



Judgments of 1 March 2022

The European Court of Human Rights has today given notification in writing of 22 judgments¹: two Chamber judgments are summarised below;

separate press releases have been issued for three Chamber judgments in the cases of *Fenech v. Malta* (application no. 19090/20), *I.V.T. v. Romania* (no. 35582/15), and *Kozan v. Turkey* (no. 16695/19);

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

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

Stăvilă v. Romania (application no. 23126/16)

The case concerns the applicant's complaint that he was convicted twice for the same driving offence.

Following a routine police check in April 2013, criminal proceedings were instituted against Mr Stăvilă for driving a vehicle without possessing a driving licence. However, later that year the local prosecutor's office discontinued the proceedings on the ground that his acts were not serious enough to constitute an offence and imposed an administrative fine on him. In August 2014, that decision was set aside by the Timișoara Prosecutor's Office, the criminal proceedings were reopened and Mr Stăvilă was subsequently sentenced to imprisonment.

Relying on Article 6 (right to a fair trial) and Article 13 (right to an effective remedy) of the European Convention of Human Rights, and Article 4 of Protocol No. 7 (right not to be tried or punished twice) to the European Convention, the applicant complains that the reopening of criminal proceedings against him, and his subsequent conviction, breached his defence rights, the principle of equality of arms and of legal certainty, and his right not to be tried and punished twice for the same offence.

Violation of Article 4 of Protocol No. 7

Just satisfaction:

non-pecuniary damage: 5,000 euros (EUR)

costs and expenses: EUR 408

Sebeleva and Others v. Russia (no. 42416/18)*

The applicants, Irina Viktorovna Sebeleva, who was born in 1981 and lives in Omsk, Tatyana Ivanovna Grosu, who was born in 1951 and lives in Lvovka (Samara Region), Aleksey Pavlovich Shalunov, who was born in 1987 and lives in Samara, and Pavel Vladimirovich Shalunov, who was born in 1962 and lives in Samara, are Russian nationals who, on different dates, purchased shares in

¹ 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

an open joint-stock company, Omsktransstroy (OTS). The first three applicants thereby became majority shareholders in OTS. The four of them together currently hold 54.5% of the shares, while the State owns 25.5%. On 26 October 2016 a criminal investigation was opened into offences of aggravated fraud and misappropriation to the detriment of OTS. The company's former managing director was charged.

The case concerns the attachment since May 2017 of the applicants' shares in OTS.

Relying on Article 1 of Protocol No. 1 (protection of property) to the European Convention, the applicants complain that their shares have been under attachment since 2017.

Violation of Article 1 of Protocol No. 1 in respect of the first three applicants, whose complaints were declared admissible

Just satisfaction:

non-pecuniary damage: EUR 2,000 to each of the first three applicants

costs and expenses: EUR 4,000 to the first three applicants jointly

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. To receive the Court's press releases, please subscribe here: www.echr.coe.int/RSS/en or follow us on Twitter [@ECHR_CEDH](https://twitter.com/ECHR_CEDH).

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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.