



## Judgments of 30 May 2023

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

three Chamber judgments are summarised below;

separate press releases have been issued for two other judgments in the cases of *Mesić v. Croatia* (no. 2) (application no. 45066/17), and *Azzaqui v. the Netherlands* (no. 8757/20);

one Committee judgment, 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.*

### [Stanevi v. Bulgaria](#) (application no. 56352/14)

The applicants, Maria Hristova Staneva and Darina Veselinova Staneva, are Bulgarian nationals who were born in 1963 and 1991 respectively and live in Karnobat (Bulgaria).

In 2010 Veselin Stanev (husband of the first applicant and father of the second) died following a car accident which had been caused by an individual suffering from mental illness. The case concerns the applicants' court proceedings that followed, involving the driver's insurance company, and attempts to get compensation for the damage caused to them.

Relying on Article 13 (right to an effective remedy) of the European Convention on Human Rights and Article 1 of Protocol No. 1 (protection of property) to the European Convention, the applicants complain of being unable to obtain damages.

#### **Violation of Article 2** (investigation)

##### **Just satisfaction:**

non-pecuniary damage: 12,000 euros (EUR) to each applicant

costs and expenses: EUR 2,000

### [Pricope v. Romania](#) (no. 60183/17)

The applicant, Sterian Pricope, is a Romanian national who was born in 1962 and lives in Voinești (Romania). He is an economist and also contributes to various media organisations.

The case concerns his writing of a series of articles about P.V., a local business owner, alleged corruption, and his connection to the ending of the local car-manufacturing industry. He lost the defamation proceedings brought before the courts by P.V. against those articles.

Relying on Article 10 (freedom of expression) of the Convention, Mr Pricope complains of the national courts' ordering him to pay damages for articles he had written.

#### **Violation of Article 10**

<sup>1</sup> Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a 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:**

pecuniary damage: EUR 734

non-pecuniary damage: EUR 7,500

costs and expenses: EUR 2,125

**Nepomnyashchiy and Others v. Russia** (nos. 39954/09 and 3465/17)

The applicants are four Russian nationals who live in Krasnoyarsk Region, Moscow and St Petersburg. They are all LGBTI rights activists.

The case concerns alleged homophobic statements by high-ranking officials in interviews they gave to leading newspapers in 2008 and 2013. Mr Betin, Governor of Tambov Region, notably said: "Tolerance? Damn it! Homos must be torn to pieces. And the pieces thrown to the wind!". Mr Milonov, a member of the St Petersburg Legislative Assembly, commenting on an attack on members of an LGBTI support organisation, called homosexuals "sickos and perverts".

The applicants brought criminal complaints against the officials, arguing that the statements amounted to a call for violence against LGBTI people, but no criminal proceedings were ever brought. A civil complaint against Mr Mironov was also unsuccessful.

Relying on Article 14 (prohibition of discrimination) and Article 8 (right to respect for private and family life), the applicants complain that the officials' statements discriminated against them as members of the LGBTI community and that Russian law does not offer effective protection against homophobic hate speech. They allege that, although they were not personally named in the statements, as members of the LGBTI community and activists they had been directly affected.

**Violation of Article 8 in conjunction with Article 14****Just satisfaction:**

non-pecuniary damage: EUR 7,500 to Mr Nepomnyashchiy, Mr Bayev, and Ms Krikerik each

costs and expenses: EUR 7,834 to Mr Bayev

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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.