EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

Press Release
issued by the Registrar of the Court

ECHR 031 (2025)
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# Judgments of 4 February 2025

The European Court of Human Rights has today notified in writing six judgments[1]:

four Chamber judgments are summarised below;

two 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 judgments summarised below are available only in English.*

## Skučai v. Lithuania (application no. 60969/21)

The applicants, Juozas Skučas and Indrė Skučienė, are Lithuanian nationals who were born in 1973 and 1982 respectively and live in Neringa (Lithuania).

In February 2006 the applicants bought a house on the Curonian Spit (an elongated sand dune separating the Curonian Lagoon from the Baltic Sea, included on the UNESCO World Heritage List) and had it registered. Later that year a prosecutor claimed that the construction had violated the Curonian Spit National Park planning scheme, along with other legal rules on construction and environmental protection. The applicants' title to the house was annulled in 2010 and they were entitled to claim compensation from the company which had sold it to them. Between 2013 and 2016, various State authorities were looking into the possibility of reaching amicable settlements with multiple people in the applicants' situation, in order to enable the latter to keep their houses and to avoid having to pay them compensation, but no such settlement was reached. In the meantime, the company which had sold the house to the applicants became insolvent and went into liquidation. In 2018 the applicants instituted civil proceedings against the State, seeking compensation in respect of pecuniary and non-pecuniary damage in relation to the loss of their title. The courts dismissed their claim, finding, in particular, that it was time-barred because the settlement negotiations with the authorities had not interrupted the running of the statute of limitation.

Relying on Article 1 of Protocol No. 1 (protection of property) to the European Convention on Human Rights, and Article 6 § 1 (right to a fair trial) and Article 8 (right to respect for private and family life) of the European Convention, the applicants complain, in particular, that they were not compensated for the loss of their house despite that loss being the fault of the authorities.

### Violation of Article 1 of Protocol No. 1

**Just satisfaction**:
pecuniary damage: 8,749 euros (EUR) to the applicants jointly
non-pecuniary damage: EUR 8,000 to the applicants jointly

[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

## A.B. and Y.W. v. Malta (no. 2559/23)

The applicants, A.B. and Y.W., are a married couple. They are Chinese nationals of Uighur ethnicity and Muslim faith from Xinjiang province (China). At the time of lodging the application, they were detained in Safi (Malta), but were released thereafter.

The couple arrived in Malta in August 2016 with valid Chinese passports bearing a 3-month Schengen visa. Prior to the expiration of their visa, they approached the Office of the Refugee Commissioner seeking international protection. They claimed in particular that, as they belonged to the Uighur ethnic group, their house and they themselves had been subjected to numerous searches and they were at risk of arbitrary arrest and ill-treatment in China. The case concerns their being issued with a removal decision after being refused international protection in Malta, and the remedy they undertook against that removal order.

Relying on Articles 2 (right to life) and 3 (prohibition of torture/inhuman or degrading treatment) of the Convention in conjunction with Article 13 (right to an effective remedy), the applicants complain that they would be at risk of ill-treatment if they were returned to China and that they had no effective remedy to assess that risk.

**Violation of Article 3** - should the applicants be removed to China without an *ex nunc* rigorous assessment of the risk they would face on their return to Xinjiang Uighur Autonomous Region as Uighur Muslims rejected asylum seekers

**Just satisfaction**:
The applicants did not submit a claim for just satisfaction.

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

## Bazhenov and Others v. Russia (nos. 8825/22 and 19130/22)

The applicants, Yevgeniy Bazhenov, Aleksandr Semkin and Artem Lapov, are three Russian nationals who were born in 1985, 1984 and 1988 respectively. They are homosexuals and are in same-sex marriages registered outside Russia. The first two applicants are a couple and live in Moscow. The third applicant and his husband left Russia in 2022, and are currently residing in a European country as refugees.

The case concerns disclosure of the applicants' personal data, including information about their sexual orientation, on social networks, and the alleged failure of the national authorities to respond adequately to those homophobia-driven incidents.

Relying on Article 8 (right to respect for private and family life) taken alone and in conjunction with Article 14 (prohibition of discrimination) of the Convention, the applicants complain that the national authorities failed to do their duty to ensure effective respect for their private lives and protect them from discrimination. They also complain under Article 13 that they had no effective domestic remedy at their disposal for their Convention complaints.

**Violation of Article 14 taken in conjunction with Article 8**

**Just satisfaction**:
non-pecuniary damage: EUR 7,000

## Klimova and Others v. Russia (nos. 33421/16, 8156/20, 32416/20, 39855/20, 10497/21, 33277/21, and 46226/21)

The applicants are six Russian nationals who were born on various dates between 1973 and 2000. They are the owner of a website and administrators of websites or social networking groups and communities, such as www.gay.ru, one of the oldest and largest LGBTI websites in Russia, and an online project "Children-404. LGBT teenagers" (Дети-404. ЛГБТ-подростки). The websites and VKontakte  a social networking platform  communities and groups owned or administered by the applicants sought to encourage tolerance and acceptance of LGBTI people, to give support to troubled LGBTI teenagers, to provide information on, and a forum for discussion of, LGBTI-related topics or to provide a space where LGBTI people could meet to find friends or romantic partners.

The case concerns the applicants' convictions for an administrative offence and/or the blocking of access to their websites or webpages on social networking sites for "promoting homosexuality among minors". Legislation introduced in Russia from 2003 to 2013 made the "promotion of non-traditional sexual relationships" among minors an offence punishable by a fine (see *Bayev and Others v. Russia*, applications nos. 67667/09, 44092/12 and 56717/12). The Russian courts notably found that the applicants' publications on the Internet were harmful for children.

Relying on Article 10 (freedom of expression), the applicants complain that the legislative ban on promoting homosexuality among minors as applied in their specific cases breached their freedom of expression.

One of the applicants, Yuliya Vladimirovna Tsvetkova (no. 39855/20), also complains that the security services collected user data from VKontakte related to her personal social networking account and to the social networking commuity administered by her. She relies on Article 8 (right to respect for private and family life).

**Violation of Article 8** in application no. 39855/20
**Violation of Article 10** in applications nos. 33421/16, 8156/20, 32416/20, 10497/21, 33277/21, and 46226/21

**Just satisfaction**: For the details of the amounts awarded to the applicants for non-pecuniary damage, as well as for costs and expenses, please see the operative part the judgment.

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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.