

ECHR 145 (2025) 17.06.2025

Forthcoming public delivery in Grand Chamber case Ukraine and the Netherlands v. Russia

The European Court of Human Rights will deliver its ruling in the case of **Ukraine and the Netherlands v. Russia** (applications nos. 8019/16, 43800/14, 28525/20 and 11055/22) at a public hearing on 9 July 2025 at 11 a.m. in the Human Rights Building, Strasbourg. The delivery will also be broadcast live on the European Court's <u>YouTube channel</u>.

The case concerns complaints about the conflict in eastern Ukraine involving pro-Russian separatists which began in 2014, including the downing of Malaysia Airlines flight MH17, and the Russian military operations in Ukraine since 2022.

There are currently three other *Ukraine v. Russia* inter-State applications and approximately 9,500 individual applications pending before the Court which appear to be related to the events in Crimea, eastern Ukraine and the Sea of Azov and Russia's military operations on the territory of Ukraine since 24 February 2022.

For further information, see the Q & A on inter-State cases.

Description of the case

The applicants in the case are Ukraine and the Kingdom of the Netherlands. The Russian Federation is the respondent State.

The case encompasses four inter-State applications. The first two applications were lodged by Ukraine in 2014 and concern alleged patterns of human rights violations by Russia in the context of the conflict in eastern Ukraine involving pro-Russian separatists from spring 2014, including the alleged abduction of three groups of children and their temporary transfer to Russia. The third application was lodged by the Netherlands in 2020 and concerns the shooting down of Malaysia Airlines flight MH17. The final application was lodged by Ukraine in 2022 and concerns alleged patterns of human rights violations by Russia in the context of Russian military operations in Ukraine since 24 February 2022.

The applicant States rely on Articles 2 (right to life), 3 (prohibition of torture, inhuman and degrading treatment), 4 § 2 (prohibition of forced labour), 5 (right to liberty and security), 8 (right to respect for private 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 on Human Rights; Articles 1 (protection of property) and 2 (right to education) of Protocol No. 1 to the European Convention; and Articles 2 (freedom of movement) and 3 (prohibition of expulsion of nationals) of Protocol No. 4 to the Convention.

Procedural background

On 26 January 2022, the Grand Chamber held a hearing on the admissibility of application nos. 8019/16, 43800/14 and 28525/20. On 30 November 2022, it declared these applications partially admissible in a decision that was delivered on 25 January 2023.

On <u>17 February 2023</u> the Grand Chamber decided to join *Ukraine v. Russia* (no. 11055/22) to the *Ukraine and the Netherlands v. Russia* (nos. 8019/16, 43800/14 and 28525/20) case. It also decided to



examine the admissibility and merits of application no. 11055/22 jointly under Article 29 § 2 of the Convention and at the same time as the merits of the proceedings in the other three applications.

A Grand Chamber hearing was held in the Human Rights Building, Strasbourg, on 12 June 2024.

The former judge elected in respect of Russia sat on the case for the hearing on admissibility in January 2022 but later withdrew. The President then decided to appoint another judge from the Court to sit as an *ad hoc* judge.

Twenty-six State Parties to the Convention were granted leave to make written submissions at the merits stage and they submitted a common written intervention. A number of these States made, in addition, separate written submissions.

The 26 State Parties were also granted leave to make oral submissions at the Grand Chamber hearing and delivered a common oral intervention. In addition, Poland and the United Kingdom made separate oral submissions.

The Geneva Academy of International Humanitarian Law and Human Rights; the Human Rights Law Centre of the University of Nottingham; the MH17 Air Disaster Foundation; and the individual applicants in four cases lodged by relatives of persons who were killed in the MH17 disaster were granted leave to submit written third-party interventions at the merits stage.

See press release of 17.03.2023.

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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.