



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FOURTH SECTION

CASE OF NADASHVILI v. GEORGIA

(Application no. 31727/23)

JUDGMENT

STRASBOURG

8 September 2026

This judgment is final but it may be subject to editorial revision.

In the case of Nadashvili v. Georgia,

The European Court of Human Rights (Fourth Section), sitting as a Committee composed of:

Ana Maria Guerra Martins, *President*,

Anne Louise Bormann,

Sebastian Rădulețu, *judges*,

and Giorgi Badashvili, *Acting Deputy Section Registrar*,

Having regard to:

the application (no. 31727/23) against Georgia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 8 August 2023 by a Georgian national, Ms Irine Nadashvili (“the applicant”), who was born in 1980, lives in Gurjaani and was represented by Ms N. Londaridze, a lawyer practising in Tbilisi;

the decision to give notice of the complaint under Article 6 § 1 of the Convention to the Georgian Government (“the Government”), represented by their Agent, Mr B. Dzamashvili, of the Ministry of Justice, and to declare the remainder of the application inadmissible;

the parties’ observations;

Having deliberated in private on 7 July 2026,

Delivers the following judgment, which was adopted on that date:

SUBJECT MATTER OF THE CASE

1. The application concerns the allegedly excessive length of civil proceedings which have been pending before a court of first instance since April 2021.

2. On 9 August 2020, upon her return from Türkiye to Georgia, the applicant was placed in quarantine in a designated hotel – a measure imposed in the context of the COVID-19 pandemic. On 10 August 2020, in view of her alleged refusal to undergo a nasal polymerase chain reaction (PCR) test, she was transferred by the police to a psychiatric hospital. The applicant alleged that, while in hospital, she had been confined to a single room, deprived of her personal belongings (including her mobile phone), and prevented from communicating with the outside world. She further submitted that she had been forcibly subjected to a nasal PCR test and compelled to take certain psychotropic medication.

3. After lodging multiple complaints with, among others, the police and the hospital, on 12 April 2021 the applicant lodged a civil complaint against the Ministry of Health and Social Protection, requesting compensation for what she described as unlawful detention and inhuman and degrading treatment at the psychiatric facility. The applicant also made two procedural applications: first, that the Batumi City Court order the retrieval of the relevant video footage from the psychiatric hospital; and second, that it obtain

information concerning written communications between various public health authorities concerning the arrangements for her isolation following her return from Türkiye.

4. On 19 April 2021 the applicant was informed by telephone that her civil claim had been admitted for examination. On the same date the Batumi City Court granted the applicant's application concerning the retrieval of the video evidence and rejected the other application. On 29 April 2021 the court was informed that the recordings had not been archived and were therefore inaccessible.

5. On 27 May 2021 the Ministry submitted its position in reply to the applicant's claim.

6. On 20 July 2021 the applicant made another application, requesting the examination of several witnesses in court.

7. Following the transfer of the judge assigned to the case to another court, the case was assigned to a new judge on 17 March 2022. On 28 March 2022 it was reassigned yet again.

8. On 17 November 2025 the judge responsible for examining the case scheduled a preparatory hearing for 23 February 2026.

9. According to the case file, the civil proceedings are still pending before the Batumi City Court.

THE COURT'S ASSESSMENT

ALLEGED VIOLATION OF ARTICLE 6 § 1 OF THE CONVENTION

10. As regards the Government's objection that the applicant had failed to act with due expedition – in that she had not brought her case before the Court within four months of it becoming apparent to her that the proceedings were protracted – the Court notes that the applicant's complaint concerns a continuing situation. The application was lodged while the proceedings before the first-instance court were still pending, and they remain so. In those circumstances, and having regard to the absence of any effective domestic remedy in this regard (see, among other authorities, *Schrade v. Georgia* [Committee], no. 15016/07, §§ 41-42, 11 March 2021, and *I.B. v. Georgia* [Committee], no. 4639/23, § 18, 11 July 2024), the Court does not consider it unreasonable that the applicant waited for two years before lodging the present application (see, for example, *Omarov v. Georgia* [Committee], no. 25967/23, § 8, 7 April 2026, with further references). Finding that the complaint is not manifestly ill-founded, as argued by the Government, the Court declares the application admissible.

11. The general principles concerning the length of proceedings have been summarised in *Pélissier and Sassi v. France* ([GC], no. 25444/94, § 67, ECHR 1999-II) and *Frydlender v. France* ([GC], no. 30979/96, § 43, ECHR 2000-VII). It is for the Contracting States to organise their judicial

systems in such a way that the courts are able to meet the “reasonable time” requirement under Article 6 (see *Lupeni Greek Catholic Parish and Others v. Romania* [GC], no. 76943/11, § 142, 29 November 2016).

12. The applicant submitted that the stagnation of the proceedings at first instance had not been justified. The Government contested that claim, arguing that the civil case in question had been complex, since the applicant had lodged several procedural applications with the court. They further maintained that the first-instance court had acted with sufficient promptness and efficiency, notwithstanding the delay caused primarily by the court’s internal reorganisation, the related reassignment of judges and the time needed to obtain evidence from third parties. The Government also stressed that the COVID-19 pandemic had contributed to the length of the proceedings.

13. In the present case, the proceedings have so far lasted over five years at one level of jurisdiction. According to the case file, a preparatory hearing was scheduled for February 2026. This means that the very first hearing at which the Batumi City Court was expected to begin the actual examination of the applicant’s civil claim was scheduled almost five years after she had lodged it. The Court is ready to accept the Government’s argument that the COVID-19 pandemic and related anti-COVID sanitary measures contributed to the delay. However, of the five years during which the case remained pending in the Batumi City Court, four years and eight months were marred by total inactivity (see *Graczyk v. Poland*, no. 21246/05, § 37, 4 November 2008; see also *Tordia and Others v. Georgia* [Committee], no. 24060/23, § 14, 9 December 2025, and *I.B. v. Georgia*, cited above, § 24). The applicant’s only procedural application for the production of evidence by a third party was granted by the court in April 2021. Within one week the court was informed that the video evidence no longer existed. The applicant did not make any subsequent requests or procedural applications which could have contributed to the length of the proceedings. As to the Government’s argument concerning the reorganisation of the relevant court, the Court has previously found that poor internal organisation of the Batumi City Court and the repeated transfer of a case from one judge to another were major factors that led to lengthy proceedings (see *Mgeladze v. Georgia* [Committee], no. 35413/19, § 13, 16 May 2024; see also *Kharitonashvili v. Georgia*, no. 41957/04, § 44, 10 February 2009, with further references). In any event, it notes that, following two reassignments, the applicant’s case was assigned to a new judge on 28 March 2022. Three years and 11 months then elapsed before the judge scheduled a preparatory hearing (on 23 February 2026) in the applicant’s case. The Government did not provide any explanation capable of justifying such a prolonged period of complete inactivity after the COVID-19 restrictions had been lifted.

14. Having regard to the above-mentioned considerations and, in particular, to the fact that more than five years have elapsed without the

first-instance court examining the merits of the case, the Court concludes that applicant's case has not been heard within a "reasonable time". There has accordingly been a violation of Article 6 § 1 of the Convention.

APPLICATION OF ARTICLE 41 OF THE CONVENTION

15. The applicant claimed 25,000 euros (EUR) in respect of non-pecuniary damage.

16. The Government contested the claim.

17. The Court awards the applicant 1,500 EUR in respect of non-pecuniary damage, plus any tax that may be chargeable.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;
2. *Holds* that there has been a violation of Article 6 § 1 of the Convention;
3. *Holds*
 - (a) that the respondent State is to pay the applicant, within three months, EUR 1,500 (one thousand five hundred euros) in respect of non-pecuniary damage, plus any tax that may be chargeable, to be converted into the currency of the respondent State 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 amount at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;
4. *Dismisses* the remainder of the applicant's claim for just satisfaction.

Done in English, and notified in writing on 8 September 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Giorgi Badashvili
Acting Deputy Registrar

Ana Maria Guerra Martins
President