

ECHR 149 (2025) 26.06.2025

# Forthcoming judgments and decisions

The European Court of Human Rights will be notifying in writing three judgments on Tuesday 1 July 2025 and eight judgments and / or decisions on Thursday 3 July 2025.

Press releases and texts of the judgments and decisions will be available at **10 a.m.** (local time) on the Court's Internet site (<u>www.echr.coe.int</u>).

# Tuesday 1 July 2025

### Mustafa and Mustafova v. Bulgaria (application no. 7428/17)

The applicants, Metin Mustafa Mustafa and Esengyul Mustafova Mustafova, are Bulgarian nationals who were born in 1981 and 1978 respectively and live in Todor Ikonomovo (Bulgaria).

The case concerns the applicants' father, who had claimed non-pecuniary damage as a result of the death of his son (the applicants' brother) in a traffic accident. The applicants' father submitted a request to an organisation tasked with paying compensation in cases where the obligatory civil-liability insurance had not been concluded. However, he died before the refusal of his request and therefore before he could bring a court action. The applicants brought a court claim on behalf of their deceased father in respect of which the national courts found that the entitlement to compensation for non-pecuniary damage was personal and could not be inherited. As their late father had not brought an action before the courts, the applicants could not do so on his behalf.

Relying on Article 6 § 1 (right of access to court) of the European Convention on Human Rights, the applicants submit that the national courts' finding of inadmissibility in respect of the claim brought on behalf of their late father infringed their right of access to a court.

### A.R. v. the United Kingdom (no. 6033/19)

The applicant, Mr A.R., is a British national who was born in 1978 and lives in Rochdale (the United Kingdom).

The case concerns the 2011 and 2012 disclosure by the police, in the context of enhanced employment vetting, of information that the applicant had been charged with rape and had subsequently been acquitted at trial, and a description of the circumstances of the alleged offence.

Relying on Article 6 § 2 (presumption of innocence) and Article 8 (right to respect for private and family life) of the European Convention, A.R. complains that the disclosure by the police violated his presumption of innocence and was not justified.

#### Hayes and Others v. the United Kingdom (nos. 56532/22, 56889/22, and 3739/23)

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.

# Thursday 3 July 2025

#### Arvanitis and Phileleftheros Public Company Limited v. Cyprus (no. 49917/22)

The applicants are Christos Arvanitis, a journalist, born in 1951 and living in Nicosia and a publisher, Phileleftheros Public Company Limited.

The case concerns civil defamation proceedings brought against them in 2008 for an article published in the daily newspaper, *Phileleftheros*, concerning the recovery of looted art after the 1974 events.

The applicants' article had been published in response to an article written by a Cypriot lawyer, C.K., explaining that he had paid "over thirty silver coins" to recover a painting belonging to his family, while he had managed to recuperate another by replacing it with a forgery (he said he had been inspired by the American film, *The Thomas Crown Affair*). The applicants' article criticised C.K. for choosing a non-legal avenue to restore the looted paintings, despite being a lawyer himself, and for being insensitive enough to write an article about it. The Cypriot courts found that the applicants' article had been a personal attack on C.K. and had called into question his reputation. They ordered the applicants to pay 12,000 euros in damages.

Relying on Article 10 (freedom of expression), the applicants allege that the judgments against them were disproportionate. In particular, although the language of their article had been caustic, it had not attacked C.K.'s dignity or reputation and had had a sufficient factual basis (C.K.'s own article).

### N.T. v. Cyprus (no. 28150/22)

The applicant, Ms N.T., is a Cypriot national who was born in 1992 and lives in Larnaca.

The case concerns the authorities' investigation into her allegations of rape. In 2021 she reported to the police that she had been raped ten years earlier (when she had been 18 years old) by a schoolfriend, A.T. The police immediately opened an investigation and indicted her alleged aggressor, but the Deputy Attorney General ultimately decided to discontinue the criminal proceedings essentially based on alleged inconsistencies in the applicant's statements and her admitting that she had "liked" A.T. and had perhaps sent him the "wrong signals".

Relying on Articles 3 (prohibition of inhuman or degrading treatment), 8 (right to respect for private life) and 14 (prohibition of discrimination), Ms N.T. complains that the authorities failed to effectively investigate and prosecute her allegations of rape and to follow a victim-sensitive approach, exposing her to secondary victimisation and discrimination.

#### Ludes and Others v. France (nos. 40899/22, 41621/22, and 42956/22)

The applicants are ten French nationals and one Belgian national, born between 1958 and 1996. They are members or supporters of the ANV-COP21 movement, which describes itself as 'a movement of citizens who refuse to accept climate change and the social injustices it causes'.

The case concerns the criminal conviction of the applicants, environmental activists, for group theft, consisting of removing and not returning the portrait of the President of the Republic from several town halls in order to denounce the inadequacy of the measures implemented by the State to meet its commitments made at the International Climate Conference (COP21) and to combat climate change.

Relying on Article 10 (freedom of expression), the applicants argue that their convictions for group theft constitute a disproportionate interference with their right to freedom of expression.

### M.K. v. Latvia (no. 26035/23)

The applicant, Ms M.K., is a Latvian national who was born in 1983 and lives in Ulbroka (Latvia).

In 2012 Ms M.K. started living with her same-sex partner, who gave birth in 2016 to a child via artificial insemination. They took care of the child together and the child called the applicant "Mum M". The couple separated in 2022 and, according to the applicant, her former partner refused to allow contact with the child. The case concerns the authorities' failure to grant the applicant interim contact, pending the outcome of the main child-contact proceedings. She was eventually granted contact rights in February 2024, but they were limited in order to avoid any psychological harm to the child given that they had not seen one another for two years.

Relying on Article 8 (right to respect for private and family life), Ms M.K. alleges that the courts breached her right to maintain relations with the child for a long period, even though he had expressed attachment to her and wanted to see her.

The Court will give its rulings in writing on the following cases, some of which concern issues which have already been submitted to the Court, including excessive length of proceedings.

These rulings can be consulted from the day of their delivery on the Court's online database <u>HUDOC</u>. They will not appear in the press release issued on that day.

# Thursday 3 July 2025

Name	Main application number
Focus Art and Boyajyan v. Armenia	13116/18
Braga v. the Republic of Moldova	59351/12
Î.M. Becor S.R.L. v. the Republic of Moldova	71529/14
Zhukov and Zhukova v. Ukraine	60191/16

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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.