



Judgments and decisions of 14 June 2018

The European Court of Human Rights has today notified in writing 32 judgments¹ and 75 decisions²: two Chamber judgments are summarised below; a separate press release has been issued for one other Chamber judgment in the case of *Rungainis v. Latvia* (application no. 40597/08); a separate press release has also been issued for one decision, in the case of *Antkowiak v. Poland* (no. 27025/17); 29 Committee judgments, concerning issues which have already been submitted to the Court, and the 74 other decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

The judgments below are available only in English.

Revision

E.B. and Others v. Austria (applications nos. 31913/07, 38357/07, 48098/07, 48777/07, and 48779/07)

The case concerned a request for the revision of a judgment of the European Court of Human Rights with regard to a complaint brought by four Austrian nationals about the domestic authorities' refusal to delete their convictions from their criminal records. They had all in the past been convicted of the offence of having, as a male adult, had consensual sexual relations with a male minor aged between 14 and 18 years.

In a [judgment](#) delivered on 7 November 2013, the Court held that there had been a violation of Article 14 (prohibition of discrimination) read in conjunction with Article 8 (right to respect for private and family life) and a violation of Article 13 (right to an effective remedy) of the European Convention on Human Rights. It awarded 5,000 euros (EUR) to each of the four applicants in respect of non-pecuniary damage, and EUR 11,000 to Mr E.B., EUR 16,000 to Mr H.G. and EUR 9,000 each to Mr A.S. and Mr A.V. in respect of costs and expenses.

On 16 November 2013 Mr E.B.'s lawyer requested a rectification or revision of the judgment as regards the award made to his client for costs incurred in the domestic proceedings.

In its judgment today the Court **decided to revise** its judgment of 7 November 2013 concerning Mr E.B.'s application as regards the award of costs and expenses. It held that Austria was to pay him 13,500 EUR in respect of costs and expenses.

¹ Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a Chamber judgment's delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Under Article 28 of the Convention, judgments delivered by a Committee are final.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution

² Inadmissibility and strike-out decisions are final.

Euromak Metal DOO v. ‘the former Yugoslav Republic of Macedonia’ (no. 68039/14)

The applicant company, Euro Mak Metal, was a family business, based in Skopje, which traded in scrap metal. It was removed from the register of companies and ceased to exist in 2017.

The case concerned the company’s complaint that it had been ordered to pay, with interest, value-added tax it had previously deducted from its tax obligations.

Following an audit by the Internal Revenues Office in 2009, the applicant company was informed that it had made errors in calculating its VAT declaration on received goods because its suppliers had failed to declare or pay tax to the State. Therefore the company could not profit from VAT deductions, as it had done in the past. These reasons were subsequently upheld by all the relevant domestic authorities and the administrative courts.

Relying on Article 1 of Protocol No. 1 (protection of property), the company complained that, in spite of the fact that it had fully complied with its own VAT obligations, the domestic authorities had deprived it of the right to deduct VAT it had paid on received goods, owing to circumstances beyond its control, namely its suppliers’ failure to meet its tax obligations.

Violation of Article 1 of Protocol No. 1

Just satisfaction: EUR 4,000 (non-pecuniary damage) and EUR 1,500 (costs and expenses) jointly to Ms and Mr Pavlovski

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.