

Judgments and decisions of 8 February 2024

The European Court of Human Rights has today notified in writing 26 judgments¹ and 48 decisions²: three Chamber judgments are summarised below;

a separate press release has been issued for the Chamber judgment in the case of *Auray and Others v. France* (application no. 1162/22);

22 Committee judgments, concerning issues which have already been submitted to the Court, and the 48 decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

The judgment in French below is indicated with an asterisk ().*

[Tarricone v. Italy](#) (application no. 4312/13)*

The applicant, Alfonso Tarricone, is an Italian national who was born in 1963. He was detained on several occasions in various correctional facilities between 1993 and 2021.

The case concerns Mr Tarricone's continued detention despite mental health issues, and an alleged failure to provide him with appropriate medical care.

Relying on Article 3 (prohibition of torture and inhuman or degrading treatment) of the European Convention on Human Rights, the applicant complains that he did not receive appropriate medical care for his mental health issues.

No violation of Article 3

[Janočková and Kvocera v. Slovakia](#) (no. 39980/22)

The applicants, Beáta Janočková and Daniel Kvocera, are two Slovak nationals who were born in 1978 and 2014 and live in Blažice and Bratislava respectively. They are mother and son.

The case concerns the proceedings for the enforcement of an urgent interim measure (*neodkladné opatrenie*) regulating Ms Janočková's parental contact with her son.

Relying on Articles 8 (right to respect for private and family life) and 13 (right to an effective remedy) of the European Convention, the applicants complain that the proceedings for the enforcement of the 2018 contact order were too lengthy and that the manner in which they were conducted was incompatible with the Slovakian State's duty to ensure their right to respect for their private and family life. They also complain that they were denied an effective remedy before the Constitutional Court.

Violation of Article 8

Violation of Article 13 in conjunction with Article 8

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.

Just satisfaction:

non-pecuniary damage: 5,000 euros (EUR) to each applicant

[Bogdan v. Ukraine](#) (no. 3016/16)

The applicant, Valeriy Pavlovych Bogdan, is a Ukrainian national who was born in 1988 and is detained in Vinnytsya (Ukraine).

The case concerns the applicant's allegation that his conviction in 2014 for burglary was unfair because it was based on a confession he had made at the initial stages of the investigation when he had been in unrecorded detention, suffering from drug withdrawal symptoms and had waived his right to a lawyer.

Relying on Article 6 §§ 1 and 3 (c) (right to a fair trial/right to legal assistance of own choosing), he alleges in particular that the waiver had not been valid and his right of access to a lawyer had thus been breached.

Violation of Article 6 §§ 1 and 3 (c)**Just satisfaction:**

non-pecuniary damage: EUR 3,600

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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.