the European Convention on Human Right and Article 6 § 1 (right to a fair trial) of the European Convention, the applicant companies complain, in particular, of the dispossession of the property, and of inadequate reasoning in the relevant court decisions.

No violation of Article 1 of Protocol No. 1

[S. v. the Czech Republic](#) (no. 37614/22)*

The applicants, a mother and her son, are Czech nationals who were born in 1979 and 2004 respectively and live in Silůvky.

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.

The case concerns an alleged lack of reasonable accommodation for the son, who has autism, during his first year of primary school and during the subsequent judicial proceedings, together with the adverse effects that this situation has had on the mother.

Relying on Article 14 (prohibition of discrimination) of the Convention taken together with Article 2 of Protocol No. 1 (right to education), the applicants complain of discrimination on the basis of the son's disability, arguing that the school in issue failed to make reasonable accommodation for his specific needs.

No violation of Article 14 combined with Article 2 of Protocol No. 1

Revision

Leroy and Others v. France (nos. 32439/19 and 46898/19)*

The applications concerned the conditions of detention of the applicants – including Romain Leroy and Sid-Ahmed Lahreche, French nationals who were born in 1984 and 1989 respectively – during industrial action at Alençon-Condé-sur-Sarthe Prison in March 2019, and the availability of effective remedies in that regard.

In a [judgment](#) delivered on 18 April 2024 the Court held that there had been a violation of Article 3 of the Convention on account of the conditions of Mr Leroy's and Mr Lahreche's detention during the industrial action in question. The Court also awarded them 2,000 euros each in respect of non-pecuniary damage and dismissed the remainder of the claims for just satisfaction.

Mr Leroy's representative subsequently informed the Court that he had learned Mr Leroy had died on 9 August 2022. Accordingly, he requested the revision of the judgment.

Today the Court decided to revise its judgment of 18 April 2024 and held that the respondent Government was to pay 2 000 euros (EUR) to the heirs of Mr. Leroy for non-pecuniary damage.

Bakradze v. Georgia (no. 20592/21)

The applicant, Maia Bakradze, is a Georgian national who was born in 1971 and lives in Tbilisi. She was a judge on the Tbilisi Court of Appeal and a founding member and the President of a non-governmental organisation called The Unity of Judges of Georgia.

The case concerns Ms Bakradze's failure in two judicial competitions in Georgia, which she alleges was the result of discrimination due to her role in The Unity of Judges of Georgia. That organisation had as its aim the promotion of independence and transparency of the judiciary in the State.

She relies on Articles 10 (freedom of expression) and 11 (freedom of assembly and association) of the Convention in conjunction with Article 14 (prohibition of discrimination), and on Article 1 of Protocol No. 12 to the Convention (general prohibition of discrimination).

Violation of Article 14 in conjunction with Articles 10 and 11

Just satisfaction:

non-pecuniary damage: EUR 4,500

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Press contacts

echrpess@echr.coe.int | tel.: +33 3 90 21 42 08

We are happy to receive journalists' enquiries via either email or telephone.

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.