

COUR EUROPÉENNE DES DROITS DE L'HOMME

## Judgments of 10 June 2025

The European Court of Human Rights has today notified in writing ten judgments<sup>1</sup>:

three Chamber judgments are summarised below;

a separate press release has been issued for another Chamber judgment in the case of K.V. *Mediterranean Tours Limited v. Türkiye* (application no. 41120/17);

six Committee judgments, concerning issues which have already been examined by the Court, can be consulted on <u>Hudoc</u> and do not appear in this press release.

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

# B.T. and B.K.Cs. v. Hungary (application no. 4581/16)

The applicants, B.T. and B.K.Cs., are mother and son. They are Hungarian nationals who were born in 1976 and 2014 and live in Kesznyéten (Hungary). They are ethnic Roma.

At the time of B.K.Cs.'s birth, B.T. had already had five children, born between 1997 and 2010, who had been placed under child protection in September 2010 because the older children had not gone to school and the two youngest children had not received necessary medical care. They had been placed in various childcare institutions before being placed in temporary foster care (*átmeneti nevelésbe vétel*).

The case concerns the placement of B.K.Cs. in temporary State care immediately after birth.

Relying on Articles 3 (prohibition of inhuman and degrading treatment), 8 (right to respect for private and family life), 13 (right to an effective remedy) and 14 (prohibition of discrimination) of the European Convention on Human Rights, the applicants complain that B.K.Cs. was unjustifiably separated from his mother and placed in temporary State care and that they had no effective avenue to raise their complaints with the national authorities.

### Violation of Article 8

Just satisfaction: non-pecuniary damage: 10,000 euros (EUR) to the applicants jointly

# <u>Á.F.L. v. Iceland</u> (no. 35789/22)

The applicant, Á.F.L., is an Icelandic national who was born in 1990 and lives in Seltjarnarnes (Iceland).

As a child, Á.F.L. was diagnosed with autism spectrum disorder, attention deficit hyperactivity disorder (ADHD) and a mild intellectual disability. The case concerns the decision to deprive him of custody of his daughter.

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: <a href="https://www.coe.int/t/dghl/monitoring/execution">www.coe.int/t/dghl/monitoring/execution</a>



<sup>&</sup>lt;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.

Relying on Articles 8 (right to respect for private and family life) and 14 (prohibition of discrimination) of the European Convention, Á.F.L. complains that the Icelandic authorities violated his rights under those Articles by failing to explore and adopt measures to assist him in taking care of his daughter, which resulted in his being deprived of custody.

**No violation of Article 14 in conjunction with Article 8** in respect of the applicant's complaint concerning the alleged failure of the Icelandic authorities to provide him with reasonable accommodation in the form of support measures to assist him in taking care of his daughter, which resulted in his being deprived of custody.

### Al and Demirci v. Türkiye (nos. 34280/17 and 71800/17)\*

The applicants, Ayşe Al and Nevin Demirci, are two Turkish nationals who were born in 1947 and 1962, respectively, and live in Istanbul.

The case mainly concerns the loss of value of the retirement gratuities awarded retrospectively to the applicants by the administrative courts after the Constitutional Court had struck down the legislative provision that had deprived them of their entitlement to such a gratuity.

Relying on Article 1 of Protocol No. 1 (protection of property) to the Convention, the applicants complain of the loss of value of their retirement gratuity as a result of inflation between the date of their compulsory retirement and the payment of the gratuity.

#### Violation of Article 1 of Protocol No. 1

Just satisfaction: pecuniary damage: EUR 6,800 to the first applicant and EUR 4,500 to the second applicant non-pecuniary damage: EUR 1,250 to the second applicant costs and expenses: EUR 500 to the second applicant

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Press contacts echrpress@echr.coe.int | tel.: +33 3 90 21 42 08

We are happy to receive journalists' enquiries via either email or telephone.

Tracey Turner-Tretz (tel.: + 33 3 88 41 35 30) Denis Lambert (tel.: + 33 3 90 21 41 09) Inci Ertekin (tel.: + 33 3 90 21 55 30) Neil Connolly (tel.: + 33 3 90 21 48 05) Jane Swift (tel.: + 33 3 88 41 29 04)

**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.