

1514th meeting, 3-5 December 2024 (DH)

Consolidated list of cases for the 1521st meeting (March 2025) (DH) adopted at the 1514th meeting

Appendix 1

C. Examination of the cases at the 1521st meeting

| | Case | State | Application | Judgment final on | Violation | Link to the last decision |
|---|---|------------------------|-------------|-------------------|---|--|
| 1 | SHARXHI AND OTHERS ¹ | ALBANIA | 10613/16 | 28/05/2018 | Demolition of the applicants' flats and business premises in disregard of an interim court order restraining the authorities from taking any action that could breach property rights. | CM/Del/Dec(2024)1507/H46-1 September 2024 |
| 2 | STRAZIMIRI | ALBANIA | 34602/16 | 21/05/2020 | Poor conditions of detention and inadequate medical treatment of a mentally ill person subject to a court-ordered compulsory medical treatment; unlawful detention in an inadequate (penitentiary) institution without proper psychiatric treatment; failure to examine speedily the lawfulness of the applicant's detention; absence of right to compensation. | CM/Del/Dec(2024)1501/H46-1 June 2024 |
| 3 | KHADIJA ISMAYILOVA GROUP | AZERBAIJAN | 65286/13+ | 10/04/2019 | Violations of the applicants' right to privacy and freedom of expression in connection with their work. | CM/Del/Dec(2024)1501/H46-3 June 2024 |
| 4 | MAMMADLI GROUP | AZERBAIJAN | 47145/14 | 19/07/2018 | Arrest and pre-trial detention to punish the applicants for his activities in the area of electoral monitoring or for their active social and political engagement in breach of Article 18 taken in conjunction with Article 5. | CM/Del/Dec(2024)1507/H46-4 September 2024 |
| 5 | INSANOV GROUP | AZERBAIJAN | 16133/08 | 14/06/2013 | Unfair criminal and civil proceedings; inhuman and degrading detention conditions. | CM/Del/Dec(2019)1340/H46-3 March 2019 |
| 6 | SHENTURK AND OTHERS | AZERBAIJAN | 41326/17 | 10/06/2022 | Extra-legal transfer from Azerbaijan to Türkiye and denial of effective guarantees of protection against arbitrary refoulement. | First examination |
| 7 | SEJDIĆ AND FINCI GROUP | BOSNIA AND HERZEGOVINA | 27996/06 | 22/12/2009 | Ethnic-based discrimination on account of the ineligibility of persons not affiliated with one of the "constituent peoples" (Bosniaks, Croats or Serbs) to stand for election to the House of Peoples and the Presidency. | CM/Del/Dec(2024)1501/H46-7 June 2024 |
| 8 | INTERNATIONAL BANK FOR COMMERCE AND DEVELOPMENT AD AND OTHERS GROUP | BULGARIA | 7031/05 | 17/10/2016 | Lack of proper access to court concerning the withdrawal of a bank licence and unfairness of the proceedings concerning the banks' insolvency | CM/Del/Dec(2023)1483/H46-9 December 2024 |

¹ According to the paragraph 4 of the decision adopted at the 1507th meeting (September 2024) (DH), the Deputies decided « in the event that there have been no concrete steps towards ensuring payment by then, [...] to resume consideration of the individual measures at their DH meeting in March 2025 ».

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|----|---|----------|---------------------------|------------------------------|---|--|
| 9 | UNITED MACEDONIAN ORGANISATION ILINDEN AND OTHERS GROUP | BULGARIA | 59491/00 | 19/04/2006 | Unjustified refusals by the courts to register an association aiming at achieving “the recognition of the Macedonian minority in Bulgaria”. | CM/Del/Dec(2024)1507/H46-7 September 2024 |
| 10 | Y. AND OTHERS A.E. | BULGARIA | 9077/18 53891/20 | 05/09/2022 23/08/2023 | Failure to protect a woman's life in the context of repeated incidents of domestic violence. Failure to provide adequate protection to a minor victim of domestic violence; discrimination on account of the authorities' failure to adequately address domestic violence against women. | First examination |
| 11 | KHAN | FRANCE | 12267/16 | 28/05/2019 | Lack of care and protection of an unaccompanied foreign minor given his living conditions in the Calais “lande” and the non-enforcement of the order of the juvenile judge aimed at protecting him | CM/Del/Dec(2022)1451/H46-12 December 2022 |
| 12 | IDENTOBA AND OTHERS GROUP | GEORGIA | 73235/12 | 12/08/2015 | Lack of protection against homophobic or religiously motivated attacks. | CM/Del/Dec(2024)1507/H46-9 September 2024 |
| 13 | MERABISHVILI | GEORGIA | 72508/13 | 28/11/2017 | Failure by the domestic courts to give relevant and sufficient reasons to justify continuation of detention on remand; continued detention on remand with the predominant purpose of obtaining information from the applicant about third persons. | CM/Del/Dec(2024)1501/H46-13 June 2024 |
| 14 | HOUSE OF MACEDONIAN CIVILIZATION AND OTHERS | GREECE | 1295/10 | 09/10/2015 | Disproportionate refusal to register the applicant association. | CM/Del/Dec(2019)1362/H46-9 December 2019 |
| 15 | BAKA | HUNGARY | 20261/12 | 23/06/2016 | Lack of access to a court as regards the premature termination of the applicant's mandate as President of the Supreme Court which also led to a violation of his right to freedom of expression. | CM/Del/Dec(2024)1501/H46-15 June 2024 |
| 16 | BAKIRDZI AND E.C. | HUNGARY | 49636/14 | 03/04/2023 | Discriminatory restriction of voting rights of the applicants belonging to recognised national minorities. | CM/Del/Dec(2024)1492/H46-16 March 2024 |
| 17 | GAZSÓ GROUP | HUNGARY | 48322/12 | 16/10/2015 | Excessive length of judicial proceedings and lack of an effective remedy in this respect. | CM/Del/Dec(2024)1501/H46-16 June 2024 |
| 18 | VARGA AND OTHERS + ISTVÁN GÁBOR KOVÁCS GROUP | HUNGARY | 14097/12+ 15707/10 | 10/06/2015 17/04/2012 | Overcrowding and poor material conditions of detention, lack of effective remedies and other deficiencies in the protection of prisoners' rights. | CM/Del/Dec(2024)1492/H46-18 March 2024 |
| 19 | DI SARNO AND OTHERS LOCASCIA AND OTHERS | ITALY | 30765/08+ 35648/10 | 10/04/2012 19/01/2024 | Prolonged inability to ensure the proper functioning of the waste collection, treatment and disposal service in Campania, lack of an effective remedy in this respect and interference with the applicants' personal well-being due to the pollution caused by a landfill site. | CM/Del/Dec(2022)1436/H46-12 June 2022 First examination |

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| 20 | CROCE AND OTHERS GROUP PENNINO GROUP | ITALY | 17607/08 43892/04 | 16/12/2021 17/12/2014 | Non-implementation or delayed implementation of domestic final judicial decisions and impossibility for the applicants to obtain their execution through enforcement proceedings. | CM/Del/Dec(2024)1492/H46-20 March 2024 |
| 21 | L. | LITHUANIA | 27527/03 | 31/03/2008 | Lack of legislation governing the conditions and procedures relating to gender reassignment. | CM/Del/Dec(2024)1492/H46-21 March 2024 |
| 22 | MANOLE AND OTHERS | REPUBLIC OF MOLDOVA | 13936/02 | 17/12/2009 13/10/2010 | Censorship and political control by State authorities at State Television Company, Teleradio-Moldova. | CM/Del/Dec(2024)1492/H46-23 March 2024 |
| 23 | V.I. | REPUBLIC OF MOLDOVA | 38963/18 | 26/06/2024 | Involuntary placement in and late discharge from a psychiatric hospital and unnecessary psychiatric treatment of a minor; lack of investigation into negligence by the authorities and into sexual abuse on the hands of other patients; lack of effective remedy; discriminatory treatment of the applicant as child with an intellectual disability. | First examination |
| 24 | TYSIAĆ R.R. P. AND S. M.L. | POLAND | 5410/03 27617/04 57375/08 40119/21 | 24/09/2007 28/11/2011 30/01/2013 14/03/2024 | Absence of an adequate legal framework for the exercise of the right to therapeutic abortion in the event of disagreement between the patient and the specialist doctor (Tysiac) and lack of access to prenatal test enabling to take an informed decision on whether to seek an abortion (R.R.). Failure to provide effective access to reliable information on the conditions and procedures to be followed to access lawful abortion (P. and S.). Impossibility to perform lawful abortion in Poland due to foetal abnormalities in consequence of a Constitutional Court's judgment of October 2020, adopted in a composition not complying with the rule of law requirements and in circumstances disclosing the lack of foreseeability (M.L.) | CM/Del/Dec(2024)1492/H46-25 March 2024 First examination |
| 25 | BĂLȘAN | ROMANIA | 49645/09 | 23/08/2017 | Failure by the authorities to protect the applicant from domestic violence | CM/Del/Dec(2020)1383/H46-14 September 2020 |
| 26 | C. | ROMANIA | 47358/20 | 30/11/2022 | Failure to protect the applicant's personal integrity due to significant flaws in the criminal investigation concerning alleged sexual harassment at the workplace. | First examination |
| 27 | CATAN AND OTHERS GROUP | RUSSIAN FEDERATION | 43370/04+ | 19/10/2012 | Violation of the right to education of children and parents using Latin-script schools in the Transnistrian region of the Republic of Moldova. | CM/Del/Dec(2024)1492/H46-29 March 2024 |
| 28 | NAVALNYI AND OFITSEROV GROUP | RUSSIAN FEDERATION | 46632/13 | 04/07/2016 | Different violations relating to various repressive measures taken by the authorities against Mr Aleksey Navalnyy, with strong factual links between them | CM/Del/Dec(2024)1492/H46-40 March 2024 |

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| 29 | UKRAINE v. RUSSIA (re Crimea) | RUSSIAN FEDERATION | 20958/14 | 25/06/2024 | Multiple violations of the Convention regarding events in Crimea, starting on 27/02/2014 and until 16/09/2022, when Russia ceased to be a contracting Party to the Convention. Violations concern: right to life, prohibition of inhuman or degrading treatment, right to liberty and security, right to a fair trial, no punishment without law, right to respect for private and family life, freedom of religion, freedom of expression, freedom of assembly, prohibition of discrimination, limitation on use of restrictions on rights, protection of property, right to education, freedom of movement. | First examination |
| 30 | VEREIN KLIMASENIORINNEN SCHWEIZ AND OTHERS | SWITZERLAND | 53600/20 | 09/04/2024 | Authorities' failure to mitigate climate change and in particular the effects of global warming | First examination |
| 31 | CYPRUS v. TURKEY | TÜRKİYE | 25781/94 | 10/05/2001 12/05/2014 | 14 violations in relation to the situation in the northern part of Cyprus (missing persons). | CM/Del/Dec(2024)1492/H46-33 March 2024 |
| 32 | KAVALA | TÜRKİYE | 28749/18 | 12/05/2020 11/07/2022 (Article 46§4) | Unjustified and extended detention of the applicant without reasonable suspicion and with the ulterior purpose of reducing him to silence. | CM/Del/Dec(2024)1514/H46-37 December 2024 |
| 33 | SELAHATTIN DEMIRTAS No. 2 GROUP | TÜRKİYE | 14305/17 | 22/12/2020 | Unjustified detention of the applicants without reasonable suspicion that they had committed an offence, with the ulterior purpose of stifling pluralism and limiting freedom of political debate. Unforeseeable lifting of the parliamentary immunity and subsequent criminal proceedings to penalise the applicants for their political speeches. (General and individual measures) | CM/Del/Dec(2024)1514/H46-38 December 2024 |
| 34 | ÖNER AND TÜRK GROUP ALTUĞ TANER AKÇAM GROUP ARTUN AND GUVENER GROUP IŞIKIRIK GROUP | TÜRKİYE | 51962/12 27520/07 75510/01 41226/09 | 30/06/2015 25/01/2012 26/09/2007 09/04/2018 | Unjustified interferences with freedom of expression, in particular through criminal proceedings, including defamation, and the consequent chilling effect. Unforeseeable conviction of membership of an illegal organisation for the mere fact of attending a public meeting and expressing views there. | CM/Del/Dec(2024)1492/H46-36 March 2024 |
| 35 | PIŞKİN | TÜRKİYE | 33399/18 | 19/04/2021 | Unjustified termination of employment contract and inadequate judicial review. | First examination |
| 36 | VARNAVA AND OTHERS | TÜRKİYE | 16064/90+ | 18/09/2009 | Lack of effective investigation into the fate of nine Greek Cypriots who disappeared during the military operations undertaken by Turkey in Cyprus in 1974. | CM/Del/Dec(2024)1492/H46-37 March 2024 |
| 37 | LUTSENKO | UKRAINE | 6492/11 | 19/11/2012 | Restriction of liberty to punish the applicant for purposes other than those permissible under the Convention. | CM/Del/Dec(2023)1459/H46-31 March 2023 |

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| 38 | SHMORGUNOV AND OTHERS | UKRAINE | 15367/14 | 21/04/2021 | Numerous violations of human rights during Maidan protests | CM/Del/Dec(2024)1492/H46-39 March 2024 |