



## Court rejects as inadmissible complaints brought by former Georgian President Saakashvili against Ukraine

In its decision in the case of [Saakashvili v. Ukraine](#) (application no. 8113/18) the European Court of Human Rights has unanimously declared the application inadmissible. The decision is final.

The case concerned former President of Georgia, Mikheil Saakashvili, who became a naturalised Ukrainian in 2015 and was actively involved in Ukrainian politics.

He alleged various violations of his rights in 2017 when his Ukrainian citizenship was revoked and in 2018 following the institution of criminal proceedings against him, his arrest and expulsion from Ukraine. He relied on Articles 3 (prohibition of inhuman or degrading treatment), 5 § 1 (right to liberty and security), 6 § 2 (presumption of innocence), 8 (right to respect for private life and home), 11 (freedom of assembly), 13 (right to an effective remedy) and 18 (limitation on use of restrictions of rights) of the European Convention on Human Rights.

For all but one of his complaints, the Court found that Mr Saakashvili had not used all the [legal avenues available to him at national level](#), and that the remaining complaint – under Article 13 – was manifestly ill-founded.

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Two applications lodged with the Court by Mr Saakashvili, against Georgia, have so far been notified to the parties. These applications ([nos. 6232/20 and 22394/20](#)) concern Mr Saakashvili's complaints about the unfairness of two sets of criminal proceedings against him.

### Principal facts

The applicant, Mikheil Saakashvili, a former President of Georgia, was born in 1967.

He became a naturalised Ukrainian in 2015 and was actively involved in Ukrainian politics.

He alleges various violations of his rights in 2017 when his Ukrainian citizenship was revoked and in 2018 following the institution of criminal proceedings against him on suspicion of abetting a criminal organisation. Those proceedings led to his arrest and expulsion from Ukraine.

His Ukrainian nationality was, however, restored to him in May 2019 by the newly elected President. He subsequently returned to Ukraine and was appointed to a high-ranking political post.

He has since left Ukraine – in October 2021 – and is currently detained in Georgia.

### Complaints, procedure and composition of the Court

The application was lodged with the European Court of Human Rights on 26 March 2018.

He brought various complaints under the Convention concerning: alleged ill-treatment during his arrests and expulsion (Article 3); the alleged unlawfulness of his deprivations of liberty (Article 5 § 1); public statements made by the Prosecutor General in early December 2017 regarding his alleged criminal activities (Article 6 § 2); the revocation of his Ukrainian citizenship and alleged unlawfulness of a search of his home in the context of the criminal proceedings against him (Article 8); not being able to continue his political activities in Ukraine after he was deprived of Ukrainian citizenship (Article 11); the alleged lack of effective domestic remedies (Article 13) in respect of his complaints

under Articles 3, 5 and 8; and the decision to divest him of Ukrainian citizenship, which he alleges was politically motivated (Article 18 in conjunction with Article 8).

The decision was given by a Committee of three judges, composed as follows:

Carlo **Ranzoni** (Liechtenstein), *President*,  
Mattias **Guyomar** (France),  
Mykola **Gnatovskyy** (Ukraine),

and also Martina **Keller**, *Deputy Registrar*.

## Decision of the Court

The Court noted that after May 2019, when Mr Saakashvili's Ukrainian citizenship had been restored to him and he had resumed his political activities, there was nothing to stop him from following through with his complaints in Ukraine. Indeed, after his return the investigating authorities had made public some preliminary findings in respect of the alleged violations of his rights in 2017-18.

Mr Saakashvili has not, however, provided the Court with any update on his situation since March 2018. In the absence of any explanations on his part, it therefore considered that he had not complied with the obligation under the European Convention to first use all the remedies available at national level before bringing his case to the Court. All but one of his complaints were therefore rejected for "non-exhaustion of domestic remedies".

The Court also rejected his remaining complaint under Article 13, as it considered that it was manifestly ill-founded.

*The decision is available only in English.*

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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.