



Judgments of 17 December 2024

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

three Chamber judgments are summarised below;

a separate press release has been issued for another Chamber judgment in the case of *Taganova and Others v. Georgia and Russia* (applications nos. 18102/04, 5148/04, 26166/05, 42765/05, and 48656/06);

The six 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.

[Gaba v. Albania](#) (application no. 33369/17)

The applicant, Hasan Gaba, was an Albanian national who was born in 1940 and died in 2018. He lived in Tirana.

The case concerns the annulment of a decision by a property commission which had awarded a plot of mountain pastureland in Lazarat to the applicant several years earlier. The applicant alleged that that land had belonged to his father but had been expropriated sometime after 1945 by the communist authorities. Although the decision to restore the plot of land to the applicant had become final in 2006, it was quashed in 2010 to enable the construction of a broadcast relay station (*pike transmetimi radio televizive*).

The applicant complained that the annulment of the decision breached the principle of legal certainty under Article 6 § 1 (right to a fair hearing) of the European Convention on Human Rights.

The Court held that the applicant's heirs have standing to pursue the application.

Violation of Article 6 § 1 on account of the domestic authorities annulling the 2006 decision of the property restitution commission in the applicant's favour

Just satisfaction:

non-pecuniary damage: 3,600 euros (EUR)

costs and expenses: EUR 3,500

[Hellgren v. Finland](#) (no. 52977/19)

The applicant, Anu Marjaana Hellgren, is a Finnish national who was born in 1976 and lives in Tuulos (Finland). She was employed as a postal worker for the Finnish postal service – which is operated by a State-owned company governed by private law named *Posti Oy*.

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

The case concerns the applicant's wages being withheld for two days due to her refusal – in keeping with her trade union's stance – to give induction training to externally hired employees taken on to counteract impending industrial action. Although she had been down on the shift roster for ordinary mail delivery work on those days, her employer sent her home and withheld her wages.

Relying on Articles 11 (freedom of assembly and association) and 14 (prohibition of discrimination) of the European Convention, the applicant complains that the reasons behind her being sent home and having her wages withheld restricted her rights to trade union membership and industrial action.

No violation of Article 11

[Side by Side International Film Festival and Others v. Russia](#) (nos. 32678/18, 17172/20, and 30564/21)

The applicants are Side by Side International Film Festival OOO, a legal entity incorporated in the Russian Federation which, from 2016-2020, organised an annual Lesbian, Gay, Bisexual and Transgender (LGBT) film festival, and two Russian nationals, Gulnara Sultanova and Andrey Petrov, born in 1975 and 1984 respectively. Ms Sultanova is the managing director of the film festival company and lives in St Petersburg. Mr Petrov allegedly attended the LGBT festival in Moscow in 2016, and lives in Omsk.

The case concerns repeated attempts to disrupt film screenings held within the framework of the international LGBT film festival organised in Russia by the applicant company. On numerous occasions, the festival activities were either delayed or interrupted by telephone bomb scares or other false security alerts. In 2020, the screening of the films was not allowed in view of the organisers' failure to comply with sanitary protection measures introduced during the COVID-19 pandemic.

Relying on Articles 8 (right to respect for private and family life), 10 (freedom of expression), 11 (freedom of assembly and association), 13 (right to an effective remedy) and 14 (prohibition of discrimination) of the Convention, the applicants complain that the State failed to comply with its duty to protect the organisers of the festival and its audience in the exercise of their Convention rights. They further allege that the authorities' decision to suspend the festival in November 2020, under measures introduced to combat COVID-19, was unjustified and disproportionate.

Violation of Article 10 in respect of the State's failure to comply with its positive obligation

Just satisfaction:

non-pecuniary damage: EUR 7,500

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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.