



## Judgments and decisions of 13 March 2025

The European Court of Human Rights has today notified in writing five judgments<sup>1</sup> and five decisions<sup>2</sup>: two Chamber judgments are summarised below;

three Committee judgments, concerning issues which have already been examined by the Court, and the five decisions, can be consulted on [Hudoc](#) and do not appear in this press release.

*The judgment in French below is indicated with an asterisk (\*).*

### [Calvez v. France](#) (application no. 27313/21)\*

The applicant, Cécile Calvez, is a French national who was born in 1968 and lives in Plouër-sur-Rance.

The case concerns the placement of the applicant's daughter, a minor, in the care of child welfare services and the subsequent legal challenge to that measure. In 2021 the Court of Cassation overturned the appeal judgment, finding a breach of the adversarial principle, but held that there was no need to send the case back to another court of appeal, since the effects of the placement measure had been exhausted.

Relying on Article 8 (right to respect for family life) of the European Convention on Human Rights, the applicant complains that the decision to place her daughter in care, which was upheld on appeal, was disproportionate. Relying on Article 13 (right to an effective remedy) in conjunction with Article 6 § 1 (right to a fair hearing) and Article 8 of the European Convention, she further alleges that she had no effective remedy in respect of the Court of Appeal's interference with her rights under those Articles of the Convention.

### **No violation of Article 8**

### [F.S.M. v. Spain](#) (no. 56712/21)

The applicant, F.S.M., is a Spanish national who was born in 1948 and lives in Minorca (Spain). In 2016 he was declared partially incapacitated after he was diagnosed with an attention deficit hyperactivity disorder ("ADHD") and a personality/psychotic disorder.

In February 2019 the applicant was found guilty of three criminal offences: evading payment of VAT and corporate taxes as the administrator of two companies. His lawyer submitted requests to discontinue the proceedings, arguing that he had difficulties in understanding the criminal proceedings against him, which were rejected. The case concerns the adequacy of the preparation of his defence in those proceedings.

<sup>1</sup> Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a Chamber judgment's delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Under Article 28 of the Convention, judgments delivered by a Committee are final.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: [www.coe.int/t/dghl/monitoring/execution](http://www.coe.int/t/dghl/monitoring/execution)

<sup>2</sup> Inadmissibility and strike-out decisions are final.

Relying on Article 6 §§ 1 and 3 (b) (right to a fair trial/right to obtain adequate time and facilities for the preparation of defence) of the Convention, the applicant alleges that he could not prepare his defence properly because he could not understand the charges against him and answer questions regarding the accusations against him or effectively communicate with his lawyer.

### **No violation of Article 6 §§ 1 and 3**

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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.