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CASE LAW OF THE EUROPEAN COURT OF HUMAN RIGHTS RELATED TO PUBLIC INTERNATIONAL LAW

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CASES FROM 1 MARCH TO 31 AUGUST 2025

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***Hasani v. Sweden*, no. 35950/20, Chamber judgment of 6 March 2025 (Article 2, right to life – no violation)**

The applicant, Esmat Hasani, is an Afghan national who was born in 2001 and lives in Gothenborg (Sweden). Mr Hasani and his brother, A.H., arrived in Sweden in 2015 and applied for asylum. The case concerns A.H.'s suicide after the authorities refused the brothers' asylum requests. A.H. had a visual impairment and mental health problems. Relying on Article 2 (right to life) of the Convention, Mr Hasani alleges that the Swedish authorities failed to take measures to protect his brother from committing suicide, despite being aware that the decisions to refuse asylum would cause him distress.

***F.B. v. Belgium*, no. 47836/21, Chamber judgment of 6 March 2025 (Article 8, right to respect for private life – violation)**

The applicant, F.B., is a Guinean national who arrived in Belgium on 2 August 2019. On 5 August 2019 she lodged an application for international protection, stating that she was a minor, aged 16. She produced a non-legalised copy of her birth certificate and stated that she had fled her country of origin to escape mistreatment resulting from her forced marriage. That day she was interviewed by an employee of the Minors and Victims of Human Trafficking Department of the Aliens Office, who completed the form registering her as an "unaccompanied foreign minor". The employee, who expressed doubts as to F.B.'s minor status, ticked the following boxes in particular: "doubt as to minor status", "request for medical examination", "person concerned informed of doubts", "information document on age-assessment process delivered". He also ticked the box certifying that F.B. did not object to undergoing the age assessment. Before the Court, F.B. submitted that she had not been informed during the interview that a doubt had been noted as to her age and that she had not received any information or document concerning the bone tests sought, in particular concerning the possibility of refusing to undergo such tests. The Government argued that, during the interview, F.B. had received an information form about the age-assessment process, drafted in French, which was a language she understood. F.B. was then transferred to a "monitoring and guidance centre" run by the Federal Agency for the Reception of Asylum-Seekers, which was a centre for unaccompanied minors. A few days later, F.B. was taken to hospital, where she underwent a triple bone test consisting of hand and wrist, collarbone and dental X-rays, following which the experts concluded that she had been 21.7 years old on the day of the tests, with a standard deviation of two years. Later, F.B. was interviewed about her age and identity by an employee of the guardianship office. She claimed that she had understood, during this interview, that her age had been questioned and that the documents she had provided were of no value. F.B. subsequently forwarded to the guardianship office the original of the supplementary judgment delivered in May 2019 by the Conakry III-Mafanco Court of First Instance, serving as a birth certificate, and an original short-form birth certificate. Both documents indicated that F.B. was born on 15 January 2003. The guardianship office nevertheless considered that the documents had no evidential value because they had not been legalised in accordance with Article 30 of the Code of Private International Law. They therefore gave precedence to the age assessment over the documentation submitted by the applicant. Consequently, F.B.'s entitlement to support from the guardianship office was terminated by operation of law and she was transferred to a centre for adults, where she was able to receive assistance from a lawyer who helped her to lodge a request for a stay of execution and an application for judicial review, which were dismissed by the *Conseil d'État*. According to the information in the case file, F.B. was recognised as a refugee by the Office of the Commissioner General for Refugees and Stateless Persons and was able to register for school to pursue her education, notwithstanding the termination of her entitlement to

support on 11 September 2019. Relying in particular on Article 8 of the Convention, the applicant complained that the decision to terminate her entitlement to support as an unaccompanied foreign minor following an age assessment had interfered with her right to respect for her private life. In the present case, without having to decide on this point or on the applicant's status as a minor or otherwise, the Court observed that the decision-making process that had resulted in the decision to terminate her entitlement to support as an unaccompanied foreign minor had not been accompanied by sufficient safeguards for the purposes of Article 8 of the Convention. Consequently, there had been a violation of that provision. The Court rejected the applicant's complaints under Article 13 (right to an effective remedy) and Article 14 (prohibition of discrimination) in conjunction with Article 8, finding that they were manifestly ill-founded.

***Vyacheslavova and Others v. Ukraine*, no. 39553/16 and 6 others, Chamber judgment of 13 March 2025 (Article 2, right to life/investigation – violation; Article 8, right to respect for private and family life – violation)**

The seven applications were lodged by a total of 28 individuals. Twenty-five of the applicants lost their next of kin – either in the clashes or as a result of the fire – and three of the applicants survived the fire with various injuries. Among the applicants' relatives who lost their lives on that day, were Maidan supporters and opponents and, possibly, simple passers-by. Respecting the applicants' choice, who often preferred not to mention their or their relatives' political views, the Court only indicated the political views of the individuals concerned where that was essential for establishing and understanding the events or where, in any event, the applicants themselves had made that information public. In the case, the European Court of Human Rights Court held, unanimously, that there had been: violations of Article 2 (right to life/investigation) of the European Convention on Human Rights, on account of the relevant authorities' failure to do everything that could reasonably be expected of them to prevent the violence in Odesa on 2 May 2014, to stop that violence after its outbreak, to ensure timely rescue measures for people trapped in the fire, and to institute and conduct an effective investigation into the events; and a violation of Article 8 (right to respect for private and family life) in respect of one applicant (application no. 39553/16) concerning the delay in handing over her father's body for burial.

***Demirer v. Türkiye*, no. 45779/18, Chamber judgment of 25 March 2025 (Article 6, right to a fair trial – no violation)**

The applicant, Serferaz Demirer, is a Turkish national who was born in 1994 and lives in Bayburt (Türkiye). The case concerns Ms Demirer's conviction in May 2016 of, among other things, membership of an armed terrorist organisation after she had been arrested trying to cross the Turkish border illegally from Syria with another woman who had confessed to having joined the YPG (the Kurdish People's Defence Units movement), the Syrian branch of the PKK (Workers' Party of Kurdistan) and received political and military training there. Both initially falsely identified themselves as Syrian citizens. After Ms Demirer's true identity was discovered, she accused the interpreter, B.S., of "treason". She was sentenced to nine years' imprisonment. The courts found unconvincing her argument that she had gone to Syria to attend a wedding. Relying on Article 6 § 1 (right to a fair trial) of the Convention, Ms Demirer alleges that the courts failed to adequately investigate the allegations against her, to provide grounds for her conviction and to assess her defence submissions.

***Ali v. Serbia*, no. 4662/22, Chamber judgment of 25 March 2025 (Article 3, prohibition of torture – violation; Article 34, right to individual application – violation)**

The applicant, Ahmet Jaafar Mohamed Ali, is a Bahraini national who was born in 1973. He is currently in prison in Bahrain. The case concerns the applicant's extradition from Serbia to Bahrain. He was wanted in Bahrain following his conviction *in absentia* for terrorism offences and was arrested in Serbia in November 2021 under an international arrest warrant issued by Interpol. During the ensuing extradition proceedings he argued that, as a Shiite and political activist, he would be at risk of persecution, torture or even death in Bahrain. The courts upheld,

however, the decision to extradite him, finding that his presence in Serbia was illegal. He was ultimately extradited on 24 January 2022 after the Serbian Minister of Justice obtained diplomatic assurances that the applicant would have a retrial with him being allowed to present his case in person. Relying on Article 3 (prohibition of inhuman or degrading treatment) of the European Convention, the applicant alleges that at the time of his extradition he faced a real risk of being subjected to torture or inhuman or degrading treatment; that his extradition exposed him to a sentence of life imprisonment with no prospect of release; and, that the Serbian authorities had not taken any of these issues into consideration in their decisions. He also argues under Article 34 (right to individual application) that he was extradited to Bahrain in spite of an interim measure issued on 21 January 2022 by the European Court under Rule 39 of its Rules of Court. The Court held that there has been a violation of Article 3 in respect of the applicant's complaint about the domestic courts' failure to examine his complaint that he would face a risk of ill-treatment if extradited.

***Almukhlas and Al-Maliki v. Greece*, no. 22776/18, Chamber judgment of 25 March 2025 (Article 2, right to life – violation)**
The applicants, Mohammed Hussein Hasan Almukhlas and Huda Hadi Kareem Al-Maliki, are two Iraqi nationals who were born in 1967 and 1977 respectively and live in Basra (Iraq). The case concerns the death of the applicants' minor son on 29 August 2015, near the island of Symi, from a shot fired by a coastguard during an operation to intercept a boat that was illegally transporting persons to Greece. Relying on Article 2 (right to life) of the Convention, the applicants submit that the domestic authorities did not take appropriate steps to plan and conduct the interception operation as effectively as possible, with a view, above all, to protecting the persons being transported. Furthermore, they consider that the administrative and judicial investigations to establish the liability of those responsible for the incident were inadequate. The Court held that there had been a violation of Article 2 on account of the conduct of the contested interception operation, but not on account of the use of force.

***Mansouri v. Italy*, no. 63386/16, Chamber judgment of 29 April 2025 (inadmissible)**
The case concerned the lawfulness and conditions of a Tunisian national's confinement on board the ship Splendid, which was being used to return him to his country of departure on the basis of a refusal of entry-order issued by the border police on the ground that he was not in possession of an entry visa. The Court dismissed the applicant's complaints under Article 5 (right to liberty and security). In particular, it considered that the applicant had failed to exhaust the available and effective domestic remedies put forward by the Government, namely a compensatory remedy1 and an urgent application for interim relief2. He had therefore not taken appropriate steps to enable the national courts to fulfil their fundamental role in the Convention protection system, that of the Court being subsidiary to theirs. It observed that, had the applicant complied with the requirement to exhaust domestic remedies in accordance with the applicable rules and available procedures under domestic law, he would have given the domestic courts the opportunity to settle the question whether the impugned restrictions amounted to a "deprivation of liberty" and, if so, whether they were compatible with the Convention. In addition, assuming that he had subsequently pursued his complaint before the Court, it would have had the benefit of the national courts' factual and legal findings together with their assessment. Lastly, it found that, in the absence of proceedings before them, the Italian courts had not had the opportunity to examine any issue as to the interpretation of the provisions of the Schengen Borders Code and Annex V thereto or its compatibility with fundamental rights, while seeking, if appropriate, a preliminary ruling from the Court of Justice of the European Union. The Court reiterated, moreover, that, in accordance with an established principle of international law, and subject to their treaty obligations, including those arising from the Convention, Contracting States had the right to control the entry, residence and removal of aliens. It took the view that, in this area, it was especially important to give the national courts an opportunity to interpret domestic law and prevent or put right Convention violations through their own legal system. The Court also considered that the general accommodation conditions on board the Splendid, while they might have caused the applicant

to experience frustration, had not attained the minimum level of severity required for the confinement in question to engage Article 3 of the Convention. The complaints under Article 3 (prohibition of inhuman or degrading treatment) and Article 13 (right to an effective remedy) were therefore manifestly ill-founded.

***Demirci v. Hungary*, no. 37055, Chamber judgment of 6 May 2025 (Article 1 Protocol No. 7, procedural safeguards relating to expulsion of aliens – violation)**
The applicants are Orhan, Margit and Nadire Demirci, a married couple and their daughter. Mr Demirci is a Turkish national, while his wife and daughter are Hungarian nationals. They were born in 1953, 1966 and 1995, respectively. The case concerns a decision to expel Mr Demirci on national-security grounds and the ensuing separation with his wife and daughter. He arrived in Hungary in 1990. He married the second applicant in 1994 and was subsequently granted permanent residence status. The immigration authorities initiated expulsion proceedings against him following a recommendation in 2020 by the Hungarian specialised intelligence agency that he was a danger to national security. He was removed from Hungary on 25 March 2021. The applicants complain that Mr Demirci had been expelled from Hungary in breach of Article 1 of Protocol No. 7 (procedural safeguards relating to expulsion of aliens) to the European Convention, Article 8 (right to respect for private and family life) and Article 13 (right to an effective remedy) of the Convention. They complain in particular that the expulsion order had been based on classified information that they had had no access to either in the administrative proceedings or ensuing judicial review proceedings in his case. The Court held that there is violation of Article 1 of Protocol No. 7 in respect of the first applicant.

***Jewish Community of Thessaloniki v. Greece*, no. 13959/20, Chamber judgment of 6 May 2025 (Article 1 of Protocol No. 1, protection of property – violation)**
The case concerned the dismissal in 2019 of the applicant community's demand to be judicially recognised as the sole owner of a plot of land on the grounds that it had been categorised as "enemy property" after the end of the Second World War – although the ownership of the plot had been transferred to them in 1934. The Court found in particular that the Court of Cassation's 2019 interpretation of the relevant domestic legislation and its application to this case had not been foreseeable. It was not reasonable to expect the applicant community to have known that the property which had already come under its ownership in 1934 would be affected in 1950 and 1955 by the legislation concerning enemy property. The community could not have anticipated the change in the State's stance as regard its ownership of the plot, and nor could it have anticipated the interpretation given to the legislation by the domestic courts as late as 2019.

***Spiteri v. Malta*, no. 37055/22, Chamber judgment of 13 May 2025 (Article 5 § 1, right to liberty and security – no violation; Article 2 Protocol no 4, freedom of movement – no violation; Article 6 § 1, right to a fair trial – no violation)**
The applicant, Patrick Spiteri, is a Maltese national who was born in 1964 and lives in Swieqi (Malta). In 2008 Mr Spiteri was charged with fraud, misappropriation of funds and forgery of public documents. A European arrest warrant was issued as he failed to appear at several hearings. The case concerns his subsequent detention following his extradition from the United Kingdom, and the restriction, in particular, on his leaving the Maltese islands. He relies on Articles 5 § 1 (right to liberty and security) and 6 § 1 (right to a fair trial) of the European Convention and Article 2 of Protocol No. 4 (freedom of movement) to the Convention.

***S.S. and Others v. Italy*, no. 21660/18, Chamber judgment of 20 May 2025 (inadmissible)**
The case concerned a maritime operation to rescue a rubber dinghy transporting some 150 people which had left Libya in the night of 5-6 November 2017 with a view to reaching European shores. The applicants complained that the Rome Maritime Rescue Coordination Centre (MRCC) had placed them at risk of ill-treatment and death by allowing a Libyan ship to take control of the rescue operations. The applicants argued that the facts fell within Italy's jurisdiction within the meaning of Article 1 of the Convention, both *ratione loci* and *ratione*

personae. They further alleged that Italy had, with the consent of the European Union, established a practice of "refoulement by proxy", thereby placing thousands of migrants at risk of inhuman and degrading treatment while simultaneously circumventing its international and Convention obligations. The Court found that the criteria for concluding that a State Party had exercised extraterritorial jurisdiction for the purposes of Article 1 of the Convention had not been met in the circumstances of the case. As to jurisdiction *ratione loci*, the Court found that the area in which the applicants had been intercepted – and the international waters of the Central Mediterranean Sea more generally – had not de facto been under the effective control of Italy. Furthermore, the Court did not accept the applicants' argument to the effect that the financial and logistical support provided by Italy to Libya in managing immigration amounted to the exercise of extraterritorial jurisdiction by the respondent State. As to jurisdiction *ratione personae*, the Court observed that the captain and crew of the Libyan vessel had acted autonomously and that there was nothing to suggest that the officers of the Rome MRCC had had control over the crew of that ship or had been in a position to influence their conduct in any way. Moreover, the mere fact that the search and rescue procedure had been initiated by the Rome MRCC could not, in the Court's view, trigger an extraterritorial jurisdictional link between the applicants and the Italian State. The Court emphasised that, although the conditions for concluding that a State party had exercised extraterritorial jurisdiction under Article 1 of the Convention were not met, the situation here was nonetheless governed by other rules of international law, in particular those regarding the rescue of persons at sea, the protection of refugees and State responsibility. The Court reiterated, however, that the scope of its authority was limited to ensuring compliance with the Convention alone. It therefore did not have the authority to ensure compliance with other international treaties or with obligations deriving from sources other than the Convention.

***Selimi and Krasnići v. Serbia*, nos. 20641/20 and 20644/20, Chamber judgment of 3 June 2025 (Article 6, right to a fair trial – violation; Article 1 Protocol No. 1, protection of property – violation)**

The applicants, Abdurahim Selimi and Bahrije Krasnići, are Serbian nationals who were born in 1939 and 1934 respectively. They lived respectively in Gnjilane and Prizren (Kosovo[1]). The case concerns the suspension of pensions paid by the Serbian Pensions and Disability Insurance Fund (SPDIF) to the applicants, who were based in Kosovo before 1999. Following the intervention of the North Atlantic Treaty Organisation, in June 1999 Kosovo was placed under international administration. The Serbian State was unable to collect pension contributions from that point in Kosovo. Relying on Article 6 § 1 (right to a fair trial) of the Convention and Article 1 of Protocol No. 1 (protection of property) to the Convention, the applicants complain that they had not received their SPDIF pensions since 1999, and of the length of the administrative and judicial review proceedings.

***K.V. Mediterranean Tours Limited v. Türkiye*, no. 41120/17, Chamber judgment of 10 June 2025 (Article 1 of Protocol No. 1, protection of property – violation)**

The case concerned the effectiveness of the Immovable Property Commission (IPC) as a legal avenue for compensation claims brought by Greek Cypriots in the "Turkish Republic of Northern Cyprus". It also concerned the participation of a religious foundation in the IPC proceedings and the alleged lack of impartiality of the High Administrative Court (appeal panel) as a higher judicial authority for IPC cases. In general, the Court acknowledged the progress made by the IPC in processing property claims. It also noted the diverse range of remedies provided, including compensation, exchange, and restitution, and welcomed the ongoing efforts. In this case, however, the Court found that the protracted nature of the proceedings had been mainly due to the passive approach of the IPC and the procrastination of the "TRNC"

[1] All references to Kosovo, whether the territory, institutions or population, in this text is to be understood in full compliance with United Nations Security Council Resolution 1244 and without prejudice to the status of Kosovo.

authorities towards preparing documents and gathering evidence. The IPC had not acted coherently, diligently and quickly enough in examining the claim. Under Article 46 (binding force and enforcement of judgments) the Court found that consistent and long-term efforts had to be continued, in particular as far as expediting IPC proceedings was concerned and creating a remedy which secured genuinely effective redress in respect of delays.

***H.Q. and Others v. Hungary*, nos. 46084/21, 40185/22 and 53952/22, Chamber judgment of 24 June 2025 (Article 4 of Protocol No. 4, prohibition of collective expulsion of aliens – violation; Article 13, right to an effective remedy – violation; Article 3, prohibition of inhuman or degrading treatment - violation)**

The case concerned the removal – under section 5(1b) of the State Border Act – of the applicants from Hungary to Serbia without examination of their individual circumstances, and their alleged lack of access to the international-protection procedure, which – pursuant to the 2020 Transitional Act – could be initiated only after a successful preliminary procedure at the Hungarian embassy in Belgrade (the "embassy procedure"). One of the applicants was removed when making a request for asylum following the expiry of his residence permit; the remaining two applicants, who had entered Hungary clandestinely, were removed from hospital after being treated for serious accident-related injuries. The Court noted that the application of the system of automatic removals had led it to find a violation of Article 4 of Protocol No. 4 in a number of cases against Hungary, and that the system had been found to contravene EU law by the Court of Justice of the European Union. Nevertheless, the respondent State had continued to maintain it and the authorities had relied on it when removing the applicants in this case. Consequently, no assessment of the applicants' situations had been carried out prior to their removal, leading the Court to conclude that their expulsions had been "collective" in nature. Moreover, the Court found that the "embassy procedure", which was the only means of entry for those seeking international protection in Hungary, was not clearly regulated and lacked adequate safeguards. Under Article 46 (binding force and enforcement of judgments) the Court underlined the urgent need for the Hungarian authorities to take immediate and appropriate measures to prevent any further instances of collective expulsions and ensure genuine and effective access to the international protection procedure for those seeking such protection. The Court held, unanimously, that there had been a violation of Article 4 of Protocol No. 4 (prohibition of collective expulsion of aliens) to the European Convention on Human Rights in respect of all three applicants, a violation of Article 13 (right to an effective remedy) of the European Convention in conjunction with Article 4 of Protocol No. 4 to the Convention in respect of all three applicants, and a violation of Article 3 (prohibition of inhuman or degrading treatment – procedural aspect) of the Convention in respect of two of the applicants.

***Aksüngür and Others v. Serbia*, no. 69080/13, Chamber judgment of 24 June 2025 (Article 1 of Protocol No. 1, protection of property – violation)**

The case concerned the confiscation of sums of cash that the applicants had failed to declare when separately crossing Serbia's borders. Overall the Court found that the broad and imprecise legislative framework, coupled with the narrow review carried out by the Serbian courts, had not been able to ensure the requisite fair balance between the requirements of the general interest and the protection of the applicants' right to the peaceful enjoyment of their property. The Serbian courts had failed to engage in a meaningful analysis as to what sanctions had been necessary in each case.

***Cimpaka Kapeta v. Belgium*, no. 55000/18, Chamber judgment of 26 June 2025 (Article 2 of Protocol No. 4, freedom of movement – no violation; Article 13, right to an effective remedy – no violation)**

The applicant is a Belgian national who was born in 1990 and lives in Belgium. The case concerns the Belgian authorities' refusal to issue him with a passport on national-security and public-safety grounds. The applicant complains of an interference with his rights under

Article 8 (right to respect for private and family life) of the Convention and Article 2 of Protocol No. 4 (freedom of movement) to the Convention. He also relies on Article 13 (right to an effective remedy).

***Hayes and Others v. the United Kingdom*, nos. 56532/22, 56889/22, and 3739/23, Chamber judgment of 1 July 2025 (Article 3, prohibition of torture – no violation)**
The applicants, Valerie Perfect Hayes, Jennifer Amnott and Gary Blake Reburn, are American nationals who were born in 1980, 1985 and 1963 respectively and are currently detained in Scotland (the United Kingdom). The case concerns a request for the extradition of the applicants to the United States of America where they are charged with serious offences relating to the alleged kidnapping of five children from two Mennonite families and the attempted murder of those children's four parents in West Virginia. Relying on Article 3 (prohibition of inhuman and degrading treatment) of the Convention, the applicants submit that their extradition could put them at real risk of a mandatory sentence of life imprisonment without the possibility of parole. They also allege that such a sentence would be grossly disproportionate for a crime that did not involve homicide or even attempted homicide. The Court held that there is no violation of Article 3 should the applicants be extradited to the US. The Court granted an interim measure under Rule 39 of the Rules of Court in 2022 to prevent the extradition of the applicants to the US pending the determination of their substantive applications. The Court indicated to the Government under Rule 39 of the Rules of Court that it is desirable in the interests of the proper conduct of the proceedings not to extradite the applicants until such time as the present judgment becomes final or until further notice.

***Ukraine and the Netherlands v. Russia*, nos. 8019/16, 43800/14, 28525/20 and 11055/22, Grand Chamber judgment of 9 July 2025 (Article 2, right to life – violation; Article 3, prohibition of torture, inhuman or degrading treatment; Article 4 § 2, prohibition of forced labour – violation; Article 5, right to liberty and security – violation; Article 8, right to respect for private and family life – violation; Article 9, freedom of thought, conscience and religion; Article 10, freedom of expression – violation; Article 11, freedom of assembly and association – violation; Article 13, right to an effective remedy – violation; Article 14, prohibition of discrimination – violation; Article 38, obligation to furnish necessary facilities for the examination of the case; Article 1 of Protocol No. 1, protection of property – violation; Article 2 of Protocol No. 1, right to education – violation)**
The case concerned the conflict that began in eastern Ukraine in 2014 following the arrival in the Donetsk and Luhansk regions of pro-Russian armed groups, and escalated after Russia's full-scale invasion of Ukraine beginning on 24 February 2022. It also concerned the shooting down of flight MH17 over eastern Ukraine on 17 July 2014, killing all those on board, many of whom were Dutch nationals. Ukraine alleged repeated violations of human rights by Russia, while the Kingdom of the Netherlands alleged violations of the Convention by Russia as a result of the downing of flight MH17. The Court held unanimously that, in respect of the conflict in Ukraine between 11 May 2014 – when the hostilities started – and 16 September 2022 – when Russia ceased to be a party to the European Convention on Human Rights – there had been patterns of violations of Articles 2 (right to life), 3 (prohibition of torture, inhuman or degrading treatment), 4 § 2 (prohibition of forced labour), 5 (right to liberty and security), 8 (right to respect for private and family life), 9 (freedom of thought, conscience and religion), 10 (freedom of expression), 11 (freedom of assembly and association), 13 (right to an effective remedy) and 14 (prohibition of discrimination) of the European Convention and Articles 1 (protection of property) and 2 (right to education) of Protocol No. 1 to the Convention. The Court underlined that the nature and scale of the violence in Ukraine and the ominous statements from Russia concerning Ukraine's right to exist had threatened peace in Europe. It said that "In none of the conflicts previously before [it had] there been such near universal condemnation of the 'flagrant' disregard by the respondent State for the foundations of the international legal order established after the Second World War." The Court found that Russia had had jurisdiction, giving rise to Convention obligations, in respect of the territory that it had

occupied in Ukraine. It also concluded, unanimously, that Russia had exercised authority and control over individuals affected by its military attacks across Ukraine and that these individuals had therefore been within its jurisdiction. Russia was responsible for acts and omissions of the Russian military and of the separatist entities in eastern Ukraine. Taken as a whole, the vast volume of evidence before the Court presented a picture of interconnected practices of manifestly unlawful conduct by agents of the Russian State (Russian armed forces and other authorities, occupying administrations, and separatist armed groups and entities) on a massive scale across Ukraine. This pattern or system of violations included: indiscriminate military attacks; summary executions of civilians and Ukrainian military personnel hors de combat; torture, including the use of rape as a weapon of war, and inhuman and degrading treatment; forced labour; unlawful and arbitrary detention of civilians; unjustified displacement and transfer of civilians and their screening, involving invasive and abusive security checks (so-called “filtration” measures); intimidation, harassment and persecution of all religious groups other than adherents of the Ukrainian Orthodox Church of the Moscow Patriarchate; intimidation and violence against journalists, blocking of Ukrainian and foreign broadcasters and new “laws” prohibiting and penalising the dissemination of information in support of Ukraine; forcible dispersal by the Russian military of peaceful protests in occupied towns and cities; destruction, looting and expropriation without compensation of private property; suppression of the Ukrainian language in schools and indoctrination of Ukrainian schoolchildren; transfer to Russia, and in many cases, the adoption there of Ukrainian children; and, discrimination on grounds of political opinion and national origin. The Court also held, unanimously, that there had been violations of Articles 2, 3 and 13 in application no. 28525/20 concerning the downing of flight MH17. It referred to the facts as established by the comprehensive investigation carried out by an international joint investigation team (known as the JIT) and a first-instance criminal court in the Hague. Russia had failed to take any measures to ensure accurate verification of the target of the missile or to safeguard the lives of those on board, showing a cavalier attitude to civilians at risk from its hostile activities. It had also failed to carry out an effective investigation into the downing and had failed to cooperate with the JIT, disclosing inaccurate or fabricated information and adopting an obstructive approach to attempts to uncover the cause and circumstances of the crash. The next of kin of the crash victims had suffered profound grief and distress on account of the killing of their loved ones and the aftermath of the crash. Because of Russia’s refusal to arrange for the crash site to be secured, it took eight months to complete the recovery of the bodies. Some next of kin had had to bury the incomplete bodies of their relatives; in some cases body parts had been returned to them after the burial had taken place. In two cases, the victims’ bodies had never been recovered. The Russian authorities’ continued denial of involvement and their failure to carry out an effective investigation had prolonged the agonising wait for answers of the next of kin and had aggravated their suffering. The character and dimension of their continuing suffering had been sufficiently severe to amount to inhuman treatment. Lastly, the Court held, unanimously, that Russia had failed to comply with its obligations under Article 38 (obligation to furnish necessary facilities for the examination of the case) of the Convention. The question of Article 41 (just satisfaction) was not yet ready for decision and adjourned it, disjoining application no. 28525/20 (the downing of flight MH17) from the other three applications to allow for the examination of the just satisfaction claims separately. Under Article 46 (binding force and implementation of judgments), Russia has to release without delay all those deprived of their liberty before 16 September 2022 in occupied territory and still in the custody of the Russian authorities, and, without delay cooperate in the establishment of an international and independent mechanism to identify all children transferred from Ukraine to Russia or Russian-controlled territory before 16 September 2022, to restore contact between children and their families or legal guardians and ultimately reunite them.

***Miari v. Denmark*, no. 2852/24, Chamber judgment of 8 July 2025 (Article 8, right to respect for private life – no violation)**
The applicant, Mr Khaled Miari, is a stateless Palestinian, who was born in 1972 in Lebanon and lives in Odense (Denmark). He arrived in Denmark in 1986 and was granted permanent residence in 1991. The case concerns an order made in 2023, during criminal proceedings for drug offences, for his expulsion with a six-year re-entry ban. He had previously been convicted of robbery in 1997 and sentenced to two-and-a-half years' imprisonment. The applicant complained that the High Court's decision to expel him from Denmark with a six-year re-entry ban, was in breach of Article 8 (right to respect for private and family life) of the European Convention on Human Rights.

***Y.K. v. Croatia*, no. 38776/21, Chamber judgment of 17 July 2025 (Article 3, prohibition of inhuman or degrading treatment – violation; Article 13, right to an effective remedy – violation)**
The applicant, Y.K., is a Turkish national who was born in 1984. He is an ethnic Kurd. The case concerns Y.K.'s attempts to claim international protection in Croatia, where he was held in an immigration reception centre in Ježevo after he clandestinely entered the country in February 2021. He alleges that he was tortured and prosecuted numerous times in Türkiye owing to his political activism, forcing him to flee. In March 2021, following a return decision (rješenje o povratku), Y.K. left Croatia. Relying on Article 3 (prohibition of inhuman or degrading treatment), Article 13 (right to an effective remedy) and Article 34 (right of individual petition) of the European Convention on Human Rights, Y.K. alleges that he was repeatedly refused access to the international-protection procedure by the Croatian authorities, that he couldn't challenge his removal from Croatia, and that he was denied access to a lawyer while in Croatia.

***Bradshaw and Others v. the United Kingdom*, no. 15653/22, Chamber judgment of 22 July 2025 (Article 3 of Protocol No. 1, Right to free elections – no violation)**
The case concerned the Government's response to reports of interference by Russia in the United Kingdom's democratic processes, including the 2019 general election. The applicants complained that, despite the existence of credible allegations that Russia had sought to interfere in the UK's democratic elections, through, for example, the dissemination of disinformation and the running of influence campaigns, the Government had failed to fulfil its duty ("positive obligation") to investigate those allegations and had not put in place an effective legal and institutional framework in order to protect against the risk of such interference. The Court found that, while States should not remain passive when faced with evidence that their democratic processes were under threat, they must be given considerable latitude in their choice of how to counter such threats. In the Court's view, while there were undoubtedly shortcomings in the UK's initial response to the reports of Russian election interference, there had been two thorough and independent investigations, and the Government had since taken a number of legislative and operational measures to counter disinformation efforts and protect the democratic integrity of the UK. Any failings were therefore not sufficiently grave as to have impaired the very essence of the applicants' right under Article 3 of Protocol No. 1 to benefit from elections held "under conditions which ensure the free expression of the opinion of the people."

***Coulibaly v. Belgium*, no. 42975/19, Chamber judgment of 24 July 2025 (Article 5 § 4, Right to liberty and security, no violation)**
The applicant, Cheick Oumar Coulibaly, is a national of Côte d'Ivoire who was born in 1979 and lives in Abidjan (Côte d'Ivoire). Having arrived in Belgium in 2007, the applicant applied unsuccessfully for asylum on several occasions. Between 2007 and 2019 he was issued with several expulsion orders but refused to comply. The authorities placed him in administrative detention on 13 March 2019 pending his repatriation. After several unsuccessful attempts, caused by the applicant's refusal to board the plane, Mr Coulibaly was returned to Côte d'Ivoire

on 26 May 2019. In the meantime, his appeal, contesting the validity of his administrative detention, had been dismissed in April 2019 by the chambre de conseil, which held that his administrative detention had been legally justified and ordered his continued detention. That decision was upheld by the Indictments Division in May 2019. On 5 June 2019 the Court of Cassation dismissed an appeal lodged by the applicant on points of law, finding that it had become “devoid of purpose”. The case concerns the applicant’s allegation that he did not obtain a final judicial decision on the lawfulness of his administrative detention prior to his repatriation. In this connection, he relies on Article 5 (right to liberty and security) of the European Convention on Human Rights.

***Ftiti v Greece*, no. 37957/14, Chamber judgment of 26 August 2025 (Article 2 of Protocol No. 7, Right of appeal in criminal matters – violation)**

The applicant, Cherif Ftiti, is a Tunisian national who was born in 1973 and lives in Sousse (Tunisia). The case concerns the scheduling of Mr Ftiti’s appeal in a criminal case for after he had been granted conditional release and was due to be expelled from Greece. He came to Greece in 1996, lived in Crete, and had two children there. His expulsion was ordered in 2009 following a conviction, against which he was appealing, for aggravated theft of livestock for which he received a 17-year prison sentence. Relying on Article 2 of Protocol No. 7 (right of appeal in criminal matters) to the European Convention, Mr Ftiti complains of a violation of his right to appeal.