

SUMMARY

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.

Creator: European Court of Human Rights (ECtHR)

Verdict at: 2022-06-23

Case number: 19750/13