



Judgments and decisions of 22 June 2023

The European Court of Human Rights has today given notification in writing of 12 judgments¹ and 44 decisions²:

two Chamber judgments are summarised below;

separate press releases have been issued for four judgments in the cases of *X and Others v. Ireland* (applications nos. 23851/20 and 24360/20), *Germano v. Italy* (no. 10794/12), *Poklikayew v. Poland* (no. 1103/16), and *Lorenzo Bragado and Others v. Spain* (nos. 53193/21, 53707/21, 53848/21, 54582/21, 54703/21, and 54731/21);

six Committee judgments, concerning issues which have already been examined by the Court, and the 44 decisions can be consulted on [Hudoc](#) and do not appear in this press release.

The judgments summarised below are available only in English

[Kubát and Others v. the Czech Republic](#) (applications nos. 61721/19, 5496/20, 21318/20, 33522/20, 43039/20, and 55448/20)

The applicants, Ondřej Kubát, Robert Ožvald, Alena Makovcová, Adriana Pilařová, Soňa Biskupová Fišerová and Miroslav Pečený, are six Czech nationals. They live in various parts of the Czech Republic. They are judges.

In the period 2011-14 judges' salaries were reduced in line with amendments to the Salaries Act. The amendments were later found to be unconstitutional by the Constitutional Court but without retroactive effect. The case concerns the denial of the retroactive payment of the difference in their salaries, not the reduction of the applicants' salaries themselves.

They rely on Articles 6 § 1 (right to a fair trial) and 14 (prohibition of discrimination) of the European Convention on Human Rights, and Article 1 of Protocol No. 1 (protection of property) to the European Convention.

No violation of Article 6 § 1

No violation of Article 1 of Protocol No. 1

[R.K. v. Hungary](#) (no. 54006/20)

The applicant, R.K., is a Hungarian national who was born in 2000 and lives in Diósd (Hungary).

The case concerns R.K.'s attempts to have his gender changed on his birth certificate. His request was rejected by the Budapest High Court in June 2020, with reference to the legislative lacuna regulating the requisite documents supporting the applicant's request, the absence of a supporting expert medical opinion and an official notification in the applicant's file.

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.

Relying on Article 8 (right to respect for private and family life) of the Convention, R.K. alleges a lack of a regulatory framework for the legal recognition of his gender identity.

Violation of Article 8

Just satisfaction:

non-pecuniary damage: 10,000 euros (EUR)

costs and expenses: EUR 2,700

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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.