



## Judgments of 6 September 2022

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

four Chamber judgments are summarised below;

nine 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 in French below are indicated with an asterisk (\*).*

### Bodalev v. Russia (application no. 67200/12)

The applicant, Ivan Sergeyevich Bodalev, is a Russian national.

The case concerns the applicant's prosecution following his participation in peaceful demonstrations in St Petersburg between 2011 and 2013. Some of the demonstrations were rallies to protest against the recent elections, while others were "performances" staged in criticism of the Government. He was convicted for not complying with orders to disperse during events which had not been officially approved. He was mainly sentenced to fines and on one occasion to 11 days' detention.

The applicant alleges that the convictions breached his rights under Articles 10 (freedom of expression) and 11 (freedom of assembly) of the European Convention on Human Rights.

**Violation of Article 10** in relation to the applicant's conviction in relation to the event on 26 November 2012

**Violation of Article 10** in relation to the applicant's conviction in relation to the event on 27 June 2013

**Violation of Article 11** in respect of the applicant's convictions in relation to the other events

**Just satisfaction:**

non-pecuniary damage: 3,350 euros (EUR)

### Korshunova v. Russia (no. 46147/19)\*

The applicant, Ms Yekaterina Anatolyevna Korshunova, is a Russian national who was born in 1984 and lives in Saint Petersburg.

The case concerns the confiscation and sale of a flat owned by the applicant. The measure was ordered by the courts for the benefit of a civil party, following the criminal conviction of the husband of the property's vendor.

Relying on Article 1 of Protocol No. 1 to the European Convention (protection of property), the applicant complains that the order for the forced sale of her flat was unlawful and disproportionate.

**Violation of Article 1 of Protocol No. 1**

<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)

**Just satisfaction:**

non-pecuniary damage: EUR 5,000

costs and expenses: EUR 600

## Gaši and Others v. Serbia (no. 24738/19)

The applicants, Ilir Gaši, Vukašin Obradović, Antonela Riha and Tamara Skroza are Serbian nationals who were born in 1980, 1962, 1963, and 1973, respectively, and live in Belgrade.

The applicants are journalists and civil-sector activists, often critical of the government and the authorities. The case concerns their allegation of a smear campaign against them in 2016 after they had participated in protests against certain demolition and building projects in Belgrade and changes to the management of a regional radio-television station. In particular, printed and online articles in the media accused the applicants of being traitors and extremists acting at the behest of the European Union and the USA and wishing to destabilise the State and assassinate the Prime Minister. The applicants lodged a criminal complaint against the authors and editors of the articles, which was rejected by the public prosecutor.

Relying on Article 10 (freedom of expression) of the Convention, the applicants complain that the State failed to protect them from the campaign against them in the media and the resulting threatening online comments. They allege in particular that a pattern of retribution against high-profile critics of the government in Serbia had contributed to an increasingly hostile environment for free expression and open debate.

### No violation of Article 10

## Ete v. Türkiye (no. 28154/20)\*

The applicant, Ms Fehime Ete, is a national of Türkiye who was born in 1960 and lives in Siirt.

The case concerns the applicant's conviction and sentence to a suspended ten-month term of imprisonment, on a charge of propaganda in support of a terrorist organisation for her acts during a demonstration in Siirt to celebrate the birthday of the leader of the PKK (Workers' Party of Kurdistan, an illegal armed organisation).

Relying on Articles 10 (freedom of expression) and 11 (freedom of assembly and association), the applicant alleges that her conviction infringed her rights to freedom of expression and freedom of assembly.

### Violation of Article 10

**Just satisfaction:**

non-pecuniary damage: EUR 2,000

costs and expenses: EUR 1,500

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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.