



Judgments of 24 May 2022

The European Court of Human Rights has today given notification in writing of seven judgments¹: two Chamber judgments are summarised below;

separate press releases have been issued for two other Chamber judgments in the cases of *Pretorian v. Romania* (application no. 45014/16) and *Alici and Others v. Turkey* (no. 70098/12);

three 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 below are available only in English.

Dokukiny v. Russia (application no. 1223/12)

The applicants, Yuliya Dokukina and Alina Dokukina, are Russian nationals who were born in 1976 and 2005 respectively and live in Lipetsk (Russia). They are mother and daughter. The latter was four years old at the time of the events.

The case concerns their alleged ill-treatment by the police after they were stopped in a park shortly before midnight with their husband/father and another family. The two fathers were taken to the police station for “disturbance of public order accompanied by obscene language in a public place”. They were released the next day.

Relying on Article 3 (prohibition of inhuman or degrading treatment) of the European Convention on Human Rights the applicants allege that they were pushed and kicked while their husband/father was being taken away by the police and that no effective investigation was carried out into their complaints.

Violation of Article 3 (investigation and ill-treatment)

Just satisfaction:

non-pecuniary damage: 10,000 euros (EUR) to each applicant

costs and expenses: EUR 70

Sinan Çetinkaya and Ağyar Çetinkaya v. Turkey (nos. 74536/10 and 75462/10)

The applicants, Sinan Çetinkaya and Ağyar Çetinkaya, are Turkish nationals who were born in 1966 and 1964 respectively and live in Istanbul.

They were the general director and chairman of the board of directors of a car company and, in 1999, were charged with allegedly having obtained bank loans from the Ziraat Bank on behalf of 76 customers by using forged documents and for using those loans for personal purposes. In the meantime, due to the introduction of a new law, the legal status of the Ziraat Bank changed from a public bank into a public limited company, with the result that its employees were no longer

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

considered public officials in respect of criminal prosecutions. The applicants were ultimately convicted of embezzlement under a new Criminal Code even though embezzlement was a special offence that could only be committed by a public official.

The applicants complain that their conviction for embezzlement despite the fact that they lacked the status of public officials, and without there being a principal offender who was a public official, lacked any legal basis in domestic law and gave rise to a violation of Article 7 (no punishment without law) of the European Convention.

Violation of Article 7

Just satisfaction: the applicants failed to submit any claims for just satisfaction within the time-limit allotted to them

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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.