



Judgments and decisions of 24 February 2022

The European Court of Human Rights has today given notification in writing of 16 judgments¹ and 41 decisions²:

two Chamber judgments are summarised below;

separate press releases have been issued for two decisions in the cases of *Association des familles des victimes du JOOLA v. France* (application no. 21119/19) and *Bonnet v. France* (no. 35364/19);

14 Committee judgments, concerning issues which have already been examined by the Court, and the 39 other decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

The judgments summarised below are available only in English.

Fischer v. the Czech Republic (application no. 24314/13)

The applicant, Václav Fischer, is a German national who was born in 1954 and lives in Berlin.

The case concerns a decision to increase 11-fold the share capital in Cestovní kancelář FISCHER, a.s., which Mr Fischer owned with K & K Capital Group a.s., greatly diluting the applicant's share as a result, and the court proceedings that followed.

Relying on Article 6 § 1 (right to a fair trial) of the European Convention on Human Rights, Mr Fischer complains that the domestic courts failed to protect him from the breach of his rights caused by the increase in share capital, since they were prevented from setting the relevant general meeting resolution aside despite having found it unlawful.

No violation of Article 6 § 1

Mastilović and Others v. Montenegro (no. 28754/10)

The applicants are 25 nationals of Bosnia and Herzegovina who were born between 1948 and 1976, and live in Bosnia and Herzegovina, Serbia and Canada. In September 1994, they were all passengers on a bus which was involved in an accident, and suffered various injuries.

The case concerns the non-enforcement of subsequent judgments and court-approved settlements in favour of the applicants against the predominantly State-owned bus company, which has since become insolvent.

The applicants complain under Article 6 (right to a fair hearing within a reasonable time) and Article 14 (prohibition of discrimination) of the European Convention about the non-enforcement of the final court decisions and court-approved settlements against the debtor company.

Violation of Article 6 in respect of 19 of the applicants

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.

Just satisfaction: The Court held that the respondent State was to pay the 19 applicants in respect of which a violation had been found the sums awarded at the domestic level (detailed in an appendix to the judgment), as well as 2,000 euros (EUR) each, in respect of non-pecuniary damage and costs and expenses.

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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.