



## Judgments and decisions of 4 April 2024

The European Court of Human Rights has today notified in writing 14 judgments<sup>1</sup> and three decisions<sup>2</sup>:

two Chamber judgments are summarised below;

a separate press release has been issued for a Chamber judgment in the case of *Tamazount and Others v. France* (applications nos. 17131/19, 19242/19, 55810/20, 28794/21, and 28830/21);

11 Committee judgments, concerning issues which have already been submitted to the Court, and the three decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

*The judgments summarised below are available only in English.*

### [Zöldi v. Hungary](#) (application no. 49049/18)

The applicant, Blanka Zöldi, was born in 1990 and lives in Hosszúhetény (Hungary).

The case concerns the use of public funds and the efforts in 2015 of the applicant, an investigative journalist, to obtain information on the finances of two foundations created by the Hungarian National Bank. She wanted to know in particular the names of individuals who had obtained grants from these two foundations. The foundations refused to disclose the information requested and the applicant went to the courts, which upheld the refusal as there was no specific legal provision at the time authorising the disclosure of such personal data.

The setting up and financing of the Bank's foundations was at the centre of much public debate at the time.

Relying on Article 10 (freedom of expression) of the European Convention on Human Rights, Ms Zöldi complains that she could not obtain information on the identity of the recipients of grants from the foundations set up by the Hungarian National Bank.

### Violation of Article 10

#### Just satisfaction:

non-pecuniary damage: 1,000 euros (EUR)

costs and expenses: EUR 3,600

<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).

<sup>2</sup> Inadmissibility and strike-out decisions are final.

## [Sherov and Others v. Poland](#) (nos. 54029/17, 54117/17, 54128/17, and 54255/17)

The applicants are four Tajik nationals, born in 1958, 1981, 1977 and 1983, who currently live in Poland, Austria and Ukraine.

The case concerns the applicants' repeated attempts from December 2016 to February 2017 to enter Poland at a Ukrainian border crossing. They were refused entry each time after interviews with border guards, recorded in a summary official note which they had neither read nor signed, and returned to Ukraine. They claim that on each attempt they had stated their wish to apply for international protection because they were at risk of political persecution in Tajikistan.

Relying on Article 3 (prohibition of inhuman or degrading treatment) of the European Convention, the applicants complain that they were denied access to the procedure for claiming asylum in Poland and that they were sent to Ukraine, which was not a safe country for them because they were at risk of being deported to Tajikistan.

The applicants also allege that the decisions refusing them entry into Poland were part of a wider policy of not accepting applications for international protection from persons presenting themselves at the eastern border checkpoints, contrary to Article 4 of Protocol No. 4 (prohibition of collective expulsion of aliens) to the Convention.

Lastly, relying on Article 13 (right to an effective remedy) in conjunction with Article 4 of Protocol No. 4 to the Convention, they complain that even though they had a right of appeal, the decisions refusing them entry to Poland were enforced immediately and their appeals did not therefore have automatic suspensive effect.

The applicant in application no. 54255/17 also made a complaint under Article 8 (right to respect for private and family life) because he was not able to join his wife and two children, who had been able to make applications for international protection in Poland.

### **Violation of Article 3**

### **Violation of Article 4 of Protocol No. 4**

### **Violation of Article 13 taken in conjunction with Article 3 and Article 4 of Protocol No. 4**

#### **Just satisfaction:**

non-pecuniary damage: EUR 13,000 to each applicant

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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.