



## Judgments of 22 March 2022

The European Court of Human Rights has today given notification in writing of nine judgments<sup>1</sup>: five Chamber judgments are summarised below;  
a separate press release has been issued for another Chamber judgment in the case of *Y and Others v. Bulgaria* (application no. 9077/18);  
trois 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.*

### Christian Religious Organization of Jehovah's Witnesses in the NKR v. Armenia (application no. 41817/10)

The applicant, the Christian Religious Organization of Jehovah's Witnesses in the NKR, is a religious community based in Nagorno-Karabakh.

The case concerns the refusal by the unrecognised "Nagorno Karabakh Republic" authorities to register the applicant as a religious organisation. The Jehovah's Witnesses had been a registered religious organisation in Armenia since 2004.

Relying on Article 9 (freedom of thought, conscience and religion), Article 11 (freedom of assembly and association) and Article 14 (prohibition of discrimination) of the European Convention on Human Rights, the applicant organisation complains of that refusal.

#### Violation of Article 9 read in the light of Article 11

##### Just satisfaction:

non-pecuniary damage: 4,500 euros (EUR)

costs and expenses: EUR 1,000

### T.K. and Others v. Lithuania (no. 55978/20)

The applicants, T.K., O.O. and their four children, are Tajik nationals who were born between 1981 and 2013 and live in Vilnius.

The case concerns the proceedings by which the applicants were denied asylum in Lithuania, and their potential removal to Tajikistan. They had arrived in Lithuania in 2019 and claimed asylum there, arguing that T.K. was a member of Islamic Renaissance Party of Tajikistan, which was a banned organisation in that country.

On 23 December 2020 the Court applied an interim measure, indicating that the applicants should not be removed to Lithuania for the duration of the proceedings before the Court.

<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)

Relying on Article 3 (prohibition on inhuman and degrading treatment) and Article 13 (right to an effective remedy) of the European Convention, the applicants complain that their removal to Tajikistan would expose them to a risk of ill-treatment. They also complain that the Lithuanian authorities have not correctly assessed that risk.

**Violation of Article 3** - should the applicants be returned to Tajikistan without a fresh assessment of the existing ill-treatment practices in that country

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

**Just satisfaction:** the Court held that the finding of a violation constitutes in itself sufficient just satisfaction for the non-pecuniary damage sustained by the applicants.

## Cosovan v. the Republic of Moldova (no. 13472/18)

The applicant, Serghei Cosovan, is a Moldovan national who was born in 1971 and lived in Chişinău until his death in 2021.

The case concerns the applicant's remand and then conviction on charges of fraud, for which he received, among other penalties, a seven-year prison sentence. It also concerns his medical treatment in and conditions of detention, as he suffered from, among other diseases, hepatitis and cirrhosis.

Relying on Article 2 (right to life), Article 3 (prohibition of inhuman and degrading treatment) and Article 5 § 3 (right to liberty and security) of the Convention, the applicant complains that the authorities failed to provide him with the necessary medical care, that his state of health was incompatible with detention, and that there were insufficient reasons given for his placement in pre-trial detention.

**Violation of Article 3**

**Violation of Article 5 § 3**

**Just satisfaction:**

pecuniary damage: EUR 10,000 to the applicant's widow

costs and expenses: EUR 5,000

## Filippov v. Russia (no. 19355/09)

The applicants, Aleksandr Vasilyevich Filippov and Nadezhda Anatolyevna Filippova are Russian nationals who were born in 1956 and 1959 respectively and live in Ulyanovsk (Russia).

The case concerns the applicants' son's alleged ill-treatment and death during compulsory military service and the subsequent investigation. A private in their son's unit was convicted of committing a breach with serious consequences of the rules governing relations between servicemen of equal rank, and sentenced to five years' imprisonment.

Relying on Article 2 (right to life), Article 3 (prohibition of inhuman or degrading treatment), and Article 13 (right to an effective remedy) the applicants complain of their son's ill-treatment and death and that the investigation into the death was ineffective.

**Violation of Article 2** (right to life and investigation)

**Violation of Article 3** (ill-treatment and investigation)

**Just satisfaction:**

non-pecuniary damage: EUR 30,000

no request made in respect of costs and expenses

## Gvozdeva v. Russia (no. 69997/11)

The applicant, Galina Konstantinovna Gvozdeva, is a Russian national who was born in 1954 and lives in St Petersburg.

The case concerns the suicide of her son, Mr G., in 2009 during his military service. He was found hanging from a tree in woods not far from his battalion's camp while on a field exercise. Two investigations concluded that Mr G. had been suffering from depression, and found no fault on the part of his sergeant major, who had been investigated for incitement to suicide.

Relying on Article 2 (right to life/investigation), Ms Gvozdeva alleges that the authorities did not monitor conscripts' psychological state or provide them with support and they thus failed to protect her son's life during his military service. She also alleges that the investigation into her son's death was ineffective.

**No violation of Article 2** (right to life)

**Violation of Article 2** (investigation)

### **Just satisfaction:**

non-pecuniary damage: EUR 15,000

costs and expenses: EUR 14,775

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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.