

## Judgments and decisions of 20 June 2024

The European Court of Human Rights has today notified in writing 29 judgments<sup>1</sup> and 57 decisions<sup>2</sup>: four Chamber judgments are summarised below;

separate press releases have been issued for two Chamber judgments in the cases of *Spišák v. the Czech Republic* (application no. 13968/22) and *Z v. the Czech Republic* (no. 37782/21);

a separate press release has also been issued for the decision in the case of *Morabito v. Italy* (no. 32829/19 and 45 other applications);

23 Committee judgments, concerning issues which have already been examined by the Court, and the 56 other decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

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

### [Namazli v. Azerbaijan](#) (application no. 8826/20)

The applicant, Fariz Mubariz oglu Namazli, is an Azerbaijani national who was born in 1982 and lives in Sumgayit (Azerbaijan). He is a lawyer and member of the Azerbaijani Bar Association.

In August 2018, the applicant was visiting his client, A.H., in Gobustan Prison, where the latter was serving a prison sentence, to discuss his case before the European Court. Allegedly, the applicant had to have his documents searched before being allowed to meet his client. He was searched again when leaving, and a written statement that A.H. had given to him was allegedly seized by the guards and not returned to him.

Relying on Articles 6 (right to a fair trial), 8 (right to respect for private and family life) and 13 (right to an effective remedy) of the European Convention on Human Rights, the applicant complains, in particular, of the inspection of his documents and the seizure of his client's statement by the prison.

#### Violation of Article 8

##### Just satisfaction:

non-pecuniary damage: EUR 4,500 euros (EUR)

costs and expenses: EUR 39.56

### [Boronyák v. Hungary](#) (no. 4110/20)

The applicant, Gergely Boronyák, is a Hungarian national who was born in 1978 and lives in Budapest. He is an actor.

<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.

The case concerns a fine imposed on Mr Boronyák for having disclosed confidential information concerning the terms of his contract with a private company. The contract contained a confidentiality clause. He had been contracted to act in a television series which was produced by Media Services and Support Trust Fund, a State-owned company, and therefore was an asset of the State. He later gave an interview to investigative journalists concerning the contract.

Following court proceedings, he was ordered to pay 10,000,000 Hungarian forints and the production company's legal expenses.

Relying on Article 10 (freedom of expression) of the European Convention, Mr Boronyák complains that the penalty was disproportionate.

**No violation of Article 10**

### [Temporale v. Italy](#) (no. 38129/15)\*

The applicant, Antonio Temporale, is an Italian national who was born in 1955.

The applicant in this case complains about the fact that his detention was maintained despite his state of health, and about the quality of the care he received in prison. He submits that, despite medical reports attesting to the seriousness of his health problems, he did not receive the necessary medical care in detention and that, as a result, his condition gradually deteriorated. He considers that this put his life at risk and that such conditions of detention were inhuman and degrading; he relies in that regard on Articles 2 (right to life) and 3 (prohibition of inhuman or degrading treatment) of the Convention.

Relying on Article 38 (obligation to furnish all necessary facilities for examination of the case) of the Convention, he also considers that the Italian Government failed to provide the information requested by the Court.

**No violation of Article 3**

**No violation of Article 38**

### [Friedrich and Others v. Poland](#) (no. 25344/20 and 17 other applications)

The applicants are 18 individuals who are Australian, Austrian, Bulgarian, Croatian, Fijian, German, Italian, Polish, or Spanish nationals. They were born between 1964 and 1992. They are 16 Greenpeace activists and two journalists.

The case concerns the Polish Border Guard Service's boarding of the Rainbow Warrior ship, interrupting a protest being held at sea, the immobilisation of the applicants and their vessels, and the arrest of two applicants and their being taken ashore.

Relying on Article 5 §§ 1, 2 and 4 (right to liberty and security), Article 10 (freedom of expression), Article 11 (freedom of assembly and association) and Article 13 (right to an effective remedy) of the Convention, and Article 2 §§ 1 and 3 of Protocol No. 4 (freedom of movement) to the Convention, the applicants complain, in particular, of being corralled on the bow of the Rainbow Warrior or of the arrest record in terms of their deprivation of liberty being unlawful and unjustified; that the remedy before the Polish courts was ineffective; and that the intervention by the border guards limited their rights to free expression and assembly.

**Violation of Article 5 § 1** in respect of the detention of all the applicants from the evening of 9 September 2019 until the early morning of 10 September 2019;

**Violation of Article 5 § 1** in respect of the first and the second applicants on account of the lack of reasonable suspicion that they had committed an offence and their detention from the early morning of 10 September 2019 until their release on 11 September 2019;

**Violation of Article 5 § 2** in respect of all applicants

**Violation of Article 10** in respect of all applicants

**Just satisfaction:**

non-pecuniary damage: EUR 4,000 to the first and the second applicants, each, and EUR 2,000 to the third to eighteenth applicants, each;

costs and expenses: EUR 3,239 jointly to the applicants

---

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on [www.echr.coe.int](http://www.echr.coe.int). To receive the Court's press releases, please subscribe here: [www.echr.coe.int/RSS/en](http://www.echr.coe.int/RSS/en) or follow us on Twitter [@ECHR\\_CEDH](https://twitter.com/ECHR_CEDH).

**Press contacts**

[echrpress@echr.coe.int](mailto:echrpress@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.