

# COMMITTEE OF MINISTERS - Supervision of the execution of judgments of the European Court of Human Rights - Cases examined at 1377<sup>th</sup> meeting (HR)

Given the extraordinary circumstances linked to the COVID-19 pandemic, the Deputies have decided to reorganise their 1377<sup>th</sup> DH meeting. This meeting will be divided in two parts: part of the cases on the agenda will be examined through a written procedure on 4 June and the rest will be examined at a physical meeting on 1-3 September (1377bis).

## List of cases examined at 1377<sup>th</sup> meeting through a written procedure (4 June 2020) and decisions adopted

STATE (link to the Country factsheet)	MAIN CASE (link to the judgment)	PRESS RELEASE (ECHR)	JUDGMENT FINAL ON	PROBLEMS REVEALED	STATUS OF EXECUTION	DECISIONS ADOPTED
<a href="#">ALBANIA</a>	<a href="#">Luli and Others</a> (group)	<a href="#">Link</a>	01/07/2014	<b>Excessive length of civil and criminal proceedings</b> and absence of a remedy in that respect.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">ARMENIA</a>	<a href="#">Mushegh Saghatelian</a> (group)	<a href="#">Link</a>	20/12/2018	<b>Ill-treatment by the police</b> and absence of any official investigation; <b>unlawful arrest and detention</b> ; disproportionate and unnecessary dispersal of protests.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">BELGIUM</a>	<a href="#">Bell</a>	<a href="#">Link</a>	06/04/2009	<b>Excessive length of civil and criminal proceedings.</b>	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">BOSNIA AND HERZEGOVINA</a>	<a href="#">Kunić and Others</a> (group)	<a href="#">Link</a>	14/02/2018	<b>Non-enforcement of final judgments</b> ordering the payment of work-related benefits.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">BOSNIA AND HERZEGOVINA</a>	<a href="#">Sejdić and Finci</a> (group)	<a href="#">Link</a>	22/12/2009	<b>Ethnic-based discrimination on account of the ineligibility of persons not affiliated with one of the "constituent peoples"</b> (Bosniaks, Croats or Serbs) to stand for election to the House of Peoples and the Presidency.	<a href="#">Link</a>	<b>Postponed to the 1383<sup>rd</sup> meeting</b>
<a href="#">BULGARIA</a>	<a href="#">United Macedonian Organisation Ilinden and Others</a> (group)	<a href="#">Link</a>	19/04/2006	<b>Unjustified refusals by the courts to register an association</b> aiming at achieving "the recognition of the Macedonian minority in Bulgaria".	<a href="#">Link</a>	<b>Postponed to the 1383<sup>rd</sup> meeting</b>
<a href="#">CROATIA</a>	<a href="#">Šečić</a>	<a href="#">Link</a>	31/08/2007	Failure to carry out an effective investigation into a racist attack on a person of Roma <sup>1</sup> origin.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">CYPRUS</a>	<a href="#">M.A.</a> (group)	<a href="#">Link</a>	23/10/2013	<b>Lack of remedy with automatic suspensive effect in deportation proceedings</b> and absence of speedy review of lawfulness of detention.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">HUNGARY</a>	<a href="#">Gubacsi</a> (group)	<a href="#">Link</a>	28/09/2011	<b>Inhuman and degrading treatment by law enforcement officers</b> and/or the lack of adequate investigations in this respect.	<a href="#">Link</a>	<b>Postponed to the 1383<sup>rd</sup> meeting</b>
<a href="#">ITALY</a>	<a href="#">M.C. and Others</a>	<a href="#">Link</a>	03/12/2013	<b>Legislative intervention which, retrospectively and in a discriminatory manner, deprived the applicants of the annual adjustment of the supplementary component of a compensation allowance</b> paid to them following their accidental contamination with different viruses as a result of blood transfusions or the administration of blood derivatives.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">ITALY</a>	<a href="#">Nasr and Ghali</a>	<a href="#">Link</a>	23/05/2016	<b>Operation of "extraordinary rendition"</b> .	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">ITALY</a>	<a href="#">Talpis</a>	<a href="#">Link</a>	18/09/2017	<b>Failure to comply with the obligation to assess properly the risks to life</b> in a case of domestic violence and to give an adequate response.	<a href="#">Link</a>	<b>Postponed to the 1383<sup>rd</sup> meeting</b>
<a href="#">REPUBLIC OF MOLDOVA</a>	<a href="#">I.D.</a> (group)	<a href="#">Link</a>	11/04/2011	<b>Poor conditions of detention</b> in facilities under the authority of the Ministries of the Interior and Justice, including lack of access to adequate medical care; absence of an effective remedy.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">REPUBLIC OF MOLDOVA</a>	<a href="#">Sarban</a> (group)	<a href="#">Link</a>	04/01/2006	<b>Various violations mainly arising from pre-trial detention.</b>	<a href="#">Link</a>	<a href="#">Link</a>

<sup>1</sup> The term "Roma and Travellers" is used at the Council of Europe to encompass the wide diversity of the groups covered by the work of the Council of Europe in this field: on the one hand a) Roma, Sinti/Manush, Calé, Kaale, Romanichals, Boyash/Rudari; b) Balkan Egyptians (Egyptians and Ashkali); c) Eastern groups (Dom, Lom and Abdal); and, on the other hand, groups such as Travellers, Yenish, and the populations designated under the administrative term "Gens du voyage", as well as persons who identify themselves as Gypsies. The present is an explanatory footnote, not a definition of Roma and/or Travellers.

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STATE (link to the Country factsheet)	MAIN CASE (link to the judgment)	PRESS RELEASE (ECHR)	JUDGMENT FINAL ON	PROBLEMS REVEALED	STATUS OF EXECUTION	DECISIONS ADOPTED
<a href="#">NORTH MACEDONIA</a>	<a href="#">"Orthodox Ohrid Archdiocese (Greek-Orthodox Ohrid Archdioese Of The Peć Patriarchy)" (group)</a>	<a href="#">Link</a>	09/04/2018	<b>Violations of the right to freedom of assembly and association</b> on account of the authorities' refusal to register the applicant association as religious entities.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">POLAND</a>	<a href="#">Bqk Majewski (group) Rutkowski and Others Jan Załuska, Marianna Rogalska and 398 other applications</a>	<a href="#">Link</a>	16/04/2007 11/01/2006 07/10/2015 20/06/2017	<b>Excessive length of civil and criminal proceedings</b> and problems in the functioning of the domestic remedy.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">ROMANIA</a>	<a href="#">E.B.</a>	<a href="#">Link</a>	19/03/2019	<b>Lack of effective investigations and court proceedings into rape allegations:</b> excessive reliance on absence of proof of physical resistance by the victims and deficiencies in the protection of their rights.	<a href="#">Link</a>	<b>Postponed to the 1383<sup>rd</sup> meeting</b>
<a href="#">ROMANIA</a>	<a href="#">M.G.C. (group)</a>	<a href="#">Link</a>	15/06/2016	<b>Lack of effective and child-sensitive investigations and court proceedings into allegations of rape</b> in a context marked by the absence of a settled and consistent practice of the national courts on the question of victims' consent to differentiate rape from the statutory offence of sexual intercourse with a minor.	<a href="#">Link</a>	<b>Postponed to the 1383<sup>rd</sup> meeting</b>
<a href="#">ROMANIA</a>	<a href="#">Parascineti Cristian Teodorescu (group)</a>	<a href="#">Link</a> <a href="#">Link</a>	13/06/2012 19/09/2012	<b>Issues related to the living conditions and treatment of patients in psychiatric hospitals</b> and to the procedure and safeguards for involuntary psychiatric placements.	<a href="#">Link</a> <a href="#">Link</a>	<a href="#">Link</a>
<a href="#">RUSSIAN FEDERATION</a>	<a href="#">Klyakhin (group) (Pichugin cases)</a>	<a href="#">Link</a>	17/07/2014	<b>Various problems relating to pre-trial detention.</b>	<a href="#">Link</a>	<a href="#">Link</a> <b>Interim Resolution adopted</b>
<a href="#">SERBIA</a>	<a href="#">R. Kačapor and Others (group)</a>	<a href="#">Link</a>	07/07/2008	<b>Non-enforcement of final court and administrative decisions</b> , including against "socially-owned" companies.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">SLOVENIA</a>	<a href="#">Mandić and Jovič</a>	<a href="#">Link</a>	20/01/2012	<b>Lack of an effective compensatory remedy for poor conditions of detention.</b>	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">TURKEY</a>	<a href="#">Taşkin and Others (group)</a>	<a href="#">Link</a>	30/03/2005	<b>Failure to enforce domestic court decisions concerning the annulment of operation permit of a gold mine</b> and the shutting down of thermal power plants for environmental reasons.	<a href="#">Link</a>	<b>Postponed to the 1383<sup>rd</sup> meeting</b>
<a href="#">TURKEY</a>	<a href="#">Ülke (group)</a>	<a href="#">Link</a>	24/04/2006	<b>Repetitive convictions and prosecutions for having refused to carry out compulsory military service</b> on account of their religious beliefs or convictions as pacifists and conscientious objectors.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">UKRAINE</a>	<a href="#">Fedorchenko and Lozenko (group)</a>	<a href="#">Link</a>	20/12/2012	<b>Failure to carry out an effective investigation into violent acts against persons of Roma origin</b> and to investigate possible racist motives.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">UKRAINE</a>	<a href="#">Tymoshenko Lutsenko</a>	<a href="#">Link</a> <a href="#">Link</a>	30/07/2013 19/11/2012	<b>Restriction of liberty also for other reasons than those permissible under Article 5.</b>	<a href="#">Link</a> <a href="#">Link</a>	<a href="#">Link</a>

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Indicative list of cases to be examined at 1377<sup>th</sup>(bis) meeting (1-3 September 2020)

STATE (link to the Country factsheet)	MAIN CASE (link to the judgment)	PRESS RELEASE (ECHR)	JUDGMENT FINAL ON	PROBLEMS REVEALED	STATUS OF EXECUTION
<a href="#">AZERBAIJAN</a>	<a href="#">Ilgar Mammadov</a> (group)	<a href="#">Link</a>	13/10/2014	<b>Arrest and pre-trial detention to punish the applicants for having criticised the government</b> ( <i>Ilgar Mammadov</i> ), or for their activities in the area of human rights ( <i>Rasul Jafarov, Aliyev</i> ) or for his activities in the area of electoral monitoring ( <i>Mammadli</i> ) or for their active social and political engagement ( <i>Rashad Hasanov and others</i> ) in breach of Article 18 taken in conjunction with Article 5. Violation of the right to fair trial ( <i>Ilgar Mammadov No. 2</i> ).	<a href="#">Link</a>
<a href="#">AZERBAIJAN</a>	<a href="#">Muradova</a> (group) <a href="#">Mammadov (Jalaloglu)</a> (group) <a href="#">Mikayil Mammadov</a> (group)	<a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a>	02/07/2009 11/04/2007 17/03/2010	<b>Excessive use of force by the security forces</b> and lack of effective investigations.	<a href="#">Link</a>
<a href="#">BULGARIA</a>	<a href="#">S.Z.</a> <a href="#">Kolevi</a>	<a href="#">Link</a> <a href="#">Link</a>	03/06/2015 05/02/2010	<b>Systemic problem of ineffective criminal investigations in Bulgaria</b> with regard to shortcomings which affect investigations concerning both private individuals and law enforcement agents and lack of guarantees for the independence of criminal investigations against the Chief Prosecutor.	<a href="#">Link</a>
<a href="#">GREECE</a>	<a href="#">Bekir-Ousta and Others</a> (group)	<a href="#">Link</a>	11/01/2008	<b>Refusal of domestic courts to register associations.</b>	<a href="#">Link</a>
<a href="#">GREECE</a>	<a href="#">Chowdury and Others</a>	<a href="#">Link</a>	30/06/2017	<b>Inadequate response to human trafficking</b> through exploitation of the vulnerability of unauthorised migrant workers.	<a href="#">Link</a>
<a href="#">HUNGARY</a>	<a href="#">Gázsó</a> (group)	<a href="#">Link</a>	16/10/2015	<b>Excessive length of judicial proceedings</b> and lack of an effective remedy in this respect.	<a href="#">Link</a>
<a href="#">HUNGARY</a>	<a href="#">Varga and Others</a> <a href="#">István Gábor Kovács</a> (group)	<a href="#">Link</a> <a href="#">Link</a>	10/06/2015 28/04/2012	<b>Overcrowding and poor material conditions of detention</b> , lack of effective remedies and other deficiencies in the protection of prisoners' rights.	<a href="#">Link</a>
<a href="#">LITHUANIA</a>	<a href="#">Paksas</a>	<a href="#">Link</a>	06/01/2011	<b>Permanent and irreversible ban on standing for parliamentary elections</b> due to the applicant's removal from presidential office following impeachment proceedings.	<a href="#">Link</a>
<a href="#">POLAND</a>	<a href="#">Beller</a> (group)	<a href="#">Link</a>	06/06/2005	<b>Excessive length of proceedings before administrative bodies and courts</b> ; lack of an effective remedy as regards length of proceedings before administrative bodies and problems in the functioning of the remedy as regards length of proceedings before the courts.	<a href="#">Link</a>
<a href="#">ROMANIA</a>	<a href="#">S.C. Polyinvest S.R.L. and Others</a>	<a href="#">Link</a>	29/03/2018	<b>Non-implementation of arbitral awards or final domestic court decisions</b> ordering State-controlled companies to pay various sums to the applicants.	<a href="#">Link</a>
<a href="#">RUSSIAN FEDERATION</a>	<a href="#">Catan and Others</a>	<a href="#">Link</a>	19/10/2012	<b>Violation of the right to education</b> of children and parents using Latin-script schools in the Transdnistrian region of the Republic of Moldova.	<a href="#">Link</a>
<a href="#">RUSSIAN FEDERATION</a>	<a href="#">Georgia (I) v. Russian Federation</a>	<a href="#">Link</a>	14/09/2009	<b>Various violations related to the arrest, detention and collective expulsion from the Russian Federation of Georgian nationals in 2006-2007.</b>	<a href="#">Link</a>
<a href="#">RUSSIAN FEDERATION</a>	<a href="#">Khashiyev and Akayeva</a> (group)	<a href="#">Link</a>	06/07/2005	<b>Action of the security forces</b> , mostly in the Chechen Republic (effectiveness of investigations).	<a href="#">Link</a>
<a href="#">RUSSIAN FEDERATION</a>	<a href="#">Lashmankin and Others</a> (group) <a href="#">Navalnyy</a>	<a href="#">Link</a> <a href="#">Link</a>	29/05/2017 15/11/2018	<b>Different violations mainly related to the right to freedom of peaceful assembly</b> (reactions to notifications of planned assemblies, reactions to peaceful assemblies, unlawful arrests).	<a href="#">Link</a> <a href="#">Link</a>

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<a href="#">SERBIA</a>	<a href="#">Ališić and Others</a>	<a href="#">Link</a>	16/07/2014	<b>Inability to recover “old” foreign-currency savings</b> deposited in Bosnian-Herzegovinian branches of banks incorporated in Serbia and Slovenia.	<a href="#">Link</a>
<a href="#">TURKEY</a>	<a href="#">Cyprus v. Turkey</a>	<a href="#">Link</a> <a href="#">Link (just satisfaction)</a>	10/05/2001 12/05/2014	<b>14 violations in relation to the situation in the northern part of Cyprus.</b>	<a href="#">Link</a>
<a href="#">TURKEY</a>	<a href="#">Mergen and Others</a> (group) <a href="#">Kavala<sup>2</sup></a>	<a href="#">Link</a> <a href="#">Link</a>	31/08/2016 11/05/2020	<b>Arbitrary detention of the applicants on suspicion of belonging to a criminal organisation</b> , without providing any evidence of a link between the applicants themselves and the criminal organisation.	<a href="#">Link</a> <a href="#">Link</a>
<a href="#">UKRAINE</a>	<a href="#">Kaverzin</a> <a href="#">Afanasyev</a> (group) <a href="#">Belousov</a>	<a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a>	15/08/2012 05/07/2005 07/02/2014	<b>Ill-treatment / torture by police</b> and lack of effective investigation.	<a href="#">Link</a>
<a href="#">UNITED KINGDOM</a>	<a href="#">McKerr</a> (group)	<a href="#">Link</a>	04/05/2001	<b>Actions of security forces in Northern Ireland</b> in the 1980s and 1990s; failure to conduct Article 2-compliant investigations.	<a href="#">Link</a>

<sup>2</sup> The Committee will discuss both the classification and the merits of the case at this meeting.