



## Judgments and decisions of 13 February 2025

The European Court of Human Rights has today notified in writing 14 judgments<sup>1</sup> and 38 decisions<sup>2</sup>: five Chamber judgments are summarised below;

one separate press release has been issued for the Chamber judgment in the case of *Denysyuk and Others v. Ukraine* (applications nos. 22790/19, 23896/20, 25803/20, and 31352/20);

eight Committee judgments, concerning issues which have already been examined by the Court, and the 38 decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

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

### [Ishkhanyan v. Armenia](#) (application no. 5297/16)

The applicant, Hovhannes Ishkhanyan, is an Armenian national who was born in 1988 and lives in Yerevan.

The case concerns the dispersal of a mass sit-in demonstration against an increase in electricity prices held in central Yerevan in June 2015, and the applicant's subsequent arrest.

The applicant complains that the dispersal of the sit-in demonstration was an unnecessary and disproportionate measure and that his subsequent deprivation of liberty was unlawful and effected in the absence of any grounds. He also complains that the prolonged length of time he spent in police custody in wet clothes, without any food or time to rest, amounted to inhuman treatment, and that he had no real possibility of having his rights remedied at the national level. He relies on Articles 3 (prohibition of inhuman or degrading treatment), 5 (right to liberty and security), 10 (freedom of expression), 11 (right to freedom of assembly) and 13 (right to an effective remedy) of the European Convention on Human Rights.

#### Violation of Article 5 § 1

##### Just satisfaction:

non-pecuniary damage: 4,600 euros (EUR)

costs and expenses: EUR 1,500

### [Macharik v. the Czech Republic](#) (no. 51409/19)

The applicant, Michaela Macharik, is a Czech national who was born in 1979 and lives in Želešice (Czech Republic).

The case concerns Ms Macharik's conviction for being an accomplice to tax evasion in March 2015. As part of the investigation, on 14 November 2011 a judicial order under Article 88a of the Code of

<sup>1</sup> 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](http://www.coe.int/t/dghl/monitoring/execution)

<sup>2</sup> Inadmissibility and strike-out decisions are final.

Criminal Procedure had been issued, stating that a communications-service provider had to provide the police with all data on past telecommunications traffic passing through the mailbox of a particular company. The applicant's emails were among those examined by the police.

Relying on Article 6 § 1 (right to a fair trial), Article 8 (right to respect for private and family life), and Article 13 (right to an effective remedy) of the European Convention, Ms Macharik complains, in particular, that there was no legal basis for obtaining her emails, and her conviction was based on evidence that had been obtained in breach of Article 8.

#### **Violation of Article 8**

#### **No violation of Article 6 § 1**

**Just satisfaction:** The Court held that the finding of a violation constituted in itself sufficient just satisfaction for any non-pecuniary damage sustained by the applicant and awarded her EUR 2,500 for costs and expenses.

### **P.P. v. Italy** (no. 64066/19)\*

The applicant, P.P., is an Italian national who was born in 1970 and lives in Pisa (Italy).

The case concerns the persecution and harassment of the applicant by her former partner, starting in 2007, and the ensuing criminal proceedings.

Relying on Articles 3 (prohibition of torture and inhuman or degrading treatment) and 8 (right to respect for private life) of the Convention, the applicant complains of the ineffectiveness of the criminal investigation and of non-compliance with procedural safeguards. In particular, she argues that the offences were declared time-barred because of the authorities' failure to act with due promptness and diligence. She also alleges that the national authorities did not take into account the specific issue of domestic violence, since the offence of harassment did not exist until February 2009.

#### **Violation of Article 3**

**Just satisfaction:**

non-pecuniary damage: EUR 10,000

### **L.D. v. Poland** (no. 12119/14)

The applicant, L.D., is a Polish national who was born in 1971 and lives in Sieradz (Poland).

The applicant had a child in 2006 with a man with whom she was in a relationship until 2011. Following their separation, both parents retained full parental custody of the child and the father exercised contact rights in accordance with a judicial decision. However, in March 2011 the father did not return the child to the applicant. The case concerns the proceedings that followed, which led to L.D. losing custody of the child following a final decision by the Zduńska Wola District Court in March 2019.

Relying on Article 8 (right to respect for private and family life), L.D. complains that the Polish authorities had not taken all the necessary steps to ensure her access to her child.

#### **Violation of Article 8**

**Just satisfaction:**

non-pecuniary damage: EUR 10,000

costs and expenses: EUR 2,469

**P. v. Poland** (no. 56310/15)

The applicant, K.P., is a Polish national who was born in 1980 and lives in Koszalin (Poland). He is a qualified English and Polish teacher.

K.P. is gay and wrote under a pseudonym an illustrated diary on an internet website for adult gay men, until he was asked to stop by his school's principal in July 2013. The case concerns K.P.'s being removed from his position as a teacher following a decision of the Disciplinary Commission for the Teaching Profession that he had breached "the dignity of the teaching profession".

Relying on Articles 8 (right to respect for private and family life), 10 (freedom of expression) and 14 (prohibition of discrimination), K.P. alleges, in particular, that he was dismissed as a result of his sexual orientation, and that the Disciplinary Commission's conclusion that his blog was unethical breached his right to freedom of expression.

**Violation of Article 10**

**Just satisfaction:**

non-pecuniary damage: EUR 2,600

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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.