

# COMMITTEE OF MINISTERS - Supervision of the execution of judgments of the ECHR - Cases examined at 1483<sup>rd</sup> meeting (HR) – 5-7 December 2023

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
ALBANIA	<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>
ARMENIA	<a href="#">Muradyan</a>	<a href="#">Link</a>	24/02/2017	<b>Failure to provide plausible explanation for the injury</b> sustained by the applicant's son (a military conscript based in Nagorno Karabakh) and his ensuing death. <b>Lack of an effective investigation</b> into his death.	<a href="#">Link</a>	<a href="#">Link</a>
AZERBAIJAN	<a href="#">Makuchyan and Minasyan</a>	<a href="#">Link</a>	12/10/2020	<b>Failure to continue to enforce prison sentence for ethnic hate crime committed abroad</b> , after transfer to Azerbaijan.	<a href="#">Link</a>	<a href="#">Link</a>
AZERBAIJAN	<a href="#">Mammadli</a> (group)	<a href="#">Link</a>	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 <b>breach of Article 18 taken in conjunction with Article 5</b> .	<a href="#">Link</a>	<a href="#">Link</a>
AZERBAIJAN	<a href="#">Muradova</a> (group)	<a href="#">Link</a>	02/07/2009	<b>Excessive use of force by the security forces</b> and lack of effective investigations.	<a href="#">Link</a>	<a href="#">Link</a>
	<a href="#">Mammadov (Jalaloglu)</a> (group)	<a href="#">Link</a>	11/04/2007			
	<a href="#">Mikayil Mammadov</a> (group)	<a href="#">Link</a>	17/03/2010			
AZERBAIJAN	<a href="#">Mushfig Mammadov and Others</a>	<a href="#">Link</a>	17/01/2020	<b>Criminal proceedings against the applicants on account of their refusal to perform military service</b> , resulting from the absence of alternative service system for conscientious objectors.	<a href="#">Link</a>	<a href="#">Link</a>
BELGIUM	<a href="#">Mugemangango</a> (group)	<a href="#">Link</a>	10/07/2020	<b>Lack of adequate and sufficient procedural guarantees as regards post-electoral disputes</b> .	<a href="#">Link</a>	<a href="#">Link</a>
BOSNIA AND HERZEGOVINA	<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> (Bosniacs, Croats or Serbs) to stand for election to the House of Peoples and the Presidency.	<a href="#">Link</a>	<a href="#">Link</a>
BULGARIA	<a href="#">International Bank for Commerce and Development AD and Others</a>	<a href="#">Link</a>	03/06/2015	<b>Lack of proper access to court concerning the withdrawal of a bank licence</b> and unfairness of the proceedings concerning the banks' insolvency.	<a href="#">Link</a>	<a href="#">Link</a>
BULGARIA	<a href="#">S.Z.</a> (group)	<a href="#">Link</a>	03/06/2015	<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="#">Link</a>
	<a href="#">Kolevi</a>	<a href="#">Link</a>	05/02/2010			
BULGARIA	<a href="#">Velikova</a> (group)	<a href="#">Link</a>	04/10/2000	<b>Excessive use of force</b> by law enforcement agents; ineffective investigations.	<a href="#">Link</a>	<a href="#">Link</a>
CROATIA	<a href="#">Statileo</a> (group)	<a href="#">Link</a>	10/10/2014	<b>Statutory limitations on use of property by landlords</b> , including through the rent control scheme for flats subject to protected leases.	<a href="#">Link</a>	<a href="#">Link</a>
GEORGIA	<a href="#">Identoba and Others</a> (group)	<a href="#">Link</a>	12/08/2015	<b>Lack of protection against homophobic attacks</b> during a demonstration.	<a href="#">Link</a>	<a href="#">Link</a>
GEORGIA	<a href="#">Tkhelidze</a> (group)	<a href="#">Link</a>	08/10/2021	<b>Failure to protect from domestic violence</b> and to conduct an effective investigation into police inaction.	<a href="#">Link</a>	<a href="#">Link</a>
GREECE	<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="#">Link</a>
GREECE	<a href="#">Sidiropoulos and Papakostas</a> (group)	<a href="#">Link</a>	25/04/2018	<b>Use of potentially lethal force and ill-treatment by law enforcement agents</b> and lack of effective investigations.	<a href="#">Link</a>	<a href="#">Link</a>

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HUNGARY	<i>Baka</i>	<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>
ITALY	<i>Cestaro</i> (group)	<a href="#">Link</a>	07/07/2015	<b>Ill-treatment by the police</b> ; inadequate criminal legislation to punish acts of torture and inhuman and degrading treatment.	<a href="#">Link</a>	<a href="#">Link</a>
MALTA	<i>Feilazoo</i>	<a href="#">Link</a>	11/06/2021	<b>Unlawfulness of the detention pending deportation</b> , in poor conditions, and interference with correspondence between the applicant and the Court.	<a href="#">Link</a>	<a href="#">Link</a>
REPUBLIC OF MOLDOVA	<i>Cosovan</i> (group)	<a href="#">Link</a>	22/06/2022	<b>Lack of adequate medical care in prison</b> , lack of domestic remedies, and lack of sufficient reasons for prolongation of pre-trial detention.	<a href="#">Link</a>	<a href="#">Link</a>
NETHERLANDS	<i>Corallo</i>	<a href="#">Link</a>	09/10/2018	<b>Poor conditions of detention</b> in Sint Maarten (Caribbean part of the Kingdom of the Netherlands) pending extradition proceedings	<a href="#">Link</a>	<a href="#">Link</a>
NORTH MACEDONIA	<i>X.</i>	<a href="#">Link</a>	17/04/2019	Lack of legislation governing the conditions and procedures for <b>changing on birth certificates the registered sex of transgender persons</b> .	<a href="#">Link</a>	<a href="#">Link</a>
NORWAY	<i>Strand Lobben and Others</i> (group)	<a href="#">Link</a>	05/09/2019	Various shortcomings in the decision-making processes in <b>child welfare proceedings</b> .	<a href="#">Link</a>	<a href="#">Link</a>
POLAND	<i>Juszczyszyn</i>	<a href="#">Link</a>	30/01/2023	<b>Unforeseeable suspension of a judge</b> , by a tribunal not established by law, predominantly aiming to sanction and dissuade him from verifying the lawfulness of appointment of judges upon recommendation of the reformed National Council of the Judiciary (NCJ) ( <i>Juszczyszyn</i> ) and application of a set of measures against a former judicial member of the NCJ in connection with his views in defence of judicial independence ( <i>Żurek</i> ).	<a href="#">Link</a>	<a href="#">Link</a>
	<i>Żurek</i>	<a href="#">Link</a>	10/10/2022		<a href="#">Link</a>	
POLAND	<i>Reczkowicz</i> (group)	<a href="#">Link</a>	22/11/2021	<b>Tribunal not established by law</b> due to, <i>inter alia</i> , systemic dysfunction in the judicial appointments' procedures ( <i>Reczkowicz</i> group) and <b>lack of access to court</b> regarding the termination of the applicants' terms of office ( <i>Broda and Bojara</i> , <i>Grzęda</i> ).	<a href="#">Link</a>	<a href="#">Link</a>
	<i>Broda and Bojara</i>	<a href="#">Link</a>	29/09/2021		<a href="#">Link</a>	
	<i>Grzęda</i>	<a href="#">Link</a>	15/03/2022		<a href="#">Link</a>	
POLAND	<i>XERO FLOR w POLSCE sp. z o.o.</i>	<a href="#">Link</a>	07/08/2021	<b>Insufficient reasons of courts for refusal to refer a legal question to the Constitutional Court</b> . Tribunal not established by law due to grave irregularities in the election of one of the Constitutional Court's judges examining the applicant company's constitutional complaint.	<a href="#">Link</a>	<a href="#">Link</a>
ROMANIA	<i>Association "21 Decembre 1989"</i> (group)	<a href="#">Link</a>	28/11/2011	<b>Ineffectiveness of criminal investigations</b> into violent crackdowns on anti-governmental demonstrations in 1989 and the early 1990s.	<a href="#">Link</a>	<a href="#">Link</a>
ROMANIA	<i>E.B.</i>	<a href="#">Link</a>	19/03/2019	<b>Breaches of the State's positive obligation effectively to apply a criminal-law system punishing any non-consensual sexual acts</b> , in particular when the victims are children and persons with psychosocial disabilities.	<a href="#">Link</a>	<a href="#">Link</a>
	<i>M.G.C.</i> (group)	<a href="#">Link</a>	15/06/2016		<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>Alekseyev</i> (group)	<a href="#">Link</a>	11/04/2011	<b>Discrimination on grounds of sexual orientation</b> in the exercise of the right to freedom of peaceful assembly ( <i>Alekseyev</i> , <i>Bayev and Others</i> , <i>Berkman</i> group). <b>Refusal to register LGBT associations</b> ( <i>Zdganov and Others</i> ).	<a href="#">Link</a>	<a href="#">Link</a>
	<i>Bayev and Others</i> (group)	<a href="#">Link</a>	13/11/2017		<a href="#">Link</a>	
	<i>Berkman</i> (group)	<a href="#">Link</a>	01/03/2021		<a href="#">Link</a>	
	<i>Zhdanov and Others</i>	<a href="#">Link</a>	16/10/2019		<a href="#">Link</a>	
RUSSIAN FEDERATION	Georgia (I)	<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	Georgia (II)	<a href="#">Link</a>	21/01/2021	<b>Various violations of the Convention in the context of the armed conflict</b> between Georgia and the Russian Federation in August 2008.	<a href="#">Link</a>	<a href="#">Link</a>

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RUSSIAN FEDERATION	<i>Magnitskiy and Others</i> <i>Mazepa and Others</i> (group)	<a href="#">Link</a> <a href="#">Link</a>	27/11/2019 17/10/2018	<b>High-profile murder cases</b> and lack of effective investigation.	<a href="#">Link</a> <a href="#">Link</a>	<a href="#">Link</a>
RUSSIAN FEDERATION	<i>Navalnyy and Ofitserov</i> (group)	<a href="#">Link</a>	04/07/2016	<b>Criminal conviction based on an unfair trial</b> and an arbitrary application of criminal law.	<a href="#">Link</a>	<a href="#">Link</a>
SERBIA	<i>R. Kačapor and Others</i> (group)	<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>
TÜRKIYE	<i>Selahattin Demirtaş (No 2)</i> (group)	<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; <b>unforeseeable lifting of parliamentary immunity</b> and subsequent criminal proceedings to penalise the applicant for political speech.	<a href="#">Link</a>	<a href="#">Link</a>
TÜRKIYE	<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>	<a href="#">Link</a>
TÜRKIYE	<i>Opuz</i> (group)	<a href="#">Link</a>	09/09/2009	<b>Failure to take protective measures and to apply appropriate sanctions</b> , giving impunity to perpetrators of domestic violence and violence against women.	<a href="#">Link</a>	<a href="#">Link</a>
TÜRKIYE	<i>Ahmet Yildirim</i> (group)	<a href="#">Link</a>	18/03/2013	<b>Restriction of access to the internet</b> and wholesale <b>blocking of internet sites</b> .	<a href="#">Link</a>	<a href="#">Link</a>
UKRAINE	<i>Polyakh and Others</i>	<a href="#">Link</a>	24/02/2020	<b>Dismissal of civil servants under lustration law</b> .	<a href="#">Link</a>	<a href="#">Link</a>
UKRAINE	<i>Kaverzin</i> <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>
UKRAINE	<i>Fedorchenko and Lozenko</i> (group)	<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>
UNITED KINGDOM	<i>Gaughran</i> (group)	<a href="#">Link</a>	13/06/2020	Disproportionate interference with right to respect for private life due to <b>the indefinite retention of DNA profile, fingerprints and photograph of person convicted of minor offence</b> , in the absence of any real review.	<a href="#">Link</a>	<a href="#">Link</a>