



Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing one judgment on Tuesday 26 January 2021 and 12 judgments and / or decisions on Thursday 28 January 2021.

Press releases and texts of the judgments and decisions will be available at 10 a.m. (local time) on the Court's Internet site (www.echr.coe.int)

Tuesday 26 January 2021

[Zličić v. Serbia \(applications nos. 73313/17 and 20143/19\)](#)

The applicant, Aleksandar Zličić, is a Serbian national who was born in 1981 and lives in Novi Sad (Serbia).

The case concerns the applicant's alleged ill-treatment by the police, the investigation into his allegations, and the proceedings that followed.

On 10 January 2014 the applicant and his friend were approached by police while sitting outside on a bench. A police officer asked them if they owned a small plastic bag (the Government states that it contained cannabis). They were arrested.

The applicant asserts that at the police station he was beaten and stripped, and threats were issued in respect of his family and girlfriend. Fearing abuse, he signed a seizure certificate. The Government asserts that the applicant was questioned in accordance with the law and he did not object to the officers' conduct.

On 12 January the applicant sought medical attention, with injuries being noted in the medical report.

The applicant complained to the prosecutor. The public prosecutor at two levels rejected his complaint, finding a lack of evidence. A constitutional complaint by the applicant was dismissed as the procedure used had not involved any constitutional breaches.

Criminal charges were also brought against the applicant. He was found guilty of possession and sentenced to three months' imprisonment suspended by the Novi Sad Court of First Instance, which was upheld on appeal. The first-instance court admitted into evidence the seizure certificate, in the main accepting the police officers' accounts. A request for the protection of legality and an appeal to the Constitutional Court met with no success.

On 22 September 2019 the applicant initiated civil proceedings in connection with the alleged police abuse. The Novi Sad Court of First Instance accepted his main arguments and awarded him the equivalent of 670 euros (EUR) in respect of pain and suffering, EUR 835 for the fear endured, and EUR 605 in costs. Those awards were later reduced on appeal, but the judgment was upheld.

Relying on Article 3 (prohibition of inhuman or degrading treatment), Article 13 (right to an effective remedy) and Article 6 § 1 (right to a fair hearing) of the European Convention on Human Rights, the applicant complains of ill-treatment in police custody, and that the trial against him was unfair.

Thursday 28 January 2021

[Grozđanić and Gršković-Grozđanić v. Croatia \(no. 43326/13\)](#)

The applicants, Đurđica Grozđanić and Vedrana Gršković-Grozđanić, are Croatian nationals who were born in 1949 and 1982 respectively and live in Pula (Croatia).

The case concerns the loss of ownership of a flat owing to the voiding of a contract of sale.

In 1983 Ms Grozđanić's husband was given a specially protected tenancy of a socially-owned flat in Osijek; she became the co-holder of the tenancy. Both Ms Grozđanić and her husband moved to Pula and were employed there since at least 1996. Following legislative changes, they became entitled to buy the flat, and applied to do so.

On 26 November 2002 the local authorities and Ms Grozđanić and her husband concluded a contract of sale in respect of the flat. In 2003 they were registered as the owners.

However, on 21 November 2003 the State Attorney's Office applied to the courts to have the contract voided, arguing that it was not valid as the right to the tenancy had been lost owing to prolonged absence from the flat. In two sets of proceedings at three instances and appeal on points of law proceedings before the Constitutional Court Ms Grozđanić and her husband lost the case, finally in 2013. The sale price was returned to the applicants.

On 20 December 2009 Ms Grozđanić's husband died and she and the second applicant became his heirs.

Relying on Article 1 of Protocol No. 1 (protection of property) to the European Convention, the applicants complain that the domestic courts' annulment of the contract of sale violated their rights.

[Alfa Glass Anonymi Emboriki Etairia Yalopinakon v. Greece \(no. 74515/13\)](#)

The applicant, Alfa Glass Anonymi Emboriki Etairia Yalopinakon, is a limited company registered under Greek law and based in Athens.

The case concerns an expropriation procedure in which the civil courts refused to examine the applicant company's request to challenge a legal presumption that it had derived an advantage from carrying out development work related to the expropriation, thus resulting in a failure to provide compensation for part of the expropriated land. The courts took the view that the applicant company should have lodged an application with an administrative authority empowered by law within a prescribed period of time.

In May 2006 the Secretary General of the Attica Region expropriated an area of 33,619 sq. m for the extension of a road. The area included parts of three plots of land owned by the applicant company. In accordance with the provisions of Law no. 653/1977, the non-expropriated parts of the disputed land were considered to benefit from the completion of the related development work, such that certain parts of the expropriated land were not subject to compensation as the said benefit was deemed to constitute implicit compensation.

Before the Court of First Instance, the applicant company argued that the non-expropriated parts of its land did not benefit from the work. However, in setting the provisional amount of the expropriation compensation, the court did not include any compensation corresponding to the parts of the land in respect of which it was deemed implicit, finding that this was a matter to be examined by the Court of Appeal when setting the final amount of compensation.

In April 2009 the applicant company asked the Court of Appeal to recognise that it did not derive any benefit from the completion of the work with respect to the non-expropriated portions of its land. However, the court considered that, in accordance with section 33 of Law no. 2971/2001, the

applicant company should have submitted such a request to the body responsible for the work within two months from the publication of the judgment fixing the provisional amount of the compensation.

In June 2013 the Court of Cassation dismissed the applicant company's appeal, finding that the Court of Appeal had correctly applied the provisions of Law no. 2971/2001, which provided for a special procedure for the purpose of challenging a presumption that the owner of expropriated property benefited from related development work.

Relying on Article 1 of Protocol No. 1 (protection of property) the applicant company complains about the refusal by the civil courts to examine its request to establish that it did not derive any benefit from expropriation-related development work when they fixed the amount of the compensation to be awarded.

The Court will give its rulings in writing on the following cases, some of which concern issues which have already been submitted to the Court, including excessive length of proceedings.

These rulings can be consulted from the day of their delivery on the Court's online database [HUDOC](#).

They will not appear in the press release issued on that day.

Thursday 28 January 2021

Name	Main application number
Charle and Others v. France	3628/14
Puls v. Germany	34830/18
Magomedov and Others v. Russia	41229/04
X v. Russia	60796/16
Ananyeva and Konyev v. Ukraine	1132/11
Fedorova v. Ukraine	43768/12
Konoplyov v. Ukraine	43374/14
Kushnir v. Ukraine	8531/13
Satanovska and Rodgers v. Ukraine	12354/19
Velichko v. Ukraine	22273/12

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Press contacts

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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.