

ECtHR 9 November 2021, app. no. 31549/18 (Špadijer v. Montenegro), Privacy, Whistleblowing

Ms. Špadijer – v – Montenegro, Montenegro case

Summary

States must protect the physical and psychological integrity of individuals from others, including setting up a legal framework with that aim in an adequate way. The ECtHR's summary of the case is available on: <https://hudoc.echr.coe.int/app/conversion/pdf/?library=ECHR&id=003-7176831-9738963&filename=Judgment%20%u0160padijer%20v.%20Montenegro%20-%20Alleged%20bullying%20of%20whistle-blowing%20prison%20guard%20.pdf>.

Ruling

The Court, unanimously:

1. Declares the application admissible;
2. Holds that there has been a violation of Article 8 of the Convention;
3. Holds that there is no need to examine the complaint under Article 13 of the Convention;
4. Holds
 1. that the respondent State is to pay the applicant, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the following amounts:
 2. EUR 4,500 (four thousand five hundred euros), plus any tax that may be chargeable, in respect of non-pecuniary damage;
 3. EUR 1,000 (one thousand euros), plus any tax that may be chargeable to the applicant, in respect of costs and expenses;
 4. that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the Euro-

pean Central Bank during the default period plus three percentage points;

5. Dismisses the remainder of the applicant's claim for just satisfaction.

ECtHR 7 December 2021, app. no. 29582/09 (Yakut Republican Trade-Union Federation – v – Russia), Unions

Yakut Republican Trade-Union Federation – v – Russia, Russian case

Summary

A court's order to a trade-union federation to expel a grassroots union of working prisoners because of a statutory ban on their unionization did not violate article 11-1 of the Charter. The ECtHR's summary of the case is available on <https://hudoc.echr.coe.int/eng?i=002-13506>.

Ruling

The Court:

1. Declares, unanimously, the application admissible;
2. Holds, by five votes to two, that there has been no violation of Article 11 of the Convention.