

COMMITTEE OF MINISTERS - Supervision of the execution of judgments of the ECHR - Cases examined at 1428<sup>th</sup> meeting (HR) – [8-9 March 2022]

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="#">Sharxhi and Others</a>	<a href="#">Link</a>	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 <b>property rights</b> .	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">ARMENIA</a>	<a href="#">Chiragov and Others</a>	<a href="#">Link</a>	16/06/2015	Impossibility for persons displaced during the Nagorno-Karabakh conflict to gain access in 1992 to their homes and properties in the region; <b>lack of effective remedies</b> .	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">ARMENIA</a>	<a href="#">Virabyan</a> (group)	<a href="#">Link</a>	02/01/2013	<b>Torture in police custody and killing during the arrest operation and ineffective investigations</b> , including into allegations that the ill-treatment was politically motivated.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">AZERBAIJAN</a>	<a href="#">Mammadli</a> (group)	<a href="#">Link</a>	19/07/2018	<b>Arrest and pre-trial detention to punish the applicants for his activities in the area of electoral monitoring (Mammadli) or for their active social and political engagement in breach of Article 18 taken in conjunction with Article 5.</b>	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">AZERBAIJAN</a>	<a href="#">Sargsyan</a>	<a href="#">Link</a>	16/06/2015	<b>Impossibility for persons displaced during the Nagorno-Karabakh conflict to gain access in 1992 to their homes and properties</b> in the region; <b>lack of effective remedies</b> .	<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>	<a href="#">Link</a>
<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 associations</b> aiming at achieving "the recognition of the Macedonian minority in Bulgaria".	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">BULGARIA</a>	<a href="#">Lyubomir Popov</a> (group) <a href="#">Sivova and Koleva</a> (group) <a href="#">Mutishev and Others</a> <a href="#">Tomov and Nikolova</a>	<a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a>	07/04/2010 04/06/2012 03/03/2010 21/10/2016	<b>Unjustified delays in complying with judgments and administrative decisions</b> concerning the restitution of agricultural land nationalised during the communist period or providing compensation thereof. <b>Deprivation of property in breach of the principle of legal certainty and without any compensation</b> , on the basis of restitution legislation.	<a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a>	<a href="#">Link</a>
<a href="#">FRANCE</a>	<a href="#">M.A.</a>	<a href="#">Link</a>	02/07/2018	<b>Expulsion to Algeria in presence of a real and serious risk of ill-treatment (M.A.)</b> and failure to comply with the Court's interim measure in ( <i>M.A.</i> and <i>A.S.</i> cases).	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">FRANCE</a>	<a href="#">Moustahi</a>	<a href="#">Link</a>	25/09/2020	<b>Detention and rapid return of two foreign unaccompanied minors</b> from Mayotte to the Comoros, without an examination of their individual situation.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">GEORGIA</a>	<a href="#">Merabishvili</a>	<a href="#">Link</a>	28/11/2017	<b>Failure of the domestic courts to give sufficiently reasoned decisions for the continued pre-trial detention of the applicant</b> , a former Prime Minister and Minister of the Interior, and use of the pre-trial detention during this period by the Chief Public Prosecutor for the illegitimate purpose of pressurising the applicant into providing information on matters unrelated to the criminal case against him.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">GEORGIA</a>	<a href="#">Tsintsabadze</a> (group)	<a href="#">Link</a>	18/03/2011	<b>Lack of effective investigations into allegations of ill-treatment or violations of the right to life;</b> excessive use of force by the police in the course of arrest and/or while detaining suspects.	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">GREECE</a>	<a href="#">Nisiotis</a> (group)	<a href="#">Link</a>	20/06/2011	<b>Prison overcrowding</b> and other poor conditions in prison. Lack of effective remedy	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">HUNGARY</a>	<a href="#">Baka</a>	<a href="#">Link</a>	23/06/2016	<b>Lack of access to a court</b> as regards the premature termination of the applicant's mandate as President of the Supreme Court which also led to a <b>violation of his right to freedom of expression</b> .	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">HUNGARY</a>	<a href="#">Szabó and Vissy</a>	<a href="#">Link</a>	23/06/2016	<b>Absence of sufficient guarantees against abuse in legislation on secret surveillance</b> .	<a href="#">Link</a>	<a href="#">Link</a>
<a href="#">ICELAND</a>	<a href="#">Guðmundur Andri Ástráðsson</a>	<a href="#">Link</a>	01/12/2020	<b>Irregularities in the appointment process of judges to the newly established Court of Appeal</b> .	<a href="#">Link</a>	<a href="#">Link</a>

COMMITTEE OF MINISTERS - Supervision of the execution of judgments of the ECHR - Cases examined at 1428<sup>th</sup> meeting (HR) – [8-9 March 2022]

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
ITALY	<i>Terna</i> (group) <i>R.V. and Others</i>	<a href="#">Link</a> <a href="#">Link</a>	14/04/2021 18/10/2019	<b>Systemic problem of the authorities' failure to make adequate and sufficient efforts to ensure respect of the applicant's visiting rights</b> (Terna). <b>Shortcomings in the legal framework regulating children placement into public care.</b> Childcare measures in respect of the applicant's two children were kept in force for over ten years (R.V. and Others).	<a href="#">Link</a> <a href="#">Link</a>	<a href="#">Link</a>
LITHUANIA	<i>Abu Zubaydah</i>	<a href="#">Link</a>	08/10/2018	<b>Various violations related to the secret detention and "extraordinary rendition"</b> of the applicant, who has been since detained at the US Internment Facility at the Guantánamo Bay Naval Base without charge and without any safeguards against arbitrary detention.	<a href="#">Link</a>	<a href="#">Link</a>
MALTA	<i>Galea and Pavia</i>	<a href="#">Link</a>	11/06/2020	<b>Excessive length of both criminal proceedings and subsequent constitutional redress proceedings and lack of effective remedies</b> in that respect.	<a href="#">Link</a>	<a href="#">Link</a>
POLAND	<i>Al Nashiri</i> (group)	<a href="#">Link</a>	16/02/2015	<b>Various violations related to the secret detention and "extraordinary rendition"</b> of the applicants, who have been since detained at the US Internment Facility at the Guantánamo Bay Naval Base. Mr Al Nashiri remains there at risk in particular of the death penalty in the proceedings before a United States military commission and Mr Abu Zubaydah is being detained without charge and without any safeguards against arbitrary detention.	<a href="#">Link</a>	<a href="#">Link</a>
ROMANIA	<i>Al Nashiri</i>	<a href="#">Link</a>	08/10/2018	<b>Various violations related to the secret detention and "extraordinary rendition"</b> of the applicant, who has been since detained at the US Internment Facility at the Guantánamo Bay Naval Base, where he remains at a risk in particular of the death penalty in a trial before a United States military commission.	<a href="#">Link</a>	<a href="#">Link</a>
ROMANIA	<i>N.</i>	<a href="#">Link</a>	28/02/2018	<b>Unlawful psychiatric confinement as a security measure</b> and deficiencies in the judicial review proceedings regarding the applicant's continued confinement.	<a href="#">Link</a>	<a href="#">Link</a>
ROMANIA	<i>Săcăleanu</i> (group)	<a href="#">Link</a>	06/12/2005	<b>Failure or substantial delay in the enforcement of final domestic judicial decisions</b> against the State and State-owned enterprises.	<a href="#">Link</a>	<a href="#">Link</a>
RUSSIAN FEDERATION	<i>Catan and Others</i>	<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="#">Link</a>
RUSSIAN FEDERATION	Georgia (I)	<a href="#">Link</a> <a href="#">Link</a> (just satisfaction)	03/07/2014 31/01/2019	<b>Various violations related to the arrest, detention and collective expulsion</b> from the Russian Federation of Georgian nationals in 2006-2007.	<a href="#">Link</a>	<a href="#">Link</a>
RUSSIAN FEDERATION	<i>Lashmankin and Others</i> (group) <i>Navalnyy</i>	<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>
RUSSIAN FEDERATION	<i>Navalnyy and Ofitserov</i> <i>Navalnyye</i>	<a href="#">Link</a>	04/07/2016 05/03/2018	<b>Criminal convictions based on an unfair trial</b> and an arbitrary application of criminal law (violations of Articles 6 and 7).	<a href="#">Link</a>	<a href="#">Link</a>
RUSSIAN FEDERATION	<i>Oao Neftyanaya Kompaniya</i> <i>Yukos</i>	<a href="#">Link</a>	08/03/2012 15/12/2014	<b>Violations concerning tax and enforcement proceedings</b> brought against the applicant oil company, leading to its liquidation in 2007.	<a href="#">Link</a>	<a href="#">Link</a>
RUSSIAN FEDERATION	<i>Tomov and Others</i> (group)	<a href="#">Link</a>	09/07/2019	<b>Transport of detained in poor conditions.</b>	<a href="#">Link</a>	<a href="#">Link</a>
RUSSIAN FEDERATION	<i>Pichugin</i> cases <i>Klyakhin</i> (group)	<a href="#">Link</a>	18/03/2013 06/06/2005	<b>Various problems relating to pre-trial detention.</b>	<a href="#">Link</a> <a href="#">Link</a>	<a href="#">Link</a>
SERBIA	<i>Jevremović</i> (group)	<a href="#">Link</a>	17/10/2007	<b>Excessive length of judicial proceedings</b> and lack of an effective remedy.	<a href="#">Link</a>	<a href="#">Link</a>

COMMITTEE OF MINISTERS - Supervision of the execution of judgments of the ECHR - Cases examined at 1428<sup>th</sup> meeting (HR) – [8-9 March 2022]

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
TURKEY	<i>Alparslan Altan</i> (group)	<a href="#">Link</a>	09/09/2019	<b>Unjustified detention of the applicants</b> (judges) without reasonable suspicion and through extensive interpretation of the concept of in <i>flagrante delicto</i> .	<a href="#">Link</a>	<a href="#">Link</a>
TURKEY	<i>Cyprus v. Turkey</i>	<a href="#">Link</a> <a href="#">Link</a> (just satisfaction)	10/05/2001 12/05/2014	14 violations in relation to the situation in the northern part of Cyprus (missing persons).	<a href="#">Link</a>	<a href="#">Link</a>
TURKEY	<i>Kavala</i>	<a href="#">Link</a>	11/05/2020	<b>Unjustified and extended detention of the applicant without reasonable suspicion</b> and with the ulterior purpose of reducing him to silence.	<a href="#">Link</a>	No decision
TURKEY	<i>Öner and Türk</i> (group) <i>Nedim Sener</i> (group) <i>Altuğ Taner Akçam</i> (group) <i>Artun and Guvener</i> (group) <i>Işikirik</i> (group)	<a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a>	30/06/2015 08/10/2014 25/01/2012 26/09/2007 09/04/2018	<b>Unjustified interferences with freedom of expression</b> , 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.	<a href="#">Link</a> <a href="#">Link</a>	<a href="#">Link</a>
TURKEY	<i>Selahattin Demirtaş (No 2)</i>	<a href="#">Link</a>	22/12/2020	<b>Unjustified detention</b> of the applicant without reasonable suspicion that he had committed an offence, with the ulterior purpose of stifling pluralism and limiting freedom of political debate; unforeseeable lifting of parliamentary immunity and subsequent criminal proceedings to penalise the applicant for political speech.	<a href="#">Link</a>	<a href="#">Link</a>
TURKEY	<i>Varnava and Others</i>	<a href="#">Link</a>	18/09/2009	<b>Lack of effective investigation into the fate of nine Greek Cypriots who disappeared</b> during the military operations undertaken by Turkey in Cyprus in 1974.	<a href="#">Link</a>	<a href="#">Link</a>
UKRAINE	<i>Fedorchenko and Lozenko</i> (group)	<a href="#">Link</a>	20/12/2012	<b>Failure to carry out effective investigations</b> into violent into violent acts against the applicants, including into the possible motives of racial or religious hatred behind the attacks.	<a href="#">Link</a>	<a href="#">Link</a>
UKRAINE	<i>Kaverzin</i> (group) <i>Afanasyev</i> (group) <i>Belousov</i>	<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="#">Link</a>	<a href="#">Link</a>
UKRAINE	<i>Gongadze</i>	<a href="#">Link</a>	08/02/2006	<b>Killing of a journalist and lack of effective investigation.</b>	<a href="#">Link</a>	<a href="#">Link</a>
UKRAINE	<i>Yuriy Nikolayevich Ivanov</i> <i>Zhovner</i> (group) <i>Burmych and Others</i>	<a href="#">Link</a> <a href="#">Link</a> <a href="#">Link</a>	15/01/2010 29/09/2004 12/10/2017	<b>Non-enforcement of domestic court decisions</b> against the State or state-owned enterprises.	<a href="#">Link</a>	<a href="#">Link</a>
UNITED KINGDOM	<i>McKerr</i> (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>	<a href="#">Link</a>