



Summary of Final Resolutions adopted by the Committee of Ministers in 2022

(with the exception of those concerning Friendly Settlements without commitment)

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Resolution No.	Reference	Appl. No.	Judgment final on delivered on	Violation	Main measures taken
CM/ResDH(2022) 2	ARM / Artashes Antonyan	24313/10	22/01/2021 22/10/2020	Protection of property rights: <i>Unlawful interference due to the administrative fine imposed for breaching customs regulations without domestic courts' comprehensive assessment of all the circumstances necessary for the determination of the case, which made the application of the regulation insufficiently foreseeable. (Article 1 of Protocol No. 1)</i>	Individual measures: Just satisfaction for pecuniary and non-pecuniary damage paid. General measures: In 2011, the impugned provision of the Code of Administrative Offences was amended limiting the discretion of administration and courts by providing that an administrative penalty may be imposed within two months of "the date on which the offence has been discovered by means of inspection". Furthermore, the Judicial Code was amended in 2010 to improve the fairness and effectiveness of administrative proceedings by establishing an Administrative Court of Appeal. Recent case-law examples of the administrative courts concerning the two-month prescription period of the Code of Administrative Offences were submitted. The judgment was published, translated and disseminated to the relevant authorities.
CM/ResDH(2022) 22	ARM / Fidanyan	62904/12	11/01/2018 11/01/2018	Functioning of justice / protection of property rights: <i>Non-enforcement of a final domestic judgment in favor of the applicant in employment proceedings. (Articles 6 §1 and 1 of Protocol No. 1)</i>	Individual measures: Just satisfaction for pecuniary and non-pecuniary damage paid to the applicant. Domestic proceedings closed. General measures required in response to the shortcomings found continue to be examined within the framework of the Avakemyan group of cases.
CM/ResDH(2022) 3	ARM / Hovhannisyan	18419/13	19/10/2018 19/07/2018	Protection against ill-treatment: <i>Failure to conduct effective investigations into</i>	Individual measures: Just satisfaction for non-pecuniary damage paid. In 2019, the Court of Cassation quashed the

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				<i>allegations of degrading treatment in the workplace, reported by a civil servant working for the Ministry of Environmental Protection. (Article 3 procedural limb)</i>	refusal to institute criminal proceedings. In reopened proceedings, a comprehensive investigation was conducted at the end of which the applicant withdrew her complaint. <i>General measures:</i> In 2018, a new Civil Service Act made more foreseeable the disciplinary rules, procedures and possible penalties following mandatory internal investigations. Furthermore, reformed criminal procedure legislation strictly defined the functions of the Investigative Committee and the Special Investigative Service (conducting preliminary investigation into allegations of crimes committed by members/officials of legislative, executive and judicial bodies as well as in special state services), both independent state bodies authorized to conduct investigation of, <i>inter alia</i> , torture and ill-treatment cases. In 2020, the General Prosecutor's Office adopted a Recommendation with a view to enhance the effectiveness of investigations into allegations of ill-treatment. Furthermore, as from 2017, the Court of Cassation developed its case-law on judicial oversight of pre-trial proceedings, in particular, in case of refusal to institute criminal proceedings. The judgment was published, translated and disseminated to the authorities concerned. It is used in the curricula of the Justice Academy related to prohibition of torture and ill-treatment.
CM/ResDH(2022) 1	ARM / Saghatelyan	31155/13	08/10/2020 08/10/2020	Functioning of justice: <i>Excessive length of criminal proceedings. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid. Domestic proceedings closed. <i>General measures:</i> The 2018 Judicial Code established criteria for assessing the reasonableness of the length of proceedings in line with the European Court's case-law. See also CM/ResDH(2019)290 in <i>Aganikyan</i> . Moreover, in 2019, the Court of Cassation delivered a judgment on the different criteria of the "reasonable time" requirement. The 2021 Code of Criminal Procedure prescribes maximum time limits for prosecution depending on the gravity of a crime, these limits may be extended for a maximum of two months in exceptional

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					circumstances. The Chairman of the Investigative Committee and the Prosecutor General adopted related instructions and reporting schedules. In August 2020, the Supreme Judicial Council adopted a decision on the performance of judges and their subjection to disciplinary liability for breaches of the reasonable time requirement. The judgment was published, translated and disseminated to the relevant authorities. It was also included in the curricula of the Justice Academy.
CM/ResDH(2022) 37	AUT / Mladoschovitz	38663/06	15/10/2010 15/07/2010	Functioning of justice: <i>Unfair enforcement proceedings with regard to alleged arrears with maintenance payments due to the infringement of the equality of arms principle, as the claimants had neither knowledge of the debtor's appeal against the decision setting the amount of the deposit, nor an opportunity to submit their arguments, yet had to bear the costs of the appeal proceedings on the postponement of the enforcement. (Article 6 §1)</i>	Individual measures: Just satisfaction for non-pecuniary damage paid. There was no legal basis for a reopening of the proceedings at stake. General measures: In 2014, the Enforcement Act was amended stipulating that the parties of enforcement proceedings have to be heard before a decision on requests concerning the closure, the limitation or the postponement of enforcement proceedings (which are not tabled by the petitioning creditor) can be taken. Furthermore, the amended Enforcement Act refers to the Code of Civil Procedure and stipulates that appeals against decisions on requests concerning the closure, the limitation or the postponement of enforcement proceedings are "double-sided", which means that – in view of the principle "audiatur et altera pars" (hearing both sides) – the opponent to the appeal obtains the opportunity to give his/her view to the appeal. The judgment was published, translated and disseminated.
CM/ResDH(2022) 38	AUT / Stojakovic and 1 other case	30003/02+	09/02/2007 09/11/2006	Functioning of justice: <i>Unfair proceedings due to the lack of an oral hearing before the Appeals Commissions at the Ministry for Public Service and Sports and the Federal Chancellery, respectively, in disciplinary proceedings concerning civil servants' transfers to posts with lower grades. (Article 6 §1)</i>	Individual measures: The Court, failing to discern a causal link to the violation found, dismissed the applicants' claim for just satisfaction for pecuniary damage. There was no legal basis for a reopening of the proceedings at stake. General measures: In 2014, the Administrative Jurisdiction Amendment Act established new Administrative Courts to hear appeals against decisions taken by administrative authorities replacing, <i>inter alia</i> the Appeals Commissions. According to the

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					Administrative Courts Procedure Act, these Administrative Courts may refrain from an oral hearing only “if the files show that further clarification of the matter cannot be expected by an oral hearing and if its rejection is neither contrary to Article 6 §1 of the ECHR nor to Article 47 of the EU Chart of Fundamental Rights. See also, CM/ResDH(2017)199 in <i>Koottummel</i> . The judgments were published, translated and disseminated.
CM/ResDH(2022) 24	BEL / Lachiri	3413/09	18/12/2018 18/09/2018	Freedom of religion: <i>Unjustified interference following exclusion from a courtroom for refusing to remove one's hijab (violation of Article 9).</i>	Individual measures: Just satisfaction for non-pecuniary damage paid to the applicant. General measures: The judgment was published and disseminated to all domestic courts, in particular to the Court of Cassation and the Constitutional Court as well as to the Colleges of Prosecutors General, the High Council of Justice, and the Judicial Training Institute. In January 2021, the Judicial Training Institute was invited to integrate the present judgment into the initial and continuing training of judges in matters of deontology and ethics, as the exclusion from the courtroom of a person, carrying a religious symbol, must be limited to cases of disturbance only. The Judicial Code was amended in June 2020 and in January 2021 to recall the authorisation, during hearings before domestic courts, to wear religious symbols or head coverings for medical reasons.
CM/ResDH(2022) 45	BGR / Nedelcheva and Others and 2 other cases	5516/05+	28/08/2013 28/05/2013	Protection of property rights: <i>Unjustified delays in complying with judgments and administrative decisions recognising the applicants' rights to restitution of agricultural land collectivised during the communist era or to compensation thereof. (Article 1 of Protocol No.1)</i>	Individual measures: Just satisfaction for damages assessed on an equitable basis paid. Domestic decisions on restitution and in lieu compensation enforced. General measures required in response to the shortcomings found continue to be examined within the framework of the Lyubomir Popov and the Sivova and Koleva groups of cases.

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CM/ResDH(2022) 25	BIH / Delić	59181/18	02/06/2021 02/03/2021	Functioning of justice and lack of a remedy: Excessive length of civil proceedings. (Articles 6 §1 and 13)	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid to the applicant. <i>General measures</i> required in response to the shortcomings found continue to be examined within the framework of the Hadžajlić group.
CM/ResDH(2022) 39	BIH / Stipić and Others	25230/20+	22/07/2021 22/07/2021	Functioning of justice: Non-enforcement of domestic judgments ordering the Federation of Bosnia and Herzegovina to pay work-related benefits due to public service employees. (Article 6 §1)	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid. Domestic decisions enforced. <i>General measures</i> required in response to the shortcomings found by the Court in the present judgment continue to be examined within the framework of the Kunić group of cases.
CM/ResDH(2022) 11	CRO / Brežec	7177/10	18/10/2013 18/07/2013	Protection of private and family life: Disproportionate interference into the applicant's right to a home due to domestic courts' decisions ordering to vacate flats owned by the state, in breach of any procedural safeguards in the eviction proceedings. (Article 8)	<i>Individual measures:</i> No claim submitted. In reopened civil proceedings, the domestic court concluded that the interference with the applicant's right to respect for her home was proportionate to the aim pursued and thus necessary in a democratic society. However, since the building in which the flat at issue was situated was demolished in December 2013, it was impossible to order the applicant's eviction. <i>General measures:</i> See CM/ResDH(2011) 48 in Cosic group.
CM/ResDH(2022) 27	CRO / Vuković	47880/14	15/11/2018 15/11/2018	Protection of property rights: Disproportionate interference due to the seizure of the applicant's vehicle in the context of a criminal investigation and its prolonged retention in inadequate storage condition and subsequent refusal by the civil courts and Constitutional Court of the applicant's request for compensation for the damage caused. (Article 1 of Protocol No. 1).	<i>Individual measures:</i> The finding of a violation constitutes sufficient compensation for non-pecuniary damage. The most appropriate form of redress would be, as suggested by the applicant himself, to reopen the proceedings in due course. <i>General measures:</i> Domestic courts aligned their case-law with the present judgment; related examples were submitted. The judgment was published, translated and disseminated to all domestic courts.
CM/ResDH(2022) 56	GEO / Sakvarelidze	40394/10	06/06/2020 06/02/2020	Right to life: Ineffective investigation into fatal road traffic accident resulting in discontinuation of criminal proceedings	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid. The reopening of the impugned investigation is time-barred.

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				<i>against the driver as time-barred. (Article 2-procedural wing)</i>	<i>General measures</i> required in response to the shortcomings found continue to be examined within the framework of the Tsintsabadze group of cases.
CM/ResDH(2022) 57	GEO / Ucha Ilashvili	62866/19	29/09/2020 Friendly settlement	Protection against ill-treatment and lack of a remedy: Allegation of ill-treatment by police and lack of effective investigations. (Article 3)	<i>Individual measures:</i> Ex gratia settlement covering pecuniary and non-pecuniary damages paid. The criminal proceedings against the applicant were terminated in 2020. <i>General measures:</i> None.
CM/ResDH(2022) 30	GRC / Kydonis and 2 other cases	24444/07+	02/07/2009 02/04/2009	Freedom of expression: Disproportionate interferences due to journalists' and publishers' criminal convictions imposed for defamation or insult. (Article 10)	<i>Individual measures:</i> Just satisfaction for pecuniary and/or non-pecuniary damage paid as awarded. The applicants did not request the reopening of the impugned proceedings. <i>General measures:</i> The judgment was published, translated and disseminated.
CM/ResDH(2022) 46	GRC/ Kargakis	27025/13	14/04/2021 14/01/2021	Protection against ill-treatment: Poor conditions of detention in overcrowded prisons and the lack of effective remedies in this respect. (Articles 3 and 13)	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid. The applicant was released. <i>General measures</i> required in response to the shortcomings found by the Court in the present judgment continue to be examined within the framework of the Nisiotis group of cases.
CM/ResDH(2022) 29	GRC/ Vamvakas (No. 2)	2870/11	14/09/2015 09/04/2015	Functioning of justice: Unfair criminal proceedings due to the dismissal of the applicant's appeal on points of law owing to the unexplained absence of the court-appointed lawyer despite the Court of Cassation's obligation to ensure the practical and effective respect for the applicant's defence rights. (Article 6 §§1+3c)	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid to the applicant. The applicant did not request the reopening of the impugned proceedings. <i>General measures:</i> In 2021, the 2004 law on "Procedure for legal aid in criminal cases – Counsel's appointment" was amended to provide that, in case of the counsel's non-attendance, the case be adjourned <i>ex officio</i> . The judgment was published, translated and disseminated.
CM/ResDH(2022) 5	HUN / Cavani	5493/13	28/01/2015 28/10/2014	Protection of private and family life: Failure of authorities to ensure a divorced father's reunification with his children and their return to Italy for a period of more	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage paid. The first applicant and his ex-wife reached an agreement pursuant to which the children would remain with

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				<i>than seven years despite a binding court decision. (Article 8)</i>	their mother in Hungary and visit their father in Italy several times per year. <u>General measures:</u> The judgment was published, translated and disseminated.
CM/ResDH(2022)48	ISL / Guðmundur Andri Ástráðsson	26374/18	01/12/2020 Grand Chamber	Functioning of justice: <i>Judicial appointment procedure: Infringement of the applicant's right to a "tribunal established by law" in proceedings before the newly-established Court of Appeal due to the participation of a judge whose appointment was found to constitute manifest and grave breaches of domestic rules on the matter. (Article 6 §1)</i>	<u>Individual measures:</u> The finding of a violation was sufficient just satisfaction for non-pecuniary damage. The European Court refused to indicate an obligation to reopen the applicant's case, and as of present the applicant has not availed himself of the opportunity under domestic law to request reopening of the impugned proceedings before the newly established Court on Reopening of Judicial Proceedings. <u>General measures:</u> Art. 46 – indication: No obligation to reopen all similar cases that had since become res judicata in accordance with Icelandic law. However, the parties to these cases may apply for reopening before the Court on Reopening of Judicial Proceedings, who already have granted reopening in several cases on the basis of findings by the European Court. Immediately after the ECHR's Chamber judgment, no new Court of Appeal cases were allocated to the four irregularly appointed judges. All Court of Appeal judges have now been appointed in full compliance with the domestic legal framework and procedures in accordance with the ECHR requirements. In 2020, the Minister of Justice adopted guidelines in case he/she departs from the Evaluation Committee's public proposals for the appointment of judges, in which case the Parliament's approval is required. Moreover, the Supreme Court clarified the interpretation of relevant domestic provisions on the voting method, thus giving guidance to the Parliament should similar circumstances arise. The judgment was published, translated and disseminated.

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CM/ResDH(2022) 31	ITA / D'Acunto and Pignataro and 2 other cases	6360/13	12/07/2018 12/07/2018	Protection of private and family life: Authorities' failure to make adequate and sufficient efforts to ensure respect of the applicants' access rights to their minor children or grandchildren. (Article 8)	Individual measures: Just satisfaction for non-pecuniary damage paid. On the basis of the present judgments, new requests concerning visiting rights may be introduced. General measures required to ensure the effective implementation of judicial decisions regulating parents' or grandparents' access rights continue to be examined within the framework of the <i>Strumia</i> and <i>Terna</i> groups of cases.
CM/ResDH(2022) 14	MDA / Caraman and 1 other case	3755/05+	15/09/2020 15/09/2020	Functioning of justice / protection of property rights / lack of a remedy: State's failure to enforce final domestic judgments awarding the applicants social housing rights or money in lieu of housing as well as lack of an effective remedy. (Articles 6 §1, 1 of Protocol No. 1 and Article 13)	Individual measures: Just satisfaction for non-pecuniary damage paid. Domestic court judgements were fully executed and/or the outstanding pecuniary damage was fully covered by the just satisfaction awarded by the European Court. General measures: In 2011, a new law introduced a compensatory remedy for excessive length of judicial and enforcement proceedings. Other outstanding issues continue to be examined within the framework of the case <i>Olaru and Others</i> (476/07), in particular, concerning the overall effectiveness of the reformed enforcement system and the functioning of the domestic remedy introduced in case of prolonged enforcement proceedings. During the period 2018-2021, more than 200 judges attended training activities held by the National Institute of Justice on issues related to the right to a fair trial and protection of property. The judgments were published, translated and disseminated.
CM/ResDH(2022) 13	MDA / Political Party "Patria" and Others	5113/15+	04/11/2020 04/08/2020	Electoral rights: Arbitrary interference with the applicants' and the applicant party's electoral rights as a result of the latter's unfounded disqualification from participating in the parliamentary elections, as well as insufficient procedural guarantees against arbitrariness during the unfolding of the national proceedings. (Article 3 of Protocol No. 1)	Individual measures: The finding of a violation constitutes, in itself, sufficient just satisfaction for any non-pecuniary damage sustained by the applicants other than the applicant party. Just satisfaction for non-pecuniary damage paid to the party. In 2021, the Supreme Court of Justice quashed the appellate court's judgment and dismissed the action against the applicant party as manifestly ill-founded. Thus, the applicants' and the applicant party's rights at national level have been finally restored.

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					<i>General measures:</i> Between 2014 and 2016, the relevant regulations of the Central Electoral Commission and the Electoral Code have been amended as concerns the funding of electoral campaigns, in particular, by lowering the limit for donations and introducing the possibility of funding from foreign sources. In 2016 and 2019, the Plenary Supreme Court delivered an explanatory judgment and an advisory opinion to unify judicial practice as regards electoral proceedings. Moreover, the Central Electoral Commission did not lodge any further requests to withdraw any political party from the parliamentary elections. Specialised seminars on electoral issues are being provided by the National Institute to magistrates. The judgment was published, translated and disseminated.
CM/ResDH(2022)41	PRT / L.P. and Carvalho	24845/13+	08/10/2019 08/10/2019	<i>Freedom of expression: Disproportionate interference due to the conviction of two lawyers for defamation (L.P.) and for attacking a person's honour (Carvalho) in respect of two judges, on account of documents drawn up by the lawyers in their capacity as representatives. (Article 10)</i>	<i>Individual measures:</i> Just satisfaction for pecuniary damage (fine imposed) paid. The finding of a violation constituted in itself sufficient just satisfaction in respect of non-pecuniary damage. Both applicants could request reopening of the impugned proceedings. <i>General measures:</i> The judgments were published, translated and disseminated to all courts and authorities concerned.
CM/ResDH(2022)43	SER / Đulča Redžović	10958/19	25/03/2021 Friendly settlement	<i>Functioning of justice: Non-enforcement of domestic judgments in the applicant's favour. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage stipulated in the friendly settlement paid. Domestic decisions enforced. <i>General measures:</i> None.
CM/ResDH(2022)42	SER / Đuzida Đukić and Others	38797/20	08/04/2021 Friendly settlement	<i>Functioning of justice: Non-enforcement of domestic judgments in the applicants' favour. (Article 6 §1)</i>	<i>Individual measures:</i> Just satisfaction for non-pecuniary damage stipulated in the friendly settlement paid. Domestic decisions enforced. <i>General measures:</i> None.

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CM/ResDH(2022)51	SER / Mikuljanac, Mališić and Šafar	41513/05	09/01/2008 09/10/2007	Functioning of justice: Excessive length of labour-related proceedings and lack of an effective remedy. (Articles 6 §1 and 13)	Individual measures: Just satisfaction for non-pecuniary damage paid. Domestic proceedings completed. General measures: Information was submitted on the acceleration of labour-related proceedings before the first and second instance courts between 2016 and 2020, showing prompt disposition time and a high number of resolved cases. A preventive remedy was introduced in 2013. In 2016, the Law on Protection of the Right to a Trial within a Reasonable Time introduced an acceleratory remedy. The authorities' commitment to continuing their efforts to put an end to the more general problem of excessive length of civil, family-related and commercial proceedings in the context of the <i>Jevremović</i> group of cases.
CM/ResDH(2022)44	SER / Novica Randelović and 3 other cases	42495/18	08/04/2021 Friendly settlement	Functioning of justice: Non-enforcement of domestic judgments in the applicants' favour. (Article 6 §1)	Individual measures: Just satisfaction for non-pecuniary damage stipulated in the friendly settlement paid. Domestic decisions enforced. General measures: None.
CM/ResDH(2022)33	SUI / Ryser	23040/13	12/04/2021 12/01/2021	Discrimination and protection of private life: Discriminatory treatment and disproportionate interference on account of the applicant's obligation to pay a tax for exemption from military service despite his inability to serve on medical grounds. (Article 14 in combination with Article 8)	Individual measures: No valid claim submitted by the applicant. The applicant did not request revision of the impugned tax decision before the Federal Court. General measures: The judgment was published and disseminated to all authorities concerned. See also CM/ResDH(2019)319 in Glor. In 2013, ordinances on the medical evaluation of aptitude for military service were amended to ensure that persons willing to perform military service, who until then had been declared unfit for medical reasons, but whose grounds for inaptitude were not sufficient to exempt them from paying the contentious tax, can now be declared "Fit for military service in specific functions only, with conditions" by a special commission.

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CM/ResDH(2022)59	TUR / Bayar and 14 other cases	55060/07+	13/06/2017 13/06/2017	Freedom of expression, freedom of assembly, functioning of justice: <i>Unjustified interferences due to the criminal proceedings initiated under various articles of the Criminal Code and Anti-Terrorism Law and denial of access to court (Bayar) on account of inadmissibility of the applicant's appeal on points of law on grounds that the level of the fine was below the statutory minimum for appeal. (Article 10, 11 and 6)</i>	Individual measures: Just satisfaction for non-pecuniary damage paid. The applicants' convictions have been quashed and their criminal records have been erased. General measures: Concerning the issue on the right to access to court, see CM/ResDH(2019)330 in <i>Bayar</i> . General measures required in response to the other shortcomings found by the Court continue to be examined within the framework of the <i>Öner and Türk (51962/12)</i> , <i>Altuğ Taner Akçam (27520/07)</i> , <i>Nedim Şener (38270/11)</i> , <i>Artun and Güvener (75510/01)</i> and <i>Işıkırık (41226/09)</i> groups of cases.
CM/ResDH(2022)19	UK / J.D. and A	32949/17+	24/02/2020 24/10/2019	Discrimination / protection of property rights: <i>Unjustified and disproportionate discriminatory effect of housing benefit regulations in the social housing sector (informally known as "the bedroom tax") on a recognized victim of domestic violence in a special Sanctuary Scheme property. The Court noted that the regulation's aim to incentivise people to move was in conflict with the Sanctuary Scheme's goal of allowing victims of domestic and gender-based violence to stay in their homes. (Article 8)</i>	Individual measures: Just satisfaction for non-pecuniary damage paid to the applicant. The applicant received and, after the judgment, continued to receive discretionary housing payments which mitigated any financial loss related to the reduction in housing benefits. Further to the change in legislation (see general measures below), the applicant is now in the position she would have been in without the violation. General measures: The relevant legislation was amended (entry into force in October 2021) to introduce an exemption for victims of domestic violence who are part of a special Sanctuary Scheme from reduction in housing benefits. This exemption applies also to claimants who adjusted their home under the Sanctuary scheme, due an individual in their household being subject to domestic violence. The judgment was published and disseminated.
CM/ResDH(2022)34	UKR / Bochan No. 2 and 2 other cases	22251/08+	05/02/2015 Grand Chamber	Functioning of justice: <i>Unfair civil and criminal review proceedings before the Supreme Court following initial judgments of the European Court (Bochan No. 1, Yaremenko No. 1 and Shabelnik No. 1). In the second judgments it gave on each case, the European Court found that the initial</i>	Individual measures: Just satisfaction for non-pecuniary damage paid as awarded in each case. In the first and third cases, the Supreme Court reopened the proceedings for review on the merits, referring to the European Court's finding in the cases <i>Bochan No. 1 and No. 2</i> , and <i>Shabelnik No. 1 and No. 2</i> , respectively. The second applicant did not request review of the impugned proceedings.

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				<i>violations had not been remedied during the reopened domestic proceedings, causing new violations.</i>	General measures: In 2017, amendments to relevant procedural laws created domestic mechanisms to provide for the possibility to request the review of final domestic civil and criminal judgments on the basis of the European Court's finding of a violation of the ECHR. Furthermore, domestic judicial practice has evolved. Relevant examples and an analysis of Supreme Court judicial decision monitoring (covering the period 2017 to 2020) were submitted. The Supreme Court regularly quashed impugned judgments and referred the case back to the appropriate instance or decided itself on the merits to reduce the risk of excessive length of proceedings. Thus, a coherent and unified judicial practice has been established in consistency with the "CM Recommendation on the re-examination of national judicial decisions following European Court's judgments". Capacity-building activities were organised for judges, including with the support of the Council of Europe cooperation projects. The judgments were published, translated and disseminated.
CM/ResDH(2022)36	UKR / Chernov	16432/10	10/12/2020 10/12/2020	Ne bis in idem: <i>Double punishment under the Criminal Code and the Code of administrative (minor) offences for the same minor disorderly act. (Article 4 of Protocol No. 7)</i>	Individual measures: Just satisfaction for non-pecuniary damage was transferred to a special deposit account due to the absence of the applicant's financial details. In 2021, the Supreme Court reopened the impugned proceedings, quashed the criminal decision and closed the criminal case. General measures: See CM/ResDH(2018)48 in <i>Tarasov</i> . In the present case, the violation resulted from the domestic courts' inappropriate interpretation of domestic law. Examples of domestic courts' coherent and appropriate practice were submitted. The judgment was published, translated and disseminated.
CM/ResDH(2022)35	UKR / Shebaldina	75792/11	18/06/2020 18/06/2020	Protection of property rights: <i>Domestic courts' arbitrary dismissal of a teacher's claims for recovery of annual payments to be paid from the State budget on the</i>	Individual measures: Just satisfaction for pecuniary (debt and inflation losses) and non-pecuniary damage paid. The applicant did not avail herself of the possibility to request review of the impugned proceedings.

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				<p><i>grounds of lacking expenditure provisions in the relevant budget. (Article 1 of Protocol No.1)</i></p>	<p><u>General measures</u>: See also CM/ResDH(2017)22 in <i>Suk</i>. The judgment was published, translated and disseminated to the local and regional courts, the National School of Judges, the Ministry of Finance, and the Ministry of Education and Science. Further general measures to enhance the rule of law and access to justice as well as to avoid non-enforcement or delayed enforcement of domestic court decisions against the state, state-controlled or owned entities continue to be examined in the framework of three main groups of cases: <i>Oleksandr Volkov</i> (judicial reform), <i>Merit/Svetlana Naumenko</i> (length of proceedings) and <i>Zhovner/Burmych</i> (enforcement of domestic decisions).</p>