



Judgments of 7 December 2021

The European Court of Human Rights has today notified in writing 20 judgments¹:

Five Chamber judgments are summarised below;

Separate press releases have been issued for five other Chamber judgments in the cases of *Standard Verlagsgesellschaft mbH v. Austria (no. 3)* (application no. 39378/15), *Filat v. the Republic of Moldova* (no. 11657/16), *Daneş and Others v. Romania* (nos. 44332/16, 44829/16, and 44839/16), *Godlevskaya v. Russia* (no. 58176/18), and *Yasin Özdemir v. Turkey* (no. 14606/18);

Ten 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 ().*

Stoyanov and Tabakov v. Bulgaria (no. 2) (application no. 64387/14)

The applicants, Valeri Stoyanov Stoyanov and Valentin Stoyanov Tabakov, are Bulgarian nationals who were born in 1962 and 1960 respectively and live in Pazardzhik (Bulgaria).

The case concerns the attempted purchase of an office from Pazardzhik Municipal Council and complaints about lack of implementation of the related subsequent domestic-court judgments. The Court found in the applicants' favour in 2013, stating that the authorities "had not only failed to undertake the necessary steps to enforce the final judgments in the applicants' favour, but had demonstrated a particular unwillingness to do so".

Relying on Article 6 § 1 (right to a fair trial) of the European Convention on Human Rights, Article 1 of Protocol No. 1 (protection of property) to the European Convention and Article 13 (right to an effective remedy) of the Convention, the applicants complain, in particular, of the lack of enforcement of the final judgments in their favour, which had also been in breach of the Court's 2013 [judgment](#).

Violation of Article 6 § 1

Violation of Article 1 of Protocol No. 1

Just satisfaction:

pecuniary damage: the Court held that the question of the application of Article 41 (just satisfaction) in so far as pecuniary damage sustained by the first applicant was concerned was not ready for decision and reserved it for examination at a later date;

non-pecuniary damage: 3,600 euros (EUR) to the first applicant. The second applicant did not submit a claim for damages in the allocated period.

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

Ghrenassia v. Luxembourg (no. 27160/19)*

The applicant, Gaston Ghrenassia, is a French national who was born in 1938 and lives in Paris (France).

Mr Ghrenassia alleges that the Luxembourg Court of Cassation displayed excessive formalism in declaring inadmissible a ground of appeal he had submitted in a dispute with a bank that had been placed in compulsory liquidation. In the context of those proceedings he had requested that questions be referred to the CJEU for a preliminary ruling.

Relying on Article 6 § 1 (right of access to a court) of the European Convention, the applicant criticises the Court of Cassation for displaying excessive formalism.

Violation of Article 6 § 1

Just satisfaction:

non-pecuniary damage: EUR 12,000

Danilenko v. Russia (nos. 7000/17 and 81319/17)

The applicants, Sergey Vasilyevich Danilenko and Leyla Davudovna Danilenko, are Russian nationals who were born in 1968 and 1987 respectively and live in Novocherkassk (Russia). They are husband and wife.

The case concerns the pre-trial detention, legal proceedings and detention in respect of the first applicant following his arrest on suspicion of fraud.

Relying on Article 5 § 3 (right to liberty and security), Article 5 § 4 (right to have lawfulness of detention decided speedily by a court), and Article 8 (right to respect for private and family life) the applicants complain, in particular, of the length of the pre-trial detention, the refusal of the domestic courts to examine the first applicant's appeals, the speed of the proceedings, and of the limitations on family visits while in detention.

Violation of Article 5 § 4 in respect of the first applicant on account of the domestic court's failure to consider the substance of his appeals against the decisions of 5 October, 2 November and 7 December 2016

Just satisfaction:

non-pecuniary damage: EUR 1,250 to the first applicant

costs and expenses: EUR 850

Yakut Republican Trade-Union Federation v. Russia (no. 29582/09)

The applicant, the Yakut Republican Trade-Union Federation, is a non-governmental organisation set up in 1991 in the Republic of Sakha, Yakutia (Russia).

The case concerns legislation in Russia banning prisoners from setting up or joining trade unions.

Relying on Articles 6 (right to a fair trial) and 11 (freedom of association), the applicant federation complains that, under the statutory ban, it was ordered to expel a trade union set up in 2006 by inmates in a high-security prison located in Yakutsk. The inmates work in the colony's sawmill and in prison maintenance jobs.

No violation of Article 11

Yefimov and Youth Human Rights Group v. Russia (nos. 12385/15 and 51619/15)

The applicants, Maksim Mikhaylovich Yefimov, and Youth Human Rights Group, are a Russian national and a Russian non-governmental organisation respectively. Mr Yefimov was born in 1976 and he founded Youth Human Rights Group in 2000 in Petrozavodsk (Republic of Karelia, Russia).

The case concerns the law in Russia providing that an association may be dissolved if it refuses to expel a member who has been suspected of an extremist offence.

In 2011 Mr Yefimov was charged with an extremist offence of hate speech in connection with his publication in which he criticised the influence of the Russian Orthodox Church in public life. Two years later, the Youth Human Rights Group was liquidated for failure to expel from its ranks Mr Yefimov, who had been charged with an extremism offence.

Relying on Article 10 (freedom of expression), Mr Yefimov complains of his prosecution for expressing his views. Relying on Article 11 (freedom of association) the applicants complain of the order to expel the first applicant from Youth Human Rights Group and the order to dissolve the latter.

Violation of Article 10 in respect of the first applicant

Violation of Article 11 read in the light of Article 10 in respect of both applicants

Just satisfaction:

non-pecuniary damage: EUR 10,000 to the first applicant

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Press contacts

echrpess@echr.coe.int | tel.: +33 3 90 21 42 08

Tracey Turner-Tretz (tel.: + 33 3 88 41 35 30)

Denis Lambert (tel.: + 33 3 90 21 41 09)

Inci Ertekin (tel.: + 33 3 90 21 55 30)

Neil Connolly (tel.: + 33 3 90 21 48 05)

Jane Swift (tel.: + 33 3 88 41 29 04)

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.