



Judgments and decisions of 9 January 2025

The European Court of Human Rights has today notified in writing five judgments¹ and three decisions²:

Three Chamber judgments are summarised below;

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

The judgments summarised below are available only in English.

[Petrosyan v. Armenia](#) (application no. 51448/15)

The applicant, Heghine Petrosyan, is an Armenian national who was born in 1972 and lives in Hrazdan (Armenia).

The case concerns the death of Ms Petrosyan's 19-year-old son while being held in custody for evasion of military service. The official version was that he had committed suicide in his cell.

The applicant's son, H. Movsisyan, had been drafted into the Armenian army in June 2011 and assigned to a military unit in Nagorno-Karabakh. Shortly after he was found unfit and discharged for mental-health reasons. He was subsequently prosecuted and convicted for evasion of military service. On 28 November 2012 he was found hanging from the bars of his cell window with his bedsheet.

Three investigations were carried out. One internal investigation by the Nagorno-Karabakh police concluded that "no breaches [of rights] had been discovered on the part of the prison officers", while two sets of criminal proceedings, by the Nagorno-Karabakh and then authorities in Armenia, were terminated on the grounds that there was no evidence that a crime had been committed. Ms Petrosyan appealed the decisions in her son's case to the national courts, without success.

Relying on Articles 2 (right to life) of the European Convention on Human Rights and 13 (right to an effective remedy) of the European Convention, Ms Petrosyan complains, among other things, that the authorities failed to provide a plausible explanation for the death of her son. She argues in particular that they had failed to clarify how it had been possible for her son to commit suicide in the presence of six other detainees without them or the guards noticing. At the same time, she also argues that the authorities failed to take steps to protect her son's life, despite having been aware of his mental-health issues.

Violation of Article 2 (right to life and investigation)

Violation of Article 13

Just satisfaction:

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.

non-pecuniary damage: 50,000 euros (EUR)

[Cavca v. the Republic of Moldova](#) (no. 21766/22)

The applicant, Ivan Cavca, is a Moldovan national who was born in 1988 and lives in Cozești (Moldova).

In May 2020 Mr Cavca was dismissed from his job as a public official in the Environmental Protection Inspectorate for committing a disciplinary offence. It was found that he had accepted a chainsaw as a bribe in a complaint brought to his attention about illegal felling of trees. The case concerns the ensuing proceedings in which he unsuccessfully contested the decision to dismiss him. He argued that he had been incited to commit the offence by an undercover agent as part of random testing of the professional integrity of EPI public officials.

Relying on Article 6 § 1 (right to a fair trial) of the Convention, Mr Cavca alleges that the proceedings in his case were unfair, mainly because the courts did not examine his entrapment plea.

Violation of Article 6 § 1

Just satisfaction: The Court held that the finding of a violation constituted in itself sufficient just satisfaction for the non-pecuniary damage sustained by Mr Carva and that the respondent State was to pay him EUR 1,375 for costs and expenses.

[Zafferani and Others v. San Marino](#) (no. 38127/22 and six other applications)

The applicants are seven San Marinense nationals who were officers of the Uniformed Unit of the Fortress Guard (*Nucleo Uniformato della Guardia di Rocca*), a military body of San Marino.

The applicants were originally employed on a temporary basis until January 2016 when they were made permanent. The case concerns a subsequent dispute over the retrospective adjustment of their employment rights.

Relying on Article 6 § 1 (right to a fair trial) and Article 1 of Protocol No. 1 (protection of property), the applicants allege that a new law was brought in that affected the outcome of the dispute, causing them financial losses.

Violation of Article 6 § 1

Just satisfaction: For the details of the amounts awarded to the applicants for pecuniary and non-pecuniary damage, as well as for costs and expenses, please see the operative part of the judgment.

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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.