

# ECtHR 23 June 2022, app. no. 19750/13 (Grosam – v – Czech Republic), Fair Trial

Grosam – v – Czech Republic, Czech case

## Summary

Disciplinary proceedings for enforcement officer were unfair as the selection of disciplinary chamber members was not transparent. The ECtHR's summary of the case is available on: <https://hudoc.echr.coe.int/eng?i=002-13704>.

## Order

The Court:

- Declares, by a majority, the complaint that the disciplinary court did not satisfy the requirements of an independent and impartial tribunal under Article 6 § 1 of the Convention admissible;
- Holds, by four votes to three, that there has been a violation of Article 6 § 1 of the Convention;
- Holds, by a majority, that there is no need to examine the admissibility and merits of the remaining complaints under Article 6 § 1 of the Convention relating to the disciplinary court;
- Declares, unanimously, the remainder of the application inadmissible;
- Holds, by four votes to three,
  - (a) 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, EUR 4,000 (four thousand euros), plus any tax that may be chargeable, in respect of non-pecuniary damage, to be converted into Czech korunas at the rate applicable at the date of settlement;
  - (b) 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 European Central Bank during the default period plus three percentage points;
- Dismisses, unanimously, the remainder of the applicant's claim for just satisfaction.