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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 2021

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/NotelInformation/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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Timofeyev and Postupkin v. Russia, 45431/14 and 22769/15, 19.1.2021 ............. Judgment | Legal summary

**ARTICLE 8**

**Respect for private and family life**

Post-mortem and organ removal for preservation of prematurely born child with rare disease despite mother’s objection and specific wishes for ritual burial: *violation*

Polat v. Austria, 12886/16, 20.7.2021 ............................................................... Judgment | Legal summary

**Respect for private life**

Justified publication of applicant's identifying data, including home address, on tax authority website portal, for failing to fulfil his tax obligations: *no violation*

L.B. v. Hungary, 36345/16, 12.1.2021 ................................................................ Judgment | Legal summary

Fine imposed on a poor and vulnerable Roma woman for unintrusive begging, and subsequent imprisonment for five days for non-payment: *violation*


Refusal of national authorities to recognise male identity of transgender persons in the absence of gender reassignment surgery: *violation*

X and Y v. Romania, 2145/16 and 20607/16, 19.1.2021 ......................................... Judgment | Legal summary

Dismissal of criminal complaint against judges for statements forming part of judgment’s factual contextualisation and not attaining a threshold of seriousness: *Article 8 not applicable; inadmissible*

De Carvalho Basso v. Portugal (dec.), 73053/14 and 33075/17, 4.2.2021 .............. Decision | Legal summary

Failure to protect the personal integrity of a vulnerable child in the course of excessively long criminal proceedings relating to sexual abuse: *violation*

N.Ç. v. Turkey, 40591/11, 9.2.2021 ..................................................................... Judgment | Legal summary
Justified dismissal of judge and lifetime ban from re-entering justice system as result of individualised and serious findings of vetting process: no violation
Xhoxhaj v. Albania, 15227/19, 9.2.2021 .................................................................Judgment | Legal summary

Fine on parent and exclusion of children from preschool for refusal to comply with statutory child vaccination duty: no violation
Vavřička and Others v. the Czech Republic [GC], 47621/13 et al, 8.4.2021 ..........Judgment | Legal summary

Inadequate response of domestic authorities to a high school teacher’s verbal abuse of a student: violation
F.O. v. Croatie, 29555/13, 22.4.2021 .................................................................Judgment | Legal summary

Proportionate and foreseeable nature of the placement under protective supervision of an elderly and vulnerable person on the grounds of her extravagant spending, a concept interpreted by reference to the former French Civil Code: no violation
M.K. v. Luxembourg, 51746/18, 18.5.2021 .................................................................Judgment | Legal summary

Convention compliance of secret surveillance regime including bulk interception of communications and intelligence sharing: violation; no violation
Big Brother Watch and Others v. the United Kingdom [GC], 58170/13 et al., 25.5.2021 .................................................................Judgment | Legal summary

Convention compliance of secret surveillance regime including bulk interception of communications and intelligence sharing: violation
Centrum för rättvisa v. Sweden [GC], 35252/08, 25.5.2021 .................................................................Judgment | Legal summary

“Secondary victimisation” of a victim of sexual assault on account of comments in the reasoning of the judgment that were guilt-inducing, moralising and conveyed sexist stereotypes: violation
J.L. v. Italy, 5671/16, 27.5.2021 .................................................................Judgment | Legal summary

Termination of pre-adoption foster placement “with a legal risk” in applicant’s home and child’s transfer to another family on grounds of child’s best interests: no violation
Jessica Marchi v. Italy, 54978/17, 27.5.2021 .................................................................Judgment | Legal summary

Newspaper publication of private information and non-blurred images of applicant taken covertly and under pretences: violation
Hájovský v. Slovakia, 7796/16, 1.7.2021 .................................................................Judgment | Legal summary

Practically unfettered power exercised by intelligence service implementing surveillance operation, without adequate legal safeguards: violation
Varga v. Slovakia, 58361/12 et al., 20.7.2021 .................................................................Judgment | Legal summary

Unlawful prevention of former Supreme Court of Ukraine judges from exercising judicial functions after legislative reform: violation
Gumenyuk and Others v. Ukraine, 11423/19, 22.7.2021 .................................................................Judgment | Legal summary

Emails exchanged by the applicant on a dating website produced without her consent by her ex-husband in civil proceedings: no violation
M.P. v. Portugal, 27516/14, 7.9.2021 .................................................................Judgment | Legal Summary

Authorities’ failure to protect victim of domestic violence from repeated acts of cyber-violence and bring perpetrator to justice: violation
Volodina v. Russia (no. 2), 40419/19, 14.9.2021 .................................................................Judgment | Legal Summary
Dismissal of action against tabloids, which published unverified tawdry statements on, and pictures of, applicant’s son, a priest convicted of sexual offences, years after his death: violation

M.L. v. Slovakia, 34159/17, 14.10.2021 ................................................................. Judgment | Legal Summary

**Respect for family life**

Taking into care of the Roma granddaughter of the applicant, who had had custody of her since birth, and failure to implement visiting rights: violation

Terna v. Italy, 21052/18, 14.1.2021 ........................................................................ Judgment | Legal Summary

Trafficking victim of Nigerian origin deprived of any contact with her children, contrary to experts’ recommendations and even before the final decision on their availability for adoption: violation

A.I. v. Italy, 70896/17, 1.4.2021 ............................................................................... Judgment | Legal Summary

Decision to withdraw life-sustaining treatment for child suffering from a serious disease, based on the “best interests of the child”: inadmissible

Parfitt v. the United Kingdom (dec.), 18533/21, 20.4.2021 .................................. Decision | Legal summary

Non-recognition of parental link with non-biological child born abroad via surrogacy, while preserving bond through foster care: “family life” applicable; no violation

Valdis Fjölnisdóttir and Others v. Iceland, 71552/17, 18.5.2021 ............................... Judgment | Legal summary

Insufficient assessment as to existence of “grave risk” in returning abducted child under the Hague Convention to a conflict zone in eastern Ukraine: violation

Y.S. and O.S v. Russia, 17665/17, 15.6.2021 .......................................................... Judgment | Legal summary

Restriction of applicant’s parental rights and deprivation of contact with her children without required scrutiny on gender identity grounds: violation

A.M. and Others v. Russia, 47220/19, 6.7.2021 ....................................................... Judgment | Legal summary

Unjustified statutory three-year waiting period for family reunification of persons benefitting from subsidiary or temporary protection, not allowing individualised assessment: violation

M.A. v. Denmark [GC], 6697/18, 9.7.2021 ................................................................ Judgment | Legal summary

Unjustified and disproportionate general ban on telephone calls for life prisoners under strict regime: violation

Danilevich v. Russia, 31469/08, 19.10.2021 .............................................................. Judgment | Legal Summary

**Respect for correspondence**

Emails exchanged by the applicant on a dating website produced without her consent by her ex-husband in civil proceedings: no violation

M.P. v. Portugal, 27516/14, 7.9.2021 ........................................................................ Judgment | Legal Summary

**Positive obligations**

Refusal of national authorities to recognise male identity of transgender persons in the absence of gender reassignment surgery: violation

X and Y v. Romania, 2145/16 and 20607/16, 19.1.2021 ............................................ Judgment | Legal summary

Failure to protect the personal integrity of a vulnerable child in the course of excessively long criminal proceedings relating to sexual abuse: violation

N.C. v. Turkey, 40591/11, 9.2.2021 ............................................................................ Judgment | Legal summary
New legal framework establishing mechanism to determine true status and provide redress for all parents of missing newborn children: striked out of the list

Mik and Jovanović v. Serbia (dec.), 9291/14 and 63798/14, 23.3.2021

Failure by authorities to enforce sex offender’s sentence following grant and subsequent annulment of amnesty: violation

E.G. v. the Republic of Moldova, 37882/13, 13.4.2021

“Secondary victimisation” of a victim of sexual assault on account of comments in the reasoning of the judgment that were guilt-inducing, moralising and conveyed sexist stereotypes: violation

J.L. v. Italy, 5671/16, 27.5.2021

Failure to advise 4-year old child of her duty to tell the truth and her right not to testify against her father, leading to exclusion of her testimony and father’s acquittal of sexual abuse: violation

R.B. v. Estonia, 22597/16, 22.6.2021

Newspaper publication of private information and non-blurred images of applicant taken covertly and under pretences: violation

Hájovský v. Slovakia, 7796/16, 1.7.2021

Unjustified statutory three-year waiting period for family reunification of persons benefiting from subsidiary or temporary protection, not allowing individualised assessment: violation

M.A. v. Denmark [GC], 6697/18, 9.7.2021

Lack of any opportunity to have same-sex relationships formally acknowledged: violation

Fedotova and Others v. Russia, 40792/10 et al., 13.7.2021

Hospital’s failure to provide mother with sufficient information required in delicate circumstances of case: violation

Polat v. Austria, 12886/16, 20.7.2021

Emails exchanged by the applicant on a dating website produced without her consent by her ex-husband in civil proceedings: no violation

M.P. v. Portugal, 27516/14, 7.9.2021

Authorities’ failure to protect victim of domestic violence from repeated acts of cyber-violence and bring perpetrator to justice: violation

Volodina v. Russia (no. 2), 40419/19, 14.9.2021

ARTICLE 9

Manifest religion or belief

Post-mortem and organ removal for preservation of prematurely born child with rare disease despite mother’s objection and specific wishes for ritual burial: violation

Polat v. Austria, 12886/16, 20.7.2021
ARTICLE 10

Freedom of expression

Award of damages against a blogger journalist for defamation of another journalist, without relevant and sufficient reasons: violation
Gheorghe-Florin Popescu v. Romania, 79671/13, 12.1.2021 ...........................................Judgment | Legal summary

Order to remove from a website illegally recorded extracts of the private conversations of a vulnerable public figure was justified, notwithstanding the fact that they had been reproduced by other media: no violation

Dismissal of doctor for lodging good faith but unfounded criminal complaint accusing colleague of active euthanasia, without verification to the extent permitted by circumstances: no violation
Gawlik v. Liechtenstein, 23922/19, 16.2.2021 ....................................................................................................Judgment | Legal summary

Unjustified conviction and fine for placing Santa Claus accessories on a communist leader’s statue in the context of political protest: violation
Handzhiyski v. Bulgaria, 10783/14, 6.4.2021 .................................................................................................Judgment | Legal summary

Unjustified interference through unlawful detention, on the basis of statements and articles made by applicant: violation
Ahmet Hüsev Altan v. Turkey, 13252/17, 13.4.2021 .........................................................................................Judgment | Legal summary

Warnings issued to MEP for displaying national-minority flags on the building housing his office without obtaining permission to advertise: violation
Tőkés v. Romania, 15976/16 and 50461/17, 27.4.2021 ................................................................................................Judgment | Legal summary

Interim injunction without a clear and foreseeable legal basis, banning the dissemination of information on a parliamentary inquiry: violation
Akdeniz and Others v. Turkey, 41139/15 and 41146/15, 4.5.2021 .........................................................................Judgment | Legal summary

Criminal fine of EUR 1,000 for disclosing to the media confidential documents of a private-sector employer (“Luxleaks”) of insufficient public interest to counterbalance the harm caused: no violation
Halet v. Luxembourg, 21884/18, 11.5.2021 ........................................................................................................Judgment | Legal summary

Conviction for sharing content online within a small social-media group with intent to incite violence against non-Russian ethnicities, established in absence of commentary: no violation
Kilin v. Russia, 10271/12, 11.5.2021 ....................................................................................................................Judgment | Legal summary

Disciplinary and sporting sanctions and fines imposed by the Turkish Football Federation, without adequate justification, for comments made on a TV programme and the social networks: violation
İbrahim Tokmak v. Turkey, 54540/16, 18.5.2021 .........................................................................................Judgment | Legal summary
Naki and/et AMED Sporatif Faaliyetler Kulübü Derneği v. Turkey, 48924/16, 18.5.2021 ...........................................Judgment | Legal summary
Sedat Doğan v. Turkey, 48909/14, 18.5.2021 ......................................................................................................Judgment | Legal summary
Insufficient protection of confidential journalist material under electronic surveillance schemes: violation
Big Brother Watch and Others v. the United Kingdom [GC], 58170/13 et al., 25.5.2021 .................................................................Judgment | Legal summary

Dismissal without entitlement to compensation of contractual employee of national education authority for putting “likes” on certain Facebook posts: violation
Melike v. Turkey, 35786/19, 15.6.2021 .................................................................Judgment | Legal summary

Speech given at a ceremony paying tribute to a member of the ETA terrorist organisation which did not directly or indirectly incite to terrorist violence: violation
Erkizia Almandoz v. Spain, 5869/17, 22.6.2021 .................................................................Judgment | Legal summary

Newspaper publisher required to anonymise, under the “right to be forgotten” of a driver who had caused a fatal accident, the online archived version of an article published twenty years previously: no violation
Hurbain v. Belgium, 57292/16, 22.6.2021 .................................................................Judgment | Legal summary

Animus toward anti-government views in judgment imposing prison sentences, without individualised assessment, on protestors who occupied and damaged ministry premises: violation
Yezhov and Others v. Russia, 22051/05, 29.6.2021 .................................................................Judgment | Legal summary

Lack of relevant and sufficient reasons to justify fine, forced product recall and ban on future use of condom packaging designs: violation
Gachechiladze v. Georgia, 2591/19, 22.7.2021 .................................................................Judgment | Legal summary

Civil defamation award disproportionate to harm caused from television reports on child sexual abusers wrongly alluding to well-known politician: violation
SIC - Sociedade Independente de Comunicação v. Portugal, 29856/13, 27.7.2021 .................................................................Judgment | Legal summary

Imbalance in screen time to the disadvantage of association classed as a “political subject” in popular news programmes on public television: violation
Associazione Politica Nazionale Lista Marco Pannella v. Italy, 66984/14, 31.8.2021 .................................................................Judgment | Legal Summary

Association classed as a “political subject” not denied the opportunity to disseminate its opinions following cancellation of a political communication programme on public television: no violation
Associazione Politica Nazionale Lista Marco Pannella and Radicali Italiani v. Italy, 20002/13, 31.8.2021 .................................................................Judgment | Legal Summary

Conviction of a local councillor for failing to take prompt action in deleting illegal comments by others on the wall of his Facebook account, which was freely accessible to the public and used during his election campaign: no violation
Sanchez v. France, 45581/15, 2.9.2021 .................................................................Judgment | Legal Summary

Conviction of the applicant for having slogans with a terrorist connotation printed on a T-shirt worn at his request by his three-year-old nephew at nursery school: no violation
Z.B. v. France, 46883/15, 2.9.2021 .................................................................Judgment | Legal Summary

Unjustified ban on publication of opposition newspaper as a result of state of emergency declared in the context of massive post-election protests: violation
Dareskizb Ltd v. Armenia, 61737/08, 21.9.2021 .................................................................Judgment | Legal Summary
No compensation awarded by domestic court despite acknowledgment in substance of an Article 10 breach on account of defamation liability: violation

The Association of Investigative Reporters and Editorial Security of Moldova and Sanduta v. the Republic of Moldova, 4358/19, 12.10.2021 ...............................Judgment | Legal Summary

Sanctioning of journalist in summary proceedings under the Election Code for publishing untrue statements about a local government election candidate: no violation

Staniszewski v. Poland, 20422/15, 14.10.2021 .................................................................Judgment | Legal Summary

Disciplinary proceedings and sanctions against the President of the judges’ association in retaliation against her criticism of the Supreme Judicial Council and the executive: violation


Various criminal-law measures for insulting the President of the Republic on account of defamatory content shared on Facebook: violation

Vedat Sorli v. Turkey, 42048/19, 19.10.2021 .....................................................................Judgment | Legal Summary

Freedom to receive information

Unjustified limitations on a prisoner’s ability to access Internet sites publishing legal information, on security grounds: violation

Ramazan Demir v. Turkey, 68550/17, 9.2.2021 .................................................................Judgment | Legal summary

Effective review by the courts of the content and quality of information on the management of radioactive waste communicated by a public agency in line with its legal obligation to provide information: Article 10 applicable; no violation

Association BURESTOP 55 and Others v. France, 56176/18 et al., 1.7.2021 .................Judgment | Legal summary

Freedom to impart information

Newspaper publisher required to anonymise the archived version on Internet of an article published twenty years previously, on account of the “right to be forgotten” of a driver who had caused a fatal accident: no violation

Hurbain v. Belgium, 57292/16, 22.6.2021 ........................................................................Judgment | Legal summary

Justified prosecution and conviction of prison officer for providing information about prison to journalist in exchange for money: no violation

Norman v. the United Kingdom, 41387/17, 6.7.2021 ..........................................................Judgment | Legal summary

Unjustified ban on publication of opposition newspaper as a result of state of emergency declared in the context of massive post-election protests: violation

Dareskizb Ltd v. Armenia, 61737/08, 21.9.2021 .................................................................Judgment | Legal Summary

ARTICLE 11

Freedom of peaceful assembly

Deliberate strategy to stop initially peaceful Maidan protest through excessive force resulting in escalation of violence and multiple abuses by non-State agents hired by police: violation


Shmorgunov and Others v.Ukraine, 15367/14 et al, 21.1.2021 .................................Judgment | Legal summary
Justified conviction for assaulting police officer during proportionate dispersal of protest: 
*inadmissible*

Knežević v. Montenegro (dec.), 54228/18, 2.2.2021 ......................................................... Decision | Legal summary

**Freedom of association**

Well-founded decision to declare unlawful announced trade union boycott to pressure foreign company into collective agreement in breach of EEA freedom of establishment: 
*no violation*

Norwegian Confederation of Trade Unions (LO) and Norwegian Transport Workers’ Union (NTF) v. Norway, 45487/17, 10.6.2021................................................ Judgment | Legal summary

**ARTICLE 13**

**Effective remedy**

New legal framework establishing mechanism for redress for all parents of missing newborn children: *struck out of the list*

Mik and Jovanović v. Serbia (dec.), 9291/14 and 63798/14, 23.3.2021...............Decision | Legal summary

Hasty return to Turkey of a journalist 24 hours after his arrest at the border, rendering the available remedies ineffective in practice and therefore inaccessible: 
*violation*

D v. Bulgaria, 29447/17, 20.7.2021........................................................................................ Judgment | Legal summary

Action in tort an effective remedy from 13 January 2021 for obtaining compensation for poor conditions of detention or transport that had now ended: 
*violation*

Polgar v. Romania, 39412/19, 20.7.2021 .................................................................................... Judgment | Legal summary

Use of four effective remedies, with suspensive effect, to challenge the return of an asylum seeker, who was heard and, in spite of tight deadlines, enjoyed safeguards to put forward his claims: *no violation*

E.H. v. France, 39126/18, 22.7.2021 .......................................................................................... Judgment | Legal summary

New length-of-proceedings remedy, albeit effective in principle, ineffective in the instant case: 
*violation*

Bara and Kola v. Albania, 43391/18 and 17766/19, 12.10.2021 ...............................Judgment | Legal Summary

Lack of effective remedy for disabled applicants’ complaints as to accessibility of polling stations and voting procedure in a national referendum: 
*violation*

Toplak and Mrak v. Slovenia, 34591/19 and 42545/19, 26.10.2021 .......................Judgment | Legal Summary

**ARTICLE 14**

**Discrimination (Article 2)**

Failure to take preventative action to protect domestic violence victim and to investigate police inaction, against backdrop of systemic failures and gender-based discrimination: 
*violation*

Tkhelidze v. Georgia, 33056/17, 8.7.2021 .................................................................................. Judgment | Legal summary
**Discrimination (Article 3)**

Conviction for minor offence and EUR 40 fine for violent homophobic attack, without investigating hate motives, and subsequent discontinuation of criminal proceedings on *ne bis in idem* grounds: *violation*

Sabalić v. Croatia, 50231/13, /Arrêt 14.1.2021 .................................................................Judgment | Legal summary

Unlawful detention and ill-treatment of Avars by military servicemen of Chechen origin, failure to investigate possible motive of ethnic hatred: *violation*

Adżigitowa and Others v. Russia, 40165/07 and 2593/08, 22.6.2021.................................Judgment | Legal summary

**Discrimination (Article 8)**

Ethnic origin not the reason for the removal and placement in care of the Roma granddaughter of the applicant, who had had custody of her since birth: *no violation*

Terna v. Italy, 21052/18, 14.1.2021 ................................................................................................Judgment | Legal summary

Failure of domestic courts to discharge positive obligation to afford redress to Jewish and Roma individuals for discriminatory public statements made by politician: *violation*

Behar and Gutman v. Bulgaria, 29335/13, 16.2.2021 ..........................................................Judgment | Legal summary

Budinova and Chaprazov v. Bulgaria, 12567/13, 16.2.2021.......................................................Judgment | Legal summary

Discriminatory denial of surviving parent allowance to single mother of minor children of unknown father: *violation*

Yoccheva and Ganeva v. Bulgaria, 18592/15 et al, 11.5.2021.....................................................Judgment | Legal summary

State’s failure to ensure LGBT event proceeded peacefully, without verbal abuse, and carry out effective investigation into homophobic motives of counter-demonstrators: *violation*

Association ACCEPT and Others v. Romania, 19237/16, 1.6.2021............................................Judgment | Legal summary

Restriction of applicant’s parental rights and deprivation of contact with her children without required scrutiny on gender identity grounds: *violation*

A.M. and Others v. Russia, 47220/19, 6.7.2021 ....................................................................Judgment | Legal summary

Entitlement to parental leave of male police personnel conditional upon lack of maternal care for their children: *violation*

Gruba and Others v. Russia, 66180/09 et al., 6.7.2021 ..........................................................Judgment | Legal summary

Paternal surname automatically preceding maternal surname in naming of child, where parents disagree, without consideration of specific circumstances: *violation*

León Madrid v. Spain, 30306/13, 26.10.2021 ................................................................................................Judgment | Legal Summary

**Discrimination (Article 9)**

Denial of State recognition to a pagan religious association meeting eligibility criteria, on grounds incompatible with the State’s duty of neutrality and impartiality: *violation*

Ancient Baltic religious association “Romuva” v. Lithuania, 48329/19, 8.6.2021 .............................................................................................................................................Judgment | Legal summary

**Discrimination (Article 11)**

State’s failure to ensure LGBT event proceeded peacefully, without verbal abuse, and carry out effective investigation into homophobic motives of counter-demonstrators: *violation*

Association ACCEPT and Others v. Romania, 19237/16, 1.6.2021............................................Judgment | Legal summary
Discrimination (Article 1 of Protocol No. 1)

Unjustified, direct sex discrimination by refusing employment-related benefit to pregnant woman who underwent in vitro fertilisation shortly before employment: violation
Jurčić v. Croatia, 54711/15, 4.2.2021 .......................................................................................... Judgment | Legal summary

Upper age limit (35 years) for eligibility for “young families” housing subsidy based on objective data and justified: no violation
Šaltinytė v. Lithuania, 32934/19, 26.10.2021 ........................................................................... Judgment | Legal Summary

Discrimination (Article 3 of Protocol No. 1)

Lack of voting machines not discriminatory for disabled voter allowed to be assisted by a person of his own choice under legal duty to respect secrecy: no violation
Toplak and Mrak v. Slovenia, 34591/19 and 42545/19, 26.10.2021 ............................................ Judgment | Legal Summary

ARTICLE 15

Derogation in time of emergency

Declaration of national emergency in the context of 2008 massive post-election protests: conditions for derogation not satisfied
Dareskizb Ltd v. Armenia, 61737/08, 21.9.2021 ............................................................................ Judgment | Legal Summary

ARTICLE 17

Prohibition of abuse of rights

Conviction of the applicant for having slogans with a terrorist connotation printed on a T-shirt worn at his request by his three-year-old nephew at nursery school: admissible
Z.B. v. France, 46883/15, 2.9.2021 ............................................................................................... Judgment | Legal Summary

ARTICLE 18

Restriction for unauthorised purposes

Pre-trial detention of opposition activists predominantly aiming to punish and silence them for active involvement in anti-government demonstrations: violation
Azizov and Novruzlu v. Azerbaijan, 65583/13 et al, 18.2.2021.................................................. Judgment | Legal summary

Freezing of bank accounts of a human rights defender and his NGO and imposition of travel bans for the purpose of punishing them for, and impeding, their work: violation
Democracy and Human Rights Resource Centre and Mustafayev v. Azerbaijan, 74288/14 and 64568/16, 14.10.2021 ................................................................. Judgment | Legal Summary

Disciplinary proceedings and sanctions against the President of the judges’ association in retaliation against her criticism of the Supreme Judicial Council and the executive: violation
Miroslava Todorova v. Bulgaria, 40072/13, 19.10.2021 ............................................................... Judgment | Legal Summary
ARTICLE 33

Inter-State application

Alleged existence of an administrative practice by Russian authorities in Crimea resulting in multiple Convention violations: admissible

Ukraine v. Russia (re Crimea) (dec.) [GC], 20958/14, 16.12.2020 .............................................. Decision | Legal summary

Jurisdiction of Russia over Abkhazia and South Ossetia during the active phase of hostilities and after their cessation

Georgia v. Russia (II) [GC], 38263/08, 21.1.2021 .............................................................. Judgment | Legal summary

ARTICLE 34

Victim

Compensation of a sufficient amount covering the entire period of the applicants’ compulsory confinement in the psychiatric wing of a prison: loss of victim status; inadmissible

Venken and Others v. Belgium, 46130/14 et al., 6.4.2021 .............................................. Judgment | Legal summary

Blanket ban on the dissemination of information on a parliamentary inquiry: victim status granted to a journalist but not to academics using social media

Akdeniz and Others v. Turkey, 41139/15 and 41146/15, 4.5.2021 ......................................... Judgment | Legal summary

Victim status recognised in respect of the complaint concerning the ineffectiveness of the investigation into a child’s killing, despite a friendly-settlement award in the civil proceedings

Penati v. Italy, 44166/15, 11.5.2021 ................................................................. Judgment | Legal summary

Application complaining in abstracto about the health pass system and other measures for managing the Covid-19 crisis, without specifying their effect on the applicant’s personal situation: inadmissible

Zambrano v. France (dec.), 41994/21, 7.10.2021 ............................................................... Decision | Legal Summary

Hinder the exercise of the right of application

Interference with Court-applicant correspondence and ineffective legal representation through legal aid system for Court proceedings: violation

Feilazoo v. Malta, 6865/19, 11.3.2021 ............................................................................. Judgment | Legal summary

ARTICLE 35

Article 35 § 1

Exhaustion of domestic remedies

Prisoners’ failure to exhaust a new remedy to vindicate their right to family life in the context of their allocation to remote penal facilities: inadmissible

Dadusenko and Others v. Russia (dec.), 36027/19 et al, 7.9.2021 ...................................... Decision | Legal Summary
Complaint aimed at not applying a federal statutory provision in applicant’s case lodged with a constitutional court of a Land, instead of the Federal Constitutional Court: inadmissible
Köhler v. Germany (dec.), 3443/18, 7.9.2021 .............................................................. Decision | Legal Summary

Premature complaints on retrospective application of Constitutional Court case-law relating to inadequate prison condition remedies: inadmissible
Janković v. Croatia (dec.), 23244/16 et al., 21.9.2021 .................................................. Decision | Legal Summary

Non-exhaustion of judicial review as a remedy in order to challenge the health pass system and other measures for managing the Covid-19 crisis: inadmissible
Zambrano v. France (dec.), 41994/21, 7.10.2021 ............................................................. Decision | Legal Summary

Effective domestic remedy – Russia

Newly reformed criminal cassation review procedure introduced by Federal Law no. 15-FZ an effective remedy requiring exhaustion: inadmissible
Anikeyev and Yermakova v. Russia (dec.), 1311/21 et al., 13.4.2021 ......................... Decision | Legal summary

Prisoners’ failure to exhaust a new remedy to vindicate their right to family life in the context of their allocation to remote penal facilities: inadmissible
Dadusenko and Others v. Russia (dec.), 36027/19 et al, 7.9.2021 .............................. Decision | Legal Summary

Six-month period

Out of time application in respect of continuing conflict-based interference with home/property, introduced six years after State’s Convention ratification: inadmissible
Samadov v. Armenia (dec.), 36606/08, 26.1.2021 .......................................................... Decision | Legal summary

Account taken of entire period of failure to enforce sex offender’s sentence for purposes of six-month rule: preliminary objection rejected
E.G. v. the Republic of Moldova, 37882/13, 13.4.2021 ..................................................... Judgment | Legal summary

Article 35 § 3 (a)

Abuse of the right of application

Call to “paralyse” the Court by submitting a very high number of applications, using an automatically generated form on the applicant’s internet site and copying his application: inadmissible
Zambrano v. France (dec.), 41994/21, 7.10.2021 ............................................................. Decision | Legal Summary

ARTICLE 37

Striking out applications

Unilateral declaration by the Government no obstacle to the admissibility of applications for a reopening of criminal proceedings
Liesmons and Others v. Belgium (dec.), 14412/12 et al., 23.3.2021 ................................. Decision | Legal summary

Matter before the Court resolved by adequate remedial measures by domestic courts ending routine handcuffing: striking out of Article 3 complaint
Danilevich v. Russia, 31469/08, 19.10.2021 ................................................................. Judgment | Legal Summary
**Restore to list**

Rejection by the Court of Cassation of a request for reopening of the proceedings, rendering meaningless the Government’s commitments in their unilateral declaration: *restoration to the list*

*Willems and Gorjon v. Belgium, 74209/16 et al., 21.9.2021* .............................................. Judgment | Legal Summary

**ARTICLE 46**

**Execution of judgment – General measures**

Respondent State required to implement further reform of regulatory framework for operational-search activities

*Kuzmina and Others v. Russia/Russie, 66152/14 et al., 20.4.2021* ................................. Judgment | Legal summary

Respondent State required to ensure pursuit of reforms aimed at reducing size of the prison population and keeping it at manageable levels

*Polgar v. Romania, 39412/19, 20.7.2021* ........................................................................... Judgment | Legal summary

**ARTICLE 1 OF PROTOCOL No. 1**

**Peaceful enjoyment of possessions**

Availability of adequate remedies to respond to an exchange-rate fluctuation between the euro and the currency of a loan, during a period of financial crisis: *inadmissible*

*Antonopoulou v. Greece (dec.), 46505/19, 11.2.2021* ........................................................ Decision | Legal summary

Individual, reasoned assessment required to counterbalance deficiencies in legislation on forfeiture of crime proceeds: *violation; no violation*

*Todorov and Others v. Bulgaria, 50705/11 et al., 13.7.2021* ........................................... Judgment | Legal summary

Supreme Court’s failure to follow its own clear line of case-law resulting in applicants’ inability to obtain statutory additional compensation for expropriated property: *violation*

*Aliyeva and Others v. Azerbaijan, 66249/16 et al., 21.9.2021* ......................................... Judgment | Legal Summary

**Control of the use of property/Réglementer l’usage des biens**

No reasonable opportunity to challenge or seek compensation for national bank’s extraordinary measures cancelling shares and bonds: *violation*

*Pintar and Others v. Slovenia, 49969/14 et al., 14.9.2021* ................................................. Judgment | Legal Summary

**Positive obligations**

Availability of adequate remedies to respond to an exchange-rate fluctuation between the euro and the currency of a loan, during a period of financial *crisis: inadmissible*

*Antonopoulou v. Greece (dec.), 46505/19, 11.2.2021* ........................................................ Decision | Legal summary
**ARTICLE 3 OF PROTOCOL No. 1**

**Right to free elections**

Disenfranchisement of persons divested of legal capacity affecting only a small group and subject to thorough parliamentary and judicial review: *no violation*

Strøbye and Rosenlind v. Denmark, 25802/18 and 27338/18, 2.2.2021 .......... Judgment | Legal summary

**Free expression of the opinion of the people**

Removal by the courts of an elected representative from her functions on a provincial council with legislative powers, in application of a regional law: *inadmissible*

Repetto Visentini v. Italy (dec.), 42081/10, 9.3.2021 ....................................................... Decision | Legal summary

Justified disenfranchisement of person with intellectual disability, based on thorough, individualised assessment by domestic courts: *no violation*

Caamaño Valle v. Spain, 43564/17, 11.5.2021 ................................................................. Judgment | Legal summary

**Choice of the legislative**

Removal by the courts of an elected representative from her functions on a provincial council with legislative powers, in application of a regional law: *inadmissible*

Repetto Visentini v. Italy (dec.), 42081/10, 9.3.2021 ............................................................... Decision | Legal summary

**Vote**

Disenfranchisement of persons divested of legal capacity affecting only a small group and subject to thorough parliamentary and judicial review: *no violation*

Strøbye and Rosenlind v. Denmark, 25802/18 and 27338/18, 2.2.2021 .......... Judgment | Legal summary

Justified disenfranchisement of person with intellectual disability, based on thorough, individualised assessment by domestic courts: *no violation*

Caamaño Valle v. Spain, 43564/17, 11.5.2021 ................................................................. Judgment | Legal summary

**Stand for election**

Disqualification from standing for election, and removal from elected office, on account of criminal convictions for corruption and abuse of power: *inadmissible; no violation*

Galan v. Italy (dec.), 63772/16, 18.5.2021 ............................................................... Decision | Legal summary

Miniscalco v. Italy, 55093/13, 17.6.2021 ............................................................... Judgment | Legal summary

**ARTICLE 2 OF PROTOCOL No. 4**

**Article 2 § 1**

**Freedom of movement**

Administrative practice as regards the inability of Georgian nationals to return to their respective homes in Abkhazia and South Ossetia: *violation*

Georgia v. Russia (II) [GC], 38263/08, 21.1.2021 ....................................................... Judgment | Legal summary

Proportionality of administrative surveillance measures imposed for six years after the sentence had been served, subject to periodical review of their necessity: *no violation*

Timofeyev and Postupkin v. Russia, 45431/14 and 22769/15, 19.1.2021 .......... Judgment | Legal summary
Article 2 § 2

Freedom to leave a country

Imposition of a travel ban in connection with an alleged tax debt, without any measures taken to collect it: violation
Democracy and Human Rights Resource Centre and Mustafayev v. Azerbaijan, 74288/14 and 64568/16, 14.10.2021 ................................................................................... Judgment | Legal Summary

ARTICLE 2 OF PROTOCOL No. 7

Right of appeal in criminal matters

Offence punishable by a fine, or imprisonment in default of its payment, regarded as “minor” in view of procedural safeguards governing enforcement of the latter sanction: no violation
Kindlhofer v. Austria, 20962/15, 26.10.2021 ................................................................. Judgment | Legal Summary

ARTICLE 4 OF PROTOCOL No. 4

Prohibition of collective expulsion of aliens

Migrant’s push-back to a narrow strip of State territory on external side of a border fence amounting to expulsion: Article 4 of Protocol No. 4 applicable
Applicant’s removal, after irregular but undisruptive entry, without an individual decision, despite limited access to means of legal entry lacking formal procedure and safeguards: violation
Shahzad v. Hungary, 12625/17, 8.7.2021 ........................................................................... Judgment | Legal summary

ARTICLE 4 OF PROTOCOL No. 7

Right not to be tried or punished twice

Administrative surveillance of a convicted person in order to prevent recidivism after having served his sentence, not amounting to a second “criminal penalty”: inadmissible
Timofeyev and Postupkin v. Russia, 45431/14 and 22769/15, 19.1.2021 .......... Judgment | Legal summary

Proceedings and penalties forming part of a coherent and proportionate whole to punish individual acts and patterns of domestic violence: no violation
Galović v. Croatia, 45512/11, 31.8.2021 .............................................................................. Judgment | Legal Summary

ARTICLE 1 OF PROTOCOL No. 12

General prohibition of discrimination

Discriminatory refusal to allow internally displaced persons to vote in local elections at their place of actual residence: violation
Selygenenko and Others v. Ukraine, 24919/16 and 28658/16, 21.10.2021 ..........Judgment | Legal Summary
Adequate positive measures enabling disabled applicants to exercise their right to vote freely and by secret ballot at a national referendum: *no violation*

Toplak and Mrak v. Slovenia, 34591/19 and 42545/19, 26.10.2021 ....................... Judgment | Legal Summary

**PROTOCOL No. 16**

**Advisory opinions**

Question raised under Article 6 not concerning an issue on which the requesting court would need the Court’s guidance: *request rejected*

Advisory opinion requested by the Supreme Court of the Slovak Republic (dec.) [GC], P16-2020-001, 1.3.2021 ................................................................. Decision | Legal summary