



Judgments and decisions of 31 March 2022

The European Court of Human Rights has today given notification in writing of 11 judgments¹ and 59 decisions²:

two Chamber judgments are summarised below;

separate press releases have been issued for two decisions in the cases of *Mayrapetyan v. Armenia* (application no. 43/19) and *Faulkner and McDonagh v. Ireland* (nos. 30391/18 and 30416/18);

nine Committee judgments, concerning issues which have already been examined by the Court, and the 57 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 ().*

N.B. and Others v. France (application no. 49775/20)*

The applicants, N.B. and N.G. and their son K.G., are Georgian nationals who were born in 1988, 1984 and 2012 respectively. They entered France unlawfully in 2019 and their applications for asylum were rejected. In the context of their forcible removal, the Ardennes prefecture booked a flight to Georgia for 7 November 2020. On 6 November 2020 the prefect of the *département* issued orders for the placement of N.B. and N.G. in administrative detention.

The case concerns the 14-day administrative detention of the couple and their child, who was aged eight at the time.

Relying on Article 3 (prohibition of inhuman or degrading treatment) of the European Convention on Human Rights, the applicants allege that their placement in administrative detention amounted to inhuman and degrading treatment. Under Article 34 (right of individual application) of the European Convention, they complain of the fact that the French authorities did not release them following the Court's decision granting their request for interim measures under Rule 39 of the Rules of Court aimed at putting an end to their detention.

Violation of Article 3 in respect of K.G.

No violation of Article 3 in respect of N.B. and N.G.

Violation of Article 34 in respect of all three applicants

Interim measure (Rule 39 of the Rules of Court): has become devoid of purpose

Just satisfaction:

non-pecuniary damage: 5,000 euros (EUR) to K.G.;

The Court held that the finding of a violation constituted in itself sufficient just satisfaction for the non-pecuniary damage sustained by the applicants in so far as the violation of Article 34 is concerned.

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.

Maslák v. Slovakia (no. 2) (nos. 38321/17 and 8 other applications)

The applicant, Miroslav Maslák, is a Slovak national who was born in 1979 and resides in Pružina (Slovakia).

Mr Maslák has lodged around 40 applications with the Court. This current set of applications concerns his time serving a prison sentence for extortion in the high-security units of three separate Slovak prisons in Leopoldov, Ilava and Banská Bystrica-Kráľ'ová. It also concerns the legal framework governing that security regime and the prison authorities' decisions and the court proceedings following his complaints.

Relying on Article 6 (right to a fair trial), Article 8 (right to respect for private life), Article 13 (right to an effective remedy), and Article 3 (prohibition of inhuman and degrading treatment) of the Convention, Mr Maslák complains, in particular, that his placement in the high-security unit and other prison restrictions were unlawful and arbitrary, that that prison regime amounted to inhuman treatment, and that he did not have an effective remedy and a fair hearing before the Constitutional Court.

Violation of Article 8

Just satisfaction:

non-pecuniary damage: EUR 12,500

costs and expenses: EUR 2,888

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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.