



## Judgments of 25 March 2025

The European Court of Human Rights has today notified in writing five Chamber judgments<sup>1</sup> which are summarised below.

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

### [Almukhlas and Al-Maliki v. Greece](#) (application no. 22776/18)\*

The applicants, Mohammed Hussein Hasan Almukhlas and Huda Hadi Kareem Al-Maliki, are two Iraqi nationals who were born in 1967 and 1977 respectively and live in Basra (Iraq).

The case concerns the death of the applicants' minor son on 29 August 2015, near the island of Symi, from a shot fired by a coastguard during an operation to intercept a boat that was illegally transporting persons to Greece.

Relying on Article 2 (right to life) of the European Convention on Human Rights, the applicants submit that the domestic authorities did not take appropriate steps to plan and conduct the interception operation as effectively as possible, with a view, above all, to protecting the persons being transported. Furthermore, they consider that the administrative and judicial investigations to establish the liability of those responsible for the incident were inadequate.

**Violation of Article 2** (investigation)

**Violation of Article 2** (right to life) – on account of the conduct of the contested interception operation

**No violation of Article 2** (right to life) – on account of the use of force

**Just satisfaction:**

non-pecuniary damage: 80,000 euros (EUR) to the applicants jointly

### [Ali v. Serbia](#) (no. 4662/22)

The applicant, Ahmet Jaafar Mohamed Ali, is a Bahraini national who was born in 1973. He is currently in prison in Bahrain.

The case concerns the applicant's extradition from Serbia to Bahrain. He was wanted in Bahrain following his conviction *in absentia* for terrorism offences and was arrested in Serbia in November 2021 under an international arrest warrant issued by Interpol. During the ensuing extradition proceedings he argued that, as a Shiite and political activist, he would be at risk of persecution, torture or even death in Bahrain. The courts upheld, however, the decision to extradite him, finding that his presence in Serbia was illegal.

<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)

He was ultimately extradited on 24 January 2022 after the Serbian Minister of Justice obtained diplomatic assurances that the applicant would have a retrial with him being allowed to present his case in person.

Relying on Article 3 (prohibition of inhuman or degrading treatment) of the European Convention, the applicant alleges that at the time of his extradition he faced a real risk of being subjected to torture or inhuman or degrading treatment; that his extradition exposed him to a sentence of life imprisonment with no prospect of release; and, that the Serbian authorities had not taken any of these issues into consideration in their decisions. He also argues under Article 34 (right to individual application) that he was extradited to Bahrain in spite of an interim measure issued on 21 January 2022 by the European Court under Rule 39 of its Rules of Court.

**Violation of Article 3** – in respect of the applicant’s complaint about the domestic courts’ failure to examine his complaint that he would face a risk of ill-treatment if extradited

**Violation of Article 34**

**Just satisfaction:**

non-pecuniary damage: EUR 9,800

### [Demirer v. Türkiye](#) (no. 45779/18)

The applicant, Serferaz Demirer, is a Turkish national who was born in 1994 and lives in Bayburt (Türkiye).

The case concerns Ms Demirer’s conviction in May 2016 of, among other things, membership of an armed terrorist organisation after she had been arrested trying to cross the Turkish border illegally from Syria with another woman who had confessed to having joined the YPG (the Kurdish People’s Defence Units movement), the Syrian branch of the PKK (Workers’ Party of Kurdistan) and received political and military training there. Both initially falsely identified themselves as Syrian citizens. After Ms Demirer’s true identity was discovered, she accused the interpreter, B.S., of “treason”. She was sentenced to nine years’ imprisonment. The courts found unconvincing her argument that she had gone to Syria to attend a wedding.

Relying on Article 6 § 1 (right to a fair trial) of the Convention, Ms Demirer alleges that the courts failed to adequately investigate the allegations against her, to provide grounds for her conviction and to assess her defence submissions.

**No violation of Article 6 § 1**

### [Onat and Others v. Türkiye](#) (no. 61590/19 and six other applications)

The applicants are seven Turkish nationals who live variously in Van, Şırnak, Diyarbakır and Batman (all Türkiye).

They were all labourers employed by different private companies subcontracted by municipal authorities in south-east Türkiye. The case notably concerns their dismissal from their jobs on various dates in 2016 and 2017, against the background of an escalation in fighting between the Turkish security forces and armed terrorist groups and the declaration of a state of emergency after the 2016 attempted *coup d’état*.

Relying on Article 6 §§ 1 and 2 (right to a fair trial/presumption of innocence), the applicants complain that the judicial review of their dismissals was ineffective. They argue in particular that, to justify their dismissal, the labour courts had referred to criminal proceedings or investigations which had taken place prior to the attempted *coup d’état* and which had ended with final decisions to acquit or not to prosecute. All but one of the applicants also complain under Article 8 (right to respect for private life)

that the dismissals have stigmatised them and caused irreversible harm to their reputations and private lives.

#### **No violation of Article 6 § 2**

#### **Violation of Article 6 § 1**

#### **Just satisfaction:**

non-pecuniary damage: EUR 1,500 to each applicant

costs and expenses: EUR 1,000 to Mr. Ahmet İlaslan

### **N.S. v. the United Kingdom** (no. 38134/20)

The applicant, N.S., is a British national who was born in 1969 and lives in Wolverhampton.

The case concerns the applicant's complaint about the decision authorising the adoption of her son, Y, (born in 2011), against her wishes. Y and his older brother, X (born in 2002), had been placed in foster care in 2013 after she had been detained on mental-health grounds. They were returned to her in 2014, but taken into care again a year later when she had a relapse. In 2016 X was returned to her, but the Family Court ordered that Y be placed for adoption. In November 2019, the Family Court made an adoption order, dispensing with the applicant's consent.

Relying on Article 8 (right to respect for private and family life), the applicant complains about the decision to sever family ties between her and Y. She argues in particular that the courts rejected her request to make a special guardianship order, which would have allowed the prospective adopter to look after Y while preserving his legal ties with his birth family.

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

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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.