



Judgments and decisions of 24 June 2021

The European Court of Human Rights has today notified in writing 17 judgments¹ and 36 decisions²: seven Chamber judgments are summarised below;

ten Committee judgments, concerning issues which have already been submitted to the Court, and the 36 decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

The judgments in French are indicated with an asterisk ().*

Khachaturov v. Armenia (application no. 59687/17)

The applicant, Suren Khachaturov, is a Russian national who was born in 1974 and lives in Yerevan. He was first deputy director of one of the State budgetary establishments of the City of Moscow.

The case concerns the Armenian authorities' decision to extradite the applicant to Russia, where he is suspected of corruption offences. The applicant has serious health problems resulting from a stroke.

Relying on Article 2 (right to life), Article 3 (prohibition of inhuman or degrading treatment), Article 18 (limitation on use of restrictions of rights), Article 34 (right of individual petition) and Article 38 (adversarial examination of the case) of the European Convention on Human Rights, the applicant complains, in particular, that his transfer, if extradited to Russia, would be a risk to his health and thus in breach of the Convention.

Violation of Article 3 - should the applicant be extradited to Russia without a proper assessment of his state of health by the Armenian authorities

Interim measure (Rule 39 of the Rules of Court): still in force until the present judgment becomes final or until further notice;

Just satisfaction:

non-pecuniary damage: the finding of a potential breach of Article 3 of the Convention constitutes in itself sufficient just satisfaction in respect of any non-pecuniary damage that may have been sustained by the applicant;

costs and expenses: 2,000 euros (EUR).

Dodoja v. Croatia (no. 53587/17)

The applicant, Siniša Dodoja, is a Croatian national who was born in 1963 and lives in Split.

The case concerns the applicant's trial for narcotic drug abuse, for which he was found guilty and sentenced to eight years' imprisonment.

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 6 §§ 1 and 3 (d) (right to a fair trial) of the European Convention, the applicant complains that he had not been given an opportunity to examine a witness against him.

Violation of Article 6 §§ 1 and 3 (d)

Just satisfaction:

non-pecuniary damage: EUR 1,500

costs and expenses: EUR 2,000

Imeri v. Croatia (no. 77668/14)

The applicant, Ardian Imeri, is a Norwegian national who was born in 1980 and lives in Ski (Norway).

The case concerns administrative-offence proceedings against the applicant in which he was fined 530,000 Norwegian kroner (NOK). He had crossed into Croatia from Slovenia with 43,500 euros and NOK 730,000 without declaring this to customs officials. He was charged under sections 40(1) and 69(1) of the Foreign Currency Act and section 74 of the Prevention of Money Laundering and Financing of Terrorism Act.

Relying on Article 1 of Protocol No. 1 (protection of property) to the Convention, the applicant complains that the decision to confiscate NOK 530,000 from him had been excessive.

Violation of Article 1 of Protocol No. 1

Just satisfaction:

non-pecuniary damage: the finding of a violation constitutes in itself sufficient just satisfaction for the non-pecuniary damage sustained by the applicant;

costs and expenses: EUR 3,000

A.T. v. Italy (no. 40910/19)*

The applicant, A.T., is an Italian national who was born in 1969 and lives in Z.B., Italy.

The case concerns the applicant's alleged inability to exercise his right of access to his son and to visit him under the conditions laid down by the courts.

Relying on Articles 6 (right to a fair trial) and 8 (right to respect for family life), the applicant complains of the negative attitude shown by the child's mother, and alleges that the domestic authorities failed to take swift action to ensure the implementation of his visiting rights. He had been deprived of any opportunity to exercise those rights under the conditions established by the courts, and in his view that had amounted to an interference with his right to respect for family life.

Violation of Article 8

Just satisfaction:

non-pecuniary damage: EUR 13,000

costs and expenses: EUR 15,000

D.S. v. Italy (no. 14833/16)*

The applicant, Mr D.S., is an Italian national who was born in 1962 and lives in Rocca di Papa.

The case concerns the tardy enforcement of a domestic decision recognising the applicant's entitlement to compensation for damage sustained from an infection resulting from a blood transfusion.

Relying on Article 6 § 1 (right to a fair trial), Article 1 of Protocol No. 1 (protection of property) and Article 14 (prohibition of discrimination), the applicant complains of the long delay in enforcing the

judgment entitling him to compensation for the damage which he had sustained as the result of a post-transfusion infection.

Violation of Article 6 § 1

Violation of Article 1 of Protocol No. 1

Just satisfaction:

non-pecuniary damage: EUR 10,000

costs and expenses: EUR 12,060.24

Mastroianni and Toscano v. Italy (no. 12205/16)*

The applicants, Mario Mastroianni and Fernanda Damiana Toscano, are Italian nationals who were born in 1965 and 1969 respectively and live in Alvignano (Caserte).

The case concerns the failure to enforce a domestic decision granting the applicants entitlement to compensation for an infection which had resulted from a blood transfusion administered to Mr Mastroianni.

Relying on Article 6 § 1 (right to a fair trial), Article 1 of Protocol No. 1 (protection of property) and Article 13 (right to an effective remedy), the applicants complain of a violation of their right of access to a tribunal, as well as the excessive length of proceedings; they also complain of a violation of their right of property resulting from the failure to enforce the claim arising from the judgment in question; lastly, they also complain of a lack of access to an effective remedy at the domestic level to uphold their complaints.

Violation of Article 6 § 1

Violation of Article 1 of Protocol No. 1

Violation of Article 13

Just satisfaction:

pecuniary damage: EUR 101,151.88 to the first applicant and EUR 12,058.44 to the second applicant;

non-pecuniary damage: EUR 10,000 jointly to the applicants;

costs and expenses: EUR 13,635.

Hasáliková v. Slovakia (no. 39654/15)

The applicant, Jana Hasáliková, is a Slovak national who was born in 1972 and is currently serving a sentence in Levoča Prison (Slovakia). She suffers from an intellectual disability.

The case concerns mainly the trial and conviction on 11 January 2011 of the applicant on charges of “particularly serious” murder.

Relying on Article 6 §§ 1 and 3 (a), (b) and (c) (right to a fair trial), Article 17 (prohibition of abuse of rights), and Article 5 § 2 (right to be informed promptly of the reasons for arrest), the applicant complains, in particular, of the fairness of the criminal proceedings against her, given her disability and her inability to understand the charges. She also complains of a violation of her rights following her arrest.

No violation of Article 6 §§ 1 and 3

The Court declared the remaining complaints inadmissible)

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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.