



## Judgments of 5 May 2026

The European Court of Human Rights has today notified in writing 13 judgments<sup>1</sup>:

four Chamber judgments are summarised below;

nine Committee judgments, concerning issues which have already been submitted to 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 (\*).*

### [Kefalas and Others v. Greece](#) (application no. 8759/14)\*

The seven applicants are Greek nationals who were born between 1927 and 1982. They live in Athens.

The case concerns increases in the share capital of the company of which the applicants were shareholders which were decided after the company had come within the purview of Law no. 1363/1983.

Relying on Articles 6 § 1 and 13 of the European Convention on Human Rights, and on Article 1 of Protocol No. 1 to the European Convention, the applicants complain that it was impossible for them to challenge these increases in the courts and obtain compensation for the damage allegedly sustained.

**No violation of Article 6 § 1** (access to court)

**Violation of Article 6 § 1** (length of procedure)

**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 of the judgment.

### [Lárus Welding v. Iceland](#) (no. 24999/21)

The applicant, Lárus Welding, is an Icelandic national who was born in 1976 and lives in Reykjavík.

The case concerns the system for selecting expert lay judges in Iceland. In December 2015 Mr Welding was convicted at first instance on charges of fraud. The case was heard by a panel of two professional judges and one expert lay judge. The same expert lay judge was selected for Mr Welding's re-trial after the first judgment was quashed; he requested her recusal, which was rejected. Mr Welding's conviction was upheld in June 2020.

Relying on Article 6 § 1 (right to a fair trial) of the European Convention, Mr Welding alleges that the legal framework that governed the selection and appointment of the expert lay judge on his case cast doubt over the independence of the bench. He alleges in particular that the expert lay judge's

<sup>1</sup> 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](http://www.coe.int/t/dghl/monitoring/execution)

repeated appointments by the same presiding judge gave the impression that she had been selected for the re-trial based on her views in the previous proceedings against him.

### **No violation of Article 6 § 1**

### **Gerovska-Popchevska v. North Macedonia (no. 2) (no. 30989/20)**

The applicant, Snezhana Gerovska-Popchevska, is a Macedonian/citizen of the Republic of North Macedonia who was born in 1954 and lives in Skopje.

Ms Gerovska-Popchevska was dismissed in 2007 from office as a first-instance judge by the State Judicial Council (“the SJC”). She complained to the European Court which, in 2016, found a violation of Article 6 § 1 (right to a fair trial) of the Convention. The current case concerns the reopened proceedings, after the Court’s 2016 judgment, for professional misconduct against Ms Gerovska-Popchevska, who has since retired. In 2020 the SJC again found that she had acted unprofessionally in adjudicating a civil case. Her appeal against the SJC decision was ultimately rejected as inadmissible.

Relying on Article 6 § 1 (right to a fair trial) of the Convention, Ms Gerovska Popčevska complains about the SJC’s composition when it adopted the decision finding professional misconduct on her part, and that it did not have jurisdiction to give a ruling on professional misconduct against retired judges. She also complains about the impossibility to appeal against the SJC’s decision following the remittal of her case.

**Violation of Article 6 § 1** on account of the composition of the SJC which established professional misconduct on the part of the applicant

**Violation of Article 6 § 1** on account of the applicant’s inability to appeal against a decision of the SJC taken following the remittal of her case

**Just satisfaction:**

non-pecuniary damage: EUR 4,700

### **Z.A. and K.S. v. Türkiye (no. 36449/17)**

The applicant, Mr Z.A, is a Kyrgyzstani national who was born in 1973. The applicant, Mr K.S., is a Russian national who was born in 1988. They both moved to Türkiye because of an alleged risk of persecution in Tajikistan (Mr Z.A) and in Russia (Mr K.S.) on account of their religious and political opinions.

The case concerns their detention in various facilities in 2014 for approximately five and four months, respectively, in the context of immigration detention. They have since been released and live in Türkiye. They both complained to the Constitutional Court about the conditions and the alleged unlawfulness of their detention. While Mr. Z.A.’s claims were unsuccessful, Mr. K.S. obtained redress for his complaints except for those relating to his detention in the Yalova police headquarters.

Relying on Articles 3 (prohibition of inhuman or degrading treatment) and 13 (right to an effective remedy), the applicants allege inadequate conditions of detention and a lack of effective remedies at national level to bring that complaint. Mr Z.A. also relies on Article 5 §§ 1, 2 and 4 (right to liberty and security), alleging that his detention pending deportation was unlawful, that he was not promptly informed of the reasons for that detention, that he had no effective remedy to challenge its lawfulness and that he did not have an enforceable right to compensation under national law for the breach of his rights.

The Court declared the application inadmissible in respect of the second applicant.

**Violation of Article 3** on account of the conditions of the first applicant’s detention at the Adana Reception and Accommodation Centre

