



## Judgments and decisions of 20 January 2022

The European Court of Human Rights has today notified in writing 10 judgments<sup>1</sup> and 29 decisions<sup>2</sup>: three Chamber judgments are summarised below;

three separate press releases have been issued for four other Chamber judgments in the cases of *Milanković v. Croatia* (no. 33351/20), *D.M. and N. v. Italy* (no. 60083/19), and *A.L. and Others v. Norway* (no. 45889/18) and *E.M. and Others v. Norway* (no. 53471/17);

three Committee judgments, concerning issues which have already been examined by the Court, and the 29 decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

*The judgments summarised below are available only in English.*

### Drača v. Croatia (application no. 55724/19)

The applicant, Milan Drača, is a Croatian national who was born in 1975 and lives in Zadar (Croatia).

The case concerns the trial of Mr Drača for the offence of threatening a public official, for which he received a six-month prison sentence, suspended for two years.

Relying on Article 6 §§ 1 (right to a fair trial) and 3 (c) (right to legal assistance of own choosing) of the European Convention on Human Rights, the applicant complains, in particular, that the session of the appeal panel in his case was held in his absence.

#### Violation of Article 6 §§ 1 and 3 (c)

**Just satisfaction:**

non-pecuniary damage: 1,500 euros (EUR)

The applicant did not submit a claim in respect of costs and expenses

### Edzgveradze v. Georgia (no. 59333/16)

The applicant, Zizi Edzgveradze, is a Georgian national who was born in 1982 and lives in Tbilisi.

The case concerns the suicide of the applicant's husband, after questioning by the police as a witness after one of his friends had been arrested on suspicion of possessing cannabis. Prior to committing suicide, he had alleged that he had been beaten by the police officers, who, according to him had forced him to give a statement incriminating his friend.

Relying on Article 2 (right to life) of the European Convention, the applicant complains that the authorities failed to prevent her husband's suicide, and that no effective investigation was carried out into the suicide.

#### Violation of Article 2 (investigation)

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

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

**Just satisfaction:**

non-pecuniary damage: EUR 3,000

The applicant did not submit a claim in respect of costs and expenses

**Salmanov v. Slovakia (no. 40132/16)**

The applicant, Alexander Salmanov, is a Slovak national who was born in 1986 and was at the time the application was lodged serving a prison sentence in Hrnčiarovce nad Parnou (Slovakia).

The case concerns Mr Salmanov's detention pending trial on charges of bribery in 2013, and the court decisions and proceedings that followed. He was finally found guilty in 2015.

Relying on Article 5 §§ 1 (right to liberty and security), 3, 4 (right to have lawfulness of detention decided speedily by a court) and 5, and Article 13 (right to an effective remedy) of the Convention, the applicant complains that his detention was arbitrary and unlawful, of the length of time it took to examine his application for release, and that he did not receive compensation for that violation of his liberty.

**Violation of Article 5 § 1**

**Violation of Article 5 § 5**

**Just satisfaction:**

non-pecuniary damage: EUR 8,000

costs and expenses: EUR 2,000

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**Press contacts**

[echrpess@echr.coe.int](mailto:echrpess@echr.coe.int) | tel: +33 3 90 21 42 08

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.