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INDEX

to the Information Notes
on the Court's case-law



Index of the Court's case-law summarised
in the Information Notes during 2022

European Court of Human Rights

The Information Note contains legal summaries of the cases examined during the month in question which the Registry considers to be of particular interest. The summaries are drafted by lawyers under the authority of the Jurisconsult and are not binding on the Court. They are normally drafted in the language of the case concerned. The translation of the legal summaries into the other official language can be accessed directly through hyperlinks in the Note. These hyperlinks lead to the HUDOC database, which is regularly updated with new translations.

An annual index provides an overview of all the judgments and decisions summarised in each calendar year, filtered by Convention Articles and relevant keywords. To facilitate access to materials in the Information Notes, a running cumulative index will be updated online with each new edition of the Note.

The electronic versions of the Note and the index may be downloaded at www.echr.coe.int/NoteInformation/en. Legal summaries published in the Case-law Information Notes are also available in HUDOC under the filter and links “Legal Summaries”.

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The Court's Knowledge Sharing platform ([ECHR-KS](#)) will be available to the public as of 18 October 2022.

Having regard to the content of [ECHR-KS](#) which will be updated weekly, the monthly compilation of Legal Summaries (the Case-Law Information Note or "CLIN") and its index will no longer be published by the Court.

The individual Legal Summaries will remain accessible as before on [HUDOC](#) and will also be referenced on [ECHR-KS](#).

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Failure to protect applicant against new owner who unlawfully and forcibly entered his home preventing further access to it; interference through unlawful eviction by bailiff: *violation*

[Jansons v. Latvia, 1434/14, 8.9.2022](#)[Judgment](#) | [Legal summary](#)

Refusal of a civil claim by the applicants, accused of criminal conduct in respect of their missing daughter by a former police officer who had been responsible for the extensively publicised investigation, which was discontinued for lack of evidence: *no violation*

[McCann and Healy v. Portugal, 57195/17, 20.9.2022](#)[Judgment](#) | [Legal summary](#)

ARTICLE 9

Manifest religion or belief

Unjustified refusal to allocate room in high-security prison to Muslim prisoner for congregational Friday prayers: *violation*

[Abdullah Yalçın v. Turkey \(no. 2\), 34417/10, 14.6.2022](#)[Judgment](#) | [Legal summary](#)

ARTICLE 10

Freedom of expression

Journalist's unjustified and disproportionate conviction and sanctioning for statements on well-known legal entities at public Parliamentary Commission hearing: *violation*

[Freitas Rangel v. Portugal, 78873/13, 11.1.2022](#)[Judgment](#) | [Legal summary](#)

14 EUR fine on counter-demonstrator for displaying, amid the crowd of his opponents, provocative banner distorting the event's message and likely to cause unrest: *no violation*

[Manannikov v. Russia, 9157/08, 1.2.2022](#)[Judgment](#) | [Legal summary](#)

No legitimate aim for civil defamation proceedings against a media outlet, seeking to protect "reputation" of a public authority as such and unrelated to any economic activity: *violation*

[OOO Memo v. Russia, 2840/10, 15.3.2022](#)[Judgment](#) | [Legal summary](#)

Justified revocation of broadcasting licence of a TV channel after repeated and serious breach of the statutory requirement to ensure political balance and pluralism in news bulletins: *no violation*

[NIT S.R.L. v. the Republic of Moldova \[GC\], 28470/12, 5.4.2022](#)[Judgment](#) | [Legal summary](#)

Prosecution for administrative offences for calling on voters not to vote for a party or to abstain from voting in elections: violation

[Teslenko and Others v. Russia, 49588/12 et al, 5.4.2022](#)[Judgment](#) | [Legal summary](#)

Justified and proportionate conviction and suspended prison sentence imposed on pro-euthanasia physician for assistance and advice to specific persons on how to commit suicide: *no violation*

[Lings v. Denmark, 15136/20, 12.4.2022](#).....[Judgment](#) | [Legal summary](#)

Newspaper prohibited from publishing image with “convicted neo-Nazi” caption, 20 years after plaintiff’s conviction, since expunged, given his loss of notoriety and no further criminal conduct: *no violation*

[Mediengruppe Österreich GmbH v. Austria, 37713/18, 26.4.2022](#)[Judgment](#) | [Legal summary](#)

Activist fined for a short and peaceful gathering, without prior notice, with three other persons, who handcuffed themselves to a government car park barrier, in protest against a mining project: *violation*

[Bumbeș v. Romania, 18079/15, 4.5.2022](#)[Judgment](#) | [Legal summary](#)

Justified civil defamation award, after former President’s statement that an advocate needed psychiatric treatment for implicating him in a criminal complaint: *no violation*

[Mesić v. Croatia, 19362/18, 5.5.2022](#)[Judgment](#) | [Legal summary](#)

Criminal fine for defamation of an elected representative, imposed on a political opponent for publishing political cartoons on his blog targeting the members of the local council as a whole: *violation*

[Patrício Monteiro Telo de Abreu v. Portugal, 42713/15, 7.6.2022](#)[Judgment](#) | [Legal summary](#)

Disproportionate prison sentence imposed on former terrorist for praising perpetrators of 2015 Paris attacks, after comments on radio and Internet made a few months after event: *violation*

[Rouillan v. France, 28000/19, 23.6.2022](#).....[Judgment](#) | [Legal summary](#)

No reprisals against judges for signing manifesto on the Catalan people’s “right to decide” or chilling effect: *inadmissible*

[M.D. v. Spain, 36584/17, 28.6.2022](#).....[Judgment](#) | [Legal summary](#)

Insufficient reasons for awarding seemingly disproportionate compensation in respect of defamatory articles published by a newspaper: *violation*

[Azadliq and Zayidov v. Azerbaijan, 20755/08, 30.6.2022](#)[Judgment](#) | [Legal summary](#)

Insufficient reasons and disproportionate damages award in defamation action against journalist for newspaper article on high-ranking attorney in the Law Office of the State: *violation*

[Drousiotis v. Cyprus, 42315/15, 5.7.2022](#)[Judgment](#) | [Legal summary](#)

Criminal liability for deliberate false registration of immigrants at applicant’s property, in protest against residence registration system for migrants: *Article 10 inapplicable*

[Kotlyar v. Russia, 38825/16 et al., 12.7.2022](#)[Judgment](#) | [Legal summary](#)

Unjustified search of journalist’s home and seizure of his electronic devices without procedural safeguards protecting confidentiality of journalist sources: *violation*

[Sorokin v. Russia, 52808/09, 30.8.2022](#)[Judgment](#) | [Legal summary](#)

Applicant convicted of propagandising for a terrorist organisation for cutting and handing out slices of cake in celebration of PKK leader's birthday: *violation*

[Ete v. Türkiye, 28154/20, 6.9.2022](#) [Judgment](#) | [Legal summary](#)

No relevant and sufficient reasons provided by domestic authorities for removing election observer from polling station: *violation*

[Timur Sharipov v. Russia, 15758/13, 13.9.2022](#) [Judgment](#) | [Legal summary](#)

Lack of sufficient reasons for conviction and fine for offending religious feelings of others through publicly insulting the Bible: *violation*

[Rabczewska v. Poland, 8257/13, 15.9.2022](#) [Judgment](#) | [Legal summary](#)

Freedom to impart information

Denial of access, on national security grounds, to classified records relating to a sensitive part of country's recent history, accompanied by adequate procedural safeguards and proportionate: *no violation*

[Šeks v. Croatia, 39325/20, 3.2.2022](#) [Judgment](#) | [Legal summary](#)

ARTICLE 11

Freedom of peaceful assembly

Disproportionately lengthy pre-trial detention and prison sentences for involvement in non-violent, albeit disruptive, courthouse protest: *violation*

[Ekrem Can and Others v. Turkey, 10613/10, 8.3.2022](#) [Judgment](#) | [Legal summary](#)

Blanket ban on public meetings for two and a half months at the start of the COVID-19 pandemic, with associated criminal sanctions and no judicial review of proportionality: *violation*

[Communauté genevoise d'action syndicale \(CGAS\) v. Switzerland, 21881/20, 15.3.2022](#) [Judgment](#) | [Legal summary](#)

Freedom of association

Dismissal of employees on account of their involvement in a strike organised outside a trade-union context: *Article 11 not applicable; inadmissible*

[Barış and Others v. Turkey \(dec.\), 66828/16 et al., 14.12.2021](#) [Decision](#) | [Legal summary](#)

Criminal conviction of trade union representative, for refusing to admit would-be members to join, not necessary in a democratic society: *violation*

[Vlahov v. Croatia, 31163/13, 5.5.2022](#) [Judgment](#) | [Legal summary](#)

Refusal to authorise a political party to hold a congress in various towns, on the grounds that it had insufficient local branches, as a precondition for being able to put up candidates in parliamentary elections: *no violation*

[Yeşiller ve Sol Gelecek Partisi v. Turkey, 41955/14, 10.5.2022](#) [Judgment](#) | [Legal summary](#)

Domestic court failure to apply convention standards and acceptably assess employee sanctions, in response to a complaint by a trade union, imposed on its representative: *violation*

[Straume v. Latvia, 59402/14, 2.6.2022](#) [Judgment](#) | [Legal summary](#)

Application of Foreign Agents Act to non-governmental organisations and their directors neither prescribed by law nor necessary in a democratic society: *violation*

[Ecodefence and Others v. Russia, 9988/13 et al., 14.6.2022](#) [Judgment](#) | [Legal summary](#)

Form and join trade unions

Legislation, rendering conflicting collective agreements concluded by minority trade unions inapplicable, within the respondent State's margin of appreciation: *no violation*

Association of Civil Servants and Union for Collective Bargaining and Others
v. Germany, 815/18 et al., 5.7.2022.....Judgment | Legal summary

ARTICLE 13

Effective remedy

Ineffective domestic judicial remedies for complaints as to inadequate conditions of detention: *violation*

Volodya Avetisyan v. Armenia, 39087/15, 3.5.2022Judgment | Legal summary

ARTICLE 14

Discrimination (Article 2)

Failure to prevent gender-based violence by a police officer and to investigate the law-enforcement authorities' passive response: *violations*

A and B v. Georgia, 73975/16, 10.2.2022Judgment | Legal summary

No evidence that failure to protect life of murdered woman was due to gender-based discrimination in general or in specific case circumstances: *no violation*

Y and Others v. Bulgaria, 9077/18, 22.3.2022.....Judgment | Legal summary

No systemic defect pointing to general passivity *vis-à-vis* victims of domestic violence, and no discriminatory attitude towards the applicant: *inadmissible*

Landi v. Italy, 10929/19, 7.4.2022Judgment | Legal summary

Homophobic motives underlying a murder not constituting a statutory aggravating factor and having no measurable effect on sentencing: *violation*

Stoyanova v. Bulgaria, 56070/18, 14.6.2022Judgment | Legal summary

Discrimination (Article 3)

Failure to protect LGBT bar owner and activist from homophobic arson, physical and verbal attacks and to carry out effective investigation: *violation*

Oganezova v. Armenia, 71367/12 and/et 72961/12, 17.5.2022.....Judgment | Legal summary

Discrimination (Article 5)

Applicant resisting police not in a relevantly similar situation with an individual who has hit a private person: *inadmissible*

P.W. v. Austria, 10425/19, 21.6.2022Judgment | Legal summary

Discrimination (Article 8)

Revocable and reviewable order prohibiting a Jehovah's Witness from actively involving his young child, brought up in Catholicism, in his religious practice: *no violation*

T.C. v. Italy, 54032/18, 19.5.2022Judgment | Legal summary

No discrimination against wheelchair user unable to access two local public buildings, given other considerable measures to improve accessibility: *no violation*

[Arnar Helgi Lárusson v. Iceland, 23077/19, 31.5.2022](#) Judgment | Legal summary

Father of child born out of wedlock unable to exercise parental responsibility without mother's consent, in spite of parentage established by DNA test: *violation*

[Paparrigopoulos v. Greece, 61657/16, 30.6.2022](#)..... Judgment | Legal summary

Exclusion of non-members of Orthodox Jewish Community from social housing owned by a charity catering for that community, within State's wide margin of appreciation: *inadmissible*

[L.F. v. the United Kingdom \(dec.\), 19839/21, 24.5.2022](#)..... Decision | Legal summary

Discrimination (Article 9)

No tax exemption for buildings used for the public practice of a non-recognised religion, the rules on such recognition being devoid of the minimum guarantees of fairness and objectivity: *violation*

[Anderlecht Christian Assembly of Jehovah's Witnesses and Others v. Belgium, 20165/20, 5.4.2022](#) Judgment | Legal summary

Discrimination (Article 1 of Protocol No. 1)

No tax exemption for buildings used for the public practice of a non-recognised religion, the rules on such recognition being devoid of the minimum guarantees of fairness and objectivity: *violation*

[Anderlecht Christian Assembly of Jehovah's Witnesses and Others v. Belgium, 20165/20, 5.4.2022](#) Judgment | Legal summary

Very weighty reasons for exclusion of employment periods accrued in other former USSR states in state pension calculation for permanently resident non-citizens, in contrast to Latvian citizens: *no violation*

[Savickis and Others v. Latvia \[GC\], 49270/11, 9.6.2022](#) Judgment | Legal summary

Application by the courts of the statute of a 16th-century private foundation, reserving income to the founder's male descendants, to the detriment of a woman and her heirs: *violation*

[Dimici v. Türkiye, 70133/16, 5.7.2022](#)..... Judgment | Legal summary

Advisory opinion on the difference in treatment between landowners' associations "having a recognised existence on the date of the creation of an approved municipal hunters' association" and those set up after that date

[Advisory opinion requested by the French Conseil d'État \[GC\], P16-2021-002, 13.7.2022](#) Opinion | Legal summary

No discrimination against convicted prisoner statutorily disqualified from old-age pension payments while incarcerated: *no violation*

[P.C. v. Ireland, 26922/19, 1.9.2022](#) Judgment | Legal summary

ARTICLE 34

Victim

Unjustified failure over a seven-day period to implement the interim measure aimed at ending the administrative detention pending removal of an underage foreign national: *violation*

[N.B. and Others v. France, 49775/20, 31.3.2022](#) Judgment | Legal summary

Hinder the exercise of the right of application

35-day delay in enforcing the Court's interim measure requesting the placement of a bipolar patient in a specialist centre excessively long: *violation*

Sy v. Italy, 11791/20, 24.1.2022 Judgment | Legal summary

Unjustified failure over a seven-day period to implement the interim measure aimed at ending the administrative detention pending removal of an underage foreign national: *violation*

N.B. and Others v. France, 49775/20, 31.3.2022 Judgment | Legal summary

Failure to comply with interim measure through enforcement of dissolution order against a non-governmental organisation: *violation*

Ecodefence and Others v. Russia, 9988/13 et al., 14.6.2022 Judgment | Legal summary

ARTICLE 35

Article 35 § 1

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New effective compensatory remedy to be used as of 1 January 2020 by *bona fide* purchasers of dwellings returned to the State without any award of compensation, including prior to that date

Lidiya Nikitina v. Russia, 8051/20, 15.3.2022 Judgment | Legal summary

Olkhovik and Others v. Russia (dec.), 11279/17, 22.2.2022 Decision | Legal summary

Six-month period

Application lodged within legitimate three-month extension of six-month time-limit during critical spring 2020 period of Covid-19 global pandemic: *preliminary objection dismissed*

Saakashvili v. Georgia (dec.), 6232/20 and 22394/20, 1.3.2022 Decision | Legal summary

ARTICLE 37

Striking out applications

Government concession as to Convention breaches but inadequate offer of redress: *request to strike out dismissed*

Benkharbouche and Janah v. the United Kingdom, 19059/18 and 19725/18, 5.4.2022 Judgment | Legal summary

ARTICLE 46

Execution of judgment

Striking-out decision not falling within ambit of Article 46, which concerns only final judgments of the Court: *inadmissible*

Boutaffala v. Belgium, 20762/19, 28.6.2022 Judgment | Legal summary

Execution of judgment – Individual measures

Respondent state required to take desegregation measures in an elementary school attended almost exclusively by Roma and Egyptian children

[X and Others v. Albania, 73548/17 and 45521/19, 31.5.2022](#) [Judgment](#) | [Legal summary](#)

Execution of judgment – General and individual measures

Reopening of judicial review proceedings required, but not necessarily leading to reversal of reviewed decision's effects, rather than damages; need for general measures

[Korporativna Targovska Banka AD v. Bulgaria, 46564/15 and 68140/16, 30.8.2022](#) [Judgment](#) | [Legal summary](#)

Article 46 § 4

Infringement proceedings

Infringement proceedings against Türkiye for failure to abide by Court's final judgment explicitly indicating applicant's immediate release: *violation*

[Kavala v. Türkiye \[GC\], 28749/18, 11.7.2022](#) [Judgment](#) | [Legal summary](#)

ARTICLE 1 OF PROTOCOL No. 1

Peaceful enjoyment of possessions

Unjustified refusal to enforce final and binding international arbitration award against National Property Fund after rescission of purchase agreement for State property being privatised: *violation*

[BTS Holding a.s. v. Slovakia, 55617/17, 30.6.2022](#) [Judgment](#) | [Legal summary](#)

No safeguards against arbitrariness surrounding decision to withdraw a bank's licence: *violation*

[Korporativna Targovska Banka AD v. Bulgaria, 46564/15 and 68140/16, 30.8.2022](#) [Judgment](#) | [Legal summary](#)

Unreasonable dismissal of copyright infringement claim against a private party, who published a digital version of the applicant's book online, without authorisation or paying royalties: *violation*

[Safarov v. Azerbaijan, 885/12, 1.9.2022](#) [Judgment](#) | [Legal summary](#)

Deprivation of property

Refusal to award compensation in respect of the financial burdens arising from the disability of a child, born disabled as a result of a fault during the prenatal diagnosis, through retrospective application of the law: *violation*

[N.M. and Others v. France, 66328/14, 3.2.2022](#) [Judgment](#) | [Legal summary](#)

Return to the State of an unclaimed apartment without any award of compensation to the *bona fide* purchaser, who could not make use of a new compensatory remedy: *violation*

[Lidiya Nikitina v. Russia, 8051/20, 15.3.2022](#) [Judgment](#) | [Legal summary](#)
[Olkhovik and Others v. Russia \(dec.\), 11279/17, 22.2.2022](#) [Decision](#) | [Legal summary](#)

Control of the use of property

Attachment of shares held by the applicants, with a total freeze on all related rights for four years and eight months, without sufficient justification: *violation*

Sebeleva and Others v. Russia, 42416/18, 1.3.2022 Judgment | Legal summary

Lack of procedural safeguards for lengthy freezing of all applicant's property in Malta at legal assistance request of Kazakh authorities, likely tainted by political persecution motives: *violation*

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Positive obligations

Unreasonable dismissal of copyright infringement claim against a private party, who published a digital version of the applicant's book online, without authorisation or paying royalties: *violation*

Safarov v. Azerbaijan, 885/12, 1.9.2022 Judgment | Legal summary

ARTICLE 3 OF PROTOCOL No. 1

Free expression of the opinion of the people | Vote

Disproportionate automatic disenfranchisement of applicant due to partial guardianship order based on his mental disability with no individualised judicial review of voting capacity: *violation*

Anatoliy Marinov v. Bulgaria, 26081/17, 15.2.2022 Judgment | Legal summary

Stand for election

Advisory opinion on the assessment of the proportionality of a general prohibition on standing for election after removal from office in impeachment proceedings

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ARTICLE 2 OF PROTOCOL No. 4

Article 2 § 2

Freedom to leave a country

Formalistic, non-individualised refusal to re-issue alien's passport to long-term resident of Chechen origin, ex-beneficiary of subsidiary protection and afraid to contact Russian authorities: *violation*

L.B. v. Lithuania, 38121/20, 14.6.2022 Judgment | Legal summary

ARTICLE 3 OF PROTOCOL No. 4

Article 3 § 2

Enter own country

Lack of review with safeguards against arbitrariness for refusal to repatriate nationals held with their young children in Kurdish-run camps after the fall of “Islamic State”: *violation*

H.F. and Others v. France [GC], 24384/19 and 44234/20, 14.9.2022Judgment | [Legal summary](#)

ARTICLE 4 OF PROTOCOL No. 4

Prohibition of collective expulsion of aliens

Lack of individual removal decisions for migrants, arriving in large groups and circumventing genuine and effective legal entry procedures without cogent reasons: *no violation*

A.A. and Others v. North Macedonia, 55798/16 et al., 6.4.2022Judgment | [Legal summary](#)

ARTICLE 4 OF PROTOCOL No. 7

Right not to be tried or punished twice

Criminal proceedings duplicating administrative fine for unlawful construction, but not the annual fine for its preservation: *violation, no violation*

Goulandris and Vardinogianni v. Greece, 1735/13, 16.6.2022Judgment | [Legal summary](#)

ARTICLE 1 OF PROTOCOL No. 12

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Negovanović and Others v. Serbia, 29907/16 et al., 25.1.2022Judgment | [Legal summary](#)

Failure to implement swift and comprehensive desegregation measures in an elementary school attended almost exclusively by Roma and Egyptian children: *violation*

X and Others v. Albania, 73548/17 and 45521/19, 31.5.2022Judgment | [Legal summary](#)

PROTOCOL No. 16

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Advisory opinion on the assessment of the proportionality of a general prohibition on standing for election after removal from office in impeachment proceedings

Advisory opinion requested by the Lithuanian Supreme Administrative Court [GC], P16-2020-002, 8.4.2022Opinion | [Legal summary](#)

Advisory opinion on the applicability of statutes of limitation to the prosecution, conviction and punishment in respect of an offence constituting, in substance, an act of torture

[Advisory opinion requested by the Armenian Court of cassation \[GC\],](#)

[P16-2021-001, 26.4.2022](#) [Opinion](#) | [Legal summary](#)

Advisory opinion on the difference in treatment between landowners' associations "having a recognised existence on the date of the creation of an approved municipal hunters' association" and those set up after that date

[Advisory opinion requested by the French Conseil d'État \[GC\],](#)

[P16-2021-002, 13.7.2022](#) [Opinion](#) | [Legal summary](#)