

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

FOURTH SECTION

DECISION

Application no. 36163/21
Janit BITAR
against the Netherlands

The European Court of Human Rights (Fourth Section), sitting on 31 March 2026 as a Chamber composed of:

Lado Chanturia*, President*,
Jolien Schukking,
Faris Vehabović,
Lorraine Schembri Orland,
Anja Seibert-Fohr,
Ana Maria Guerra Martins,
Anne Louise Bormann*, judges*,

and Hasan Bakırcı, *Section Registrar,*

Having regard to the above application lodged on 12 July 2021,

Having regard to the decision to give notice of the application to the Government of the Kingdom of the Netherlands ("the Government"),

Having regard to the parties' observations,

Having deliberated on 10 and 31 March 2026, decides as follows:

INTRODUCTION

1. The case concerns the refusal to grant a provisional residence visa (*machtiging tot voorlopig verblijf*) to the applicant, an adult Syrian woman, for the purpose of asylum-related family reunification with her adult brother, who lives in the Netherlands. She alleges that their relationship falls within the scope of the protection of Article 8 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") because "additional factors of dependence, other than the normal emotional ties" have been shown to exist. The applicant argues that not allowing her to reside with her brother and parents in the Netherlands is contrary to her right to respect for family life.

THE FACTS

2. The applicant is a Syrian national, who was born in 1992 and lives in Lebanon. She was represented by Ms M.H. van Der Linden, a lawyer practising in Almelo.

3. The Government were represented by their Agent, Ms B. Koopman, of the Ministry of Foreign Affairs.

4. The facts of the case may be summarised as follows.

The circumstances of the case

5. In 2015 the applicant, her brother and parents fled Homs, in Syria, where their house and business premises had allegedly been bombed and settled in Tartous, where the applicant and her brother studied. Due to the general security situation in Syria, they could not finish their studies, and the family ended up in Lebanon where, as members of the Christian minority, they were offered shelter by a church. They were able to reside there due to the priest who acted as their "sponsor".

6. The applicant's brother fled for fear of being returned to Syria, and applied for international protection in the Netherlands, which was granted to him on 24 January 2018.

7. On 25 April 2018 the applicant's brother applied to the Deputy Minister of Justice and Security (*Staatssecretaris van Justitie en Veiligheid*, hereinafter 'the Deputy Minister') for provisional residence visas for the purpose of asylum-related family reunification (*nareis*) for his parents and for the applicant. He submitted that the family had always lived together prior to his departure and provided a letter dated 30 April 2015 from the Homs city council attesting to structural damage to the property which belonged to the applicant's father, as well as photos of a home which was allegedly theirs in Syria, which had been heavily bombed. At the time of the application for asylum-related family reunification, the applicant's brother was 24 years old, whilst the applicant was 26 years old. The applicant's brother stated that "more than the normal emotional ties" existed between him and his sister. A letter of the priest of the church in Lebanon of 24 July 2018 was submitted in which he stated that their experiences during the war in Syria had created a close bond between the applicant and her brother and that the applicant was missing her brother very much. This had literally made her sick, with symptoms such as stomach pain, shortness of breath and insomnia. When she was examined by a doctor, it was found that her physical symptoms had apparently been caused by psychological distress following the separation from her brother. Neither the applicant nor her brother had ever lived apart from their parents or established their own families. The applicant's brother claimed that all his savings had gone to support his family, including the

applicant. A statement of a cardiologist and untranslated medical documents in Arabic were also submitted.

8. On 24 September 2018, the applicant's brother was interviewed about the application by a committee of the Immigration and Naturalization Department, on behalf of the Deputy Minister. The transcript of the interview shows that he responded as follows to the question whether there were additional ties of dependency between him and his sister:

> "[she] cannot remain alone, separated from my parents, separated from me. She is like a small child. She has become 100% dependent in the past six years. She lost all her friends in the war, as they have moved or perished."

9. By a decision of 4 October 2018, the Deputy Minister granted the requested visa for asylum-related family reunification to the parents of the applicant on the basis of the domestic policy on young adults (see paragraph 22 below). The request in respect of the applicant was rejected. The Deputy Minister concluded that a special dependency, transcending more than the normal emotional ties, had not been shown to exist between the applicant and her brother. The fact that the applicant had never previously lived by herself and that she required material support from her brother was insufficient to show a more than usual dependency, constituting "family life" within the meaning of Article 8, as such material support could also be provided at a distance. Lastly, the Deputy Minister found that because no medical documents in support of her alleged psychological complaints had been submitted, it had also not been shown that the applicant was unusually dependent on her brother for health reasons.

10. The applicant lodged an objection (*bezwaar*) against that decision. She submitted that when her parents had left to join her brother, she had been left to fend for herself in the church in Lebanon where the family had found shelter. The applicant stated that she had no social circle and no family or friends to support her in Lebanon, besides the church. She indicated that her brother had always made sure that she received financial support from acquaintances who were going to visit relatives in Lebanon. As substantiation of her health problems, she provided two statements dated 1 November 2018 and 1 March 2019 from a psychotherapist, R.B.M., of the Saint Georges Hospital in Ajaltoun, Lebanon. In the first document it was stated that the applicant had received psychotherapy since August 2017 due to a panic disorder with agoraphobia, insomnia and psychosomatic stomach pain, which symptoms were caused by her brother's migration, triggering her separation anxiety. In the second statement the psychotherapist noted that the applicant was severely depressed as a result of her separation from her family, with symptoms varying from insomnia to excessive crying and dark thoughts. The psychotherapist further noted that the applicant's personal circumstances, namely her belonging to a traditional, overprotective Middle Eastern family, made her vulnerable. The psychotherapist considered that the applicant needed psychiatric care and supervision by her family or guardians to prevent

harmful consequence of depression (suicide). The applicant also provided documents showing that she had been in daily contact with her brother *via* telephone calls and messages. She referred again to the letter of the priest of the church where she was sheltering of 24 July 2018 (see paragraph 7 above). Finally, the applicant provided photos of herself in the company of her brother and family prior to their separation.

11. The Deputy Minister rejected the applicant's objection by a decision dated 28 August 2019, finding that her objection had not been substantiated with evidence showing that she was dependent on her brother for her daily functioning or mental well-being. The Deputy Minister considered that given her age (26 years and 10 months at the time of the contested decision), the applicant could be expected to be able to take care of herself. The fact that the applicant had always lived together with her brother - and parents - prior to their separation and the fact that the applicant's brother had been providing material support to her, whatever that may be, did not lead to the automatic assumption of more than normal, emotional ties. The evidence the applicant had provided as to their daily contact had not altered that finding, as such contact could be maintained at a distance. For the sake of completeness, the Deputy Minister noted that no documentary evidence had been submitted regarding a relationship of unusual dependency between the applicant and her parents. With regard to the applicant's health problems and her submission that, due to the separation of the family, she missed, as a female in Arabic surroundings, the required protection by male family members, the Deputy Minister considered as follows:

> "You have resided in Lebanon by yourself for some time now, and it has not been shown that you, considering your age, are unable to function independently as a result of the separation from your [brother] and your parents, nor that the general security situation in Lebanon requires your protection exclusively by your [brother] or your parents. As previously considered, it is assumed that you can fend for yourself. You have not plausibly shown that you are unable to do so, if need be with help from others. You have also not plausibly shown and/or substantiated that you are (exclusively) dependent on your [brother] for your mental wellbeing; neither is this evident from the submitted letter written by the priest [of 24 July 2018; see paragraph 11 above] nor from the statements from the psychotherapist."

12. The applicant lodged an appeal against that decision with the Regional Court (*rechtbank*) of The Hague, in which she repeated her previous arguments that family life had existed between her and her brother (see paragraphs 7, 8 and 10 above). She reiterated her vulnerability as an unaccompanied young Syrian woman in Lebanon, with reference to a report by Amnesty International of 2 February 2016 entitled, "'I want a safe place': Refugee women from Syria uprooted and unprotected in Lebanon", which detailed sexual violence committed against Syrian refugee women in Lebanon and the absence of protection offered by the Lebanese authorities to women such as her.

13. She supplemented her appeal with a statement of 27 September 2019 from a psychiatrist, N.H., who noted that the applicant had been feeling low in mood and at times had expressed a passive suicidal ideation, while she had consistently denied experiencing any active ideation as her Christian faith had so far been a protective factor. The psychiatrist further indicated that the applicant had been suffering from some mild trauma related symptoms due to her experience of the war in Syria, that she had no physical medical problems and was not on any regular medication except for the antidepressant prescribed by him for the mixed anxiety and depression he had diagnosed her with and the psychotherapy that he had recommended. On review, the psychiatrist had noted only a partial improvement, which was likely linked to the separation from her family and to the cumulative effect of being a refugee, experiencing distressing war-related events and being socially isolated.

14. In his written statement (*verweerschrift*) of 3 April 2020, the Deputy Minister maintained his position that the relationship between the applicant and her brother did not fall within the scope of Article 8 of the Convention. The grounds of appeal could not lead to a different conclusion. In that regard, the Deputy Minister noted that the submitted medical documents and the statements of the priest did not show that the applicant was dependent on care by third parties or specifically on care by her brother. He also indicated that it transpired from an interview with the applicant's brother which had taken place in the context of his asylum procedure, that the applicant had already been suffering from mental health problems prior to the family's flight to Lebanon, and that he therefore could not endorse the applicant's claim that those problems had been caused by her brother's departure.

15. On 19 May 2020 the applicant provided the Regional Court with translations of letters from the priest of the church, dated 7 October 2019 and 9 April 2020. In the first letter the priest repeated that the applicant had had a close connection to her family, given that they were a Christian-Orthodox family from Syria. He further noted that he had previously sought medical help for the applicant but was unable to continue doing so given the dire economic situation in Lebanon. In the second letter, the priest informed the applicant's brother of the extreme difficulty of continuing to shelter the applicant considering the global COVID-19 pandemic, which had made many people reliant on aid from the church, as well as the dire economic situation in Lebanon generally. The priest reiterated that the applicant's mental health was deteriorating as she was losing hope she would see her brother and parents again. The applicant also provided more evidence of daily communication between her and her brother and parents.

16. On 7 June 2020 the applicant responded to the Deputy Minister's written statement, reiterating her previous arguments. The applicant further argued that she was financially and emotionally exclusively dependent on her family because there was no realistic prospect of others taking care of her in Lebanon. The care she had received from the church was not sustainable,

given the global pandemic which had exacerbated economic hardship in Lebanon. The applicant, moreover, noted that exclusive dependency may be a weighty but not a decisive factor in the assessment.

17. By judgment of 6 August 2020, the Regional Court of The Hague, sitting in Zwolle, declared the applicant's appeal unfounded. It held that the Deputy Minister had not erred in finding that there were no more than the normal emotional ties between the applicant and her brother, and therefore that no "family life" in the sense of Article 8 of the Convention existed. It considered as follows:

> "... The [Deputy Minister] was not required to come to a different conclusion because of the alleged financial dependency of the applicant on her [brother], their cohabitation and their shared experiences in Syria and Lebanon, or their continued frequent contact. In that connection, the [Deputy Minister] could attach weight to the fact that the applicant has resided alone in Lebanon for some time and has managed to hold her own (with assistance). The [Deputy Minister] has further rightly held that the [applicant's brother] can provide (financial) support from the Netherlands. The generally bad security situation in Lebanon and Syria does not mean, as the [Deputy Minister] has rightly held, that a relationship involving more than normal ties of dependency exists between them. The court notes, in so far as the applicant alleges that her shelter in the church is merely temporary, that the applicant's representative has indicated during the hearing that the applicant remains in the church and, further, that that argument does not exclude the future possibility of providing adequate shelter for the applicant in Lebanon. As the lawfulness of the impugned decision must be assessed on the basis of the facts and circumstances arising at the time of that decision, the court further agrees with the [Deputy Minister] that the priest's letter of 9 April 2020, which addresses the consequences of the global pandemic in Lebanon, must be excluded from the assessment of this appeal, since those facts and circumstances arose after the date of the impugned decision.
>
> The court further considers that, while the applicant has substantiated her medical problems, that does not mean that she is more than normally dependent on her [brother]. The [Deputy Minister] has rightly referred to the statements made by the applicant's [brother] during his interview of 24 September 2018 that the applicant already suffered from mental health problems in Syria. Contrary to what was argued by the applicant's [brother] during the hearing, the court sees no reason to doubt the correctness of the transcript of this interview. The documents that have been provided do show that the applicant's mental health has deteriorated since her [brother] and her parents were admitted to the Netherlands [without her]. However, the statement from the psychotherapist of 1 November 2018 also shows that the applicant's treatment after the departure of her brother in 2017 looked promising until she received the news that her parents were allowed to come to the Netherlands and she was not. The statement from the psychiatrist of 27 September 2019 shows that the applicant was prescribed medication and advised to continue undergoing psychotherapy. That statement further shows that the applicant's situation is only partially improving, and that her slow progress is likely related to the applicant's separation from her family. While it is understandable that that is difficult for the applicant, it does not show that she is specifically dependent on the care of her [brother] or that, because of her medical problems, she cannot cope without her [brother]. The submitted documents show that the applicant is receiving medical care in Lebanon and can access psychological help. The grounds of appeal do not succeed."

18. The applicant submitted a further appeal, in which she repeated her previous arguments (see paragraphs 7, 10-11 12-13 and 15-16 above) and noted that the existence of "family life" depends on the specific facts and circumstances of the case (referring to *Kopf and Liberda v. Austria*, no. 1598/06, 17 January 2012). The applicant alleged that the fact that she had managed to cope up until that point had been given too much weight by the Regional Court, since she had only been able to do so thanks to the charity of the church which was sheltering her. In that connection, she also argued that the Regional Court had attached too much weight to her circumstances in Lebanon, a country in which her presence as a refugee was precarious and should have instead focused on her circumstances in Syria, where there was no possibility of medical treatment, assistance or a support network as everything had been destroyed by the war. She finally argued that it was understandable that her mental health problems had first arisen in Syria, since she had been confronted by many traumatic and distressing events in that country during the war. Her mental health problems had been exacerbated by the departure first of her brother, and then her parents. There thus existed a causal link between her mental health problems and her separation from her family. The fact that she was receiving medical treatment for those problems was not relevant for the determination of whether or not they existed or of whether they had contributed to the existence of more than normal emotional ties of dependency. Moreover, the medical help she had received was not sufficient to alleviate her suffering and had, in any event, ceased because of the pandemic and the economic hardships in Lebanon.

19. This further appeal was summarily rejected by the Administrative Jurisdiction Division of the Council of State on 22 January 2021. No further appeal lay against that judgment.

RELEVANT LEGAL FRAMEWORK AND PRACTICE

Domestic law

1. Aliens Act 2000

20. Section 14 of the Aliens Act 2000 reads as follows:

> "1. Our Minister shall be authorised:
>
> a. to grant ... a temporary [regular] residence permit;
>
> ...
>
> 3. A temporary residence permit shall be granted subject to restrictions relating to the purpose of the stay. Regulations may be attached to the permit. Rules regarding the automatic granting, modification and extension, the conditions and the regulations may be laid down by or pursuant to an executive decree (*algemene maatregel van bestuur*) ..."

2. Aliens Decree 2000

21. Section 3.13 of the Aliens Decree 2000 reads as follows:

> "1. A temporary regular residence permit, subject to a restriction relating to residence as a family member, shall be granted to the family member ... of the sponsor, if all the requirements set out in sections 3.16 to 3.22a are met."

3. Aliens Act 2000 Implementation Guidelines

22. Paragraph B7/3.8.1 of the Aliens Act 2000 Implementation Guidelines, at the relevant time, included the following passage:

> "The IND assumes the existence of family life between adults provided there is more than normal dependency between them (more than normal emotional ties).
>
> The only circumstances in which the IND considers there to be family life as referred to in Article 8 of the Convention between parents and their adult children, without the need for more than normal emotional ties, are where the adult child:
>
> • is a young adult;
>
> • lives together with their parent(s) as a member of their family;
>
> • does not provide for themselves; and
>
> • has not formed a family of their own."

23. Paragraph B7/3.8.3 of those same Guidelines read as follows:

> "In order to determine whether a refusal of (the continuation of) a foreign national's residence violates Article 8 of the [Convention], the IND shall consider all the relevant facts and circumstances and undertake a reasoned weighing of interests. The interests to be included in the IND's balancing of interests will depend on each individual case. Importantly, that assessment will always relate to the facts of the individual case, which will differ from case to case. Since this assessment and weighing of various interests will vary from case to case, the IND has a certain degree of discretion in this respect."

COMPLAINT

24. The applicant complained under Article 8 of the Convention that the authorities had failed to recognise "family life" within the meaning of that provision between her and her brother and that the refusal to allow her to reside with him – and her parents – in the Netherlands was contrary to her right to respect for family life as guaranteed by Article 8 of the Convention.

THE LAW

25. The applicant alleged a breach of Article 8 of the Convention, which, in so far as relevant, reads as follows:

> "1. Everyone has the right to respect for his ... family life ...
>
> 2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in

the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

Whether Article 8 is applicable to the applicant's case

1. The parties' submissions

(a) The Government

26. The Government submitted that when the request for a provisional residence visa for the purpose of asylum-related family reunification was lodged, the applicant was 26 years old, two years older than her brother. In the Government's view, no "additional elements of dependence involving more than the normal emotional ties" required under the Court's case-law had been shown to exist. The domestic authorities had taken note of all the relevant elements put forward by the applicant in their assessment of the existence of "family life" between her and her brother. While it was understandable that the applicant missed her brother, her psychological problems did not amount to an inability to cope without her brother. Further, the Government argued that the applicant's medical problems could not necessarily entirely be linked to her family's departure to the Netherlands, and that she appeared to be receiving adequate treatment in Lebanon. In that respect the Government referred to the Court's judgment in the case of *Senchishak v. Finland* (no. 5049/12, 18 November) and stated that the applicant in the present case was not, as was required in the cited judgment, exclusively dependent on her brother, noting that it had not been established that she could not call on other parties in Lebanon for help, if needed. The Government also alleged there were no indications that the applicant was socially isolated or could not continue to receive support from the church community in Lebanon which had supported her since she had arrived in Lebanon in 2015. The national authorities, including the courts, had considered that, given her age, the applicant could be expected to take care of herself. Moreover, referring to the Court's judgment in *Vasquez v. Switzerland* (no. 1785/08, § 48, 26 November 2013), the Government submitted that the applicant's brother could financially support her, visit her in Lebanon and continue to remain in contact by means of modern telecommunication. Lastly, the Government contended that there is nothing in their past or present relationship indicating the existence of "more than the normal emotional ties" between them as siblings, noting that the applicant's brother returned to Syria several times alone – after the family's departure to Lebanon – for his studies and to undergo an operation, that he left independently and entered the Netherlands in September 2017 and that since 1 February 2021 he was no longer living with his parents in the Netherlands, but instead lived with his partner with whom he had been in a relationship since 2017.

(b) The applicant

27. The applicant submitted, with reference to the Court's judgment in the case of *Vasquez v. Switzerland* (cited above), that under certain circumstances the relationship between adult siblings could amount to family life, depending on the existence of close personal ties. She alleged that close personal ties had existed, and continued to exist, between her and her brother. She stated that she had always lived together with her brother and their parents in Syria and Lebanon until their departures, that she had no other family and was not in a relationship or working. In that connection she indicated that she was the only family member who remained displaced as a refugee in Lebanon since her parents had been granted family reunification and reside with her brother in the Netherlands.

28. She further stated that her mental health had deteriorated after their departures, and that maintaining contact at a distance was not sufficient to maintain their relationship in view of her physical and mental condition. She was also financially dependent on her brother.

29. Lastly, the applicant contradicted the Government's contention that her brother had a lasting relationship and lived together with his girlfriend.

2. The Court's assessment

(a) General principles

30. The Court refers to the general principles regarding family life between adult family members as set out in its judgment in the case of *Martinez Alvarado v. the Netherlands*, (no. 4470/21, §§ 35-45, 10 December 2024). It reiterates that family life for the purpose of Article 8 of the Convention is normally limited to the core family (see *Slivenko and Others v. Latvia* (dec.) [GC], no. 48321/99, §§ 94 and 97, ECHR 2003-X) and that there will be no family life between parents and adult children or adult siblings unless they can demonstrate "additional elements of dependence, involving more than the normal emotional ties" (see *Martinez Alvarado*, cited above, § 36 and further case-law references mentioned therein). This interpretation originates from the context of family reunification and has been followed in other contexts. In the context of the expulsion of settled migrants, the Court has made an exception for young adults who are still living with their parents and have not yet started a family of their own (see *Advisory opinion on the procedural status and rights of a biological parent in proceedings for the adoption of an adult* [GC], request no. P16-2022-001, Supreme Court of Finland, § 50, 13 April 2023). In that particular situation, "dependency" is assumed (see *Martinez Alvarado*, cited above, § 37 and further case-law references mentioned therein).

31. It follows from the Court's case-law that the question whether "additional elements of dependency" exist is to be decided on a case-by-case basis. Such dependency may arise where adults have a physical or mental

disability or illness of sufficient seriousness and are in need of constant care and support from other family members (see, for instance, *Emonet and Others v. Switzerland*, no. 39051/03, § 37, 13 December 2007, in which an adult child became paraplegic after a serious illness; *Bierski v. Poland*, no. 46342/19, § 47, 20 October 2022, in which an adult child suffered from Down syndrome and was fully incapacitated; *Belli and Arquier-Martinez v. Switzerland*, no. 65550/13, § 65, 11 December 2018, in which an adult child had been deaf since birth, had difficulty speaking her mother tongue and had no capacity of discernment on account of a severe disability which had required comprehensive therapeutic provision throughout her life; and *I.M. v. Switzerland*, no. 23887/16, §§ 30-31, 9 April 2019, in which an elderly father was completely dependent on his sons because he suffered from serious depression and autism).

32. The Court's case-law further reveals that financial dependence or other case-specific circumstances such as, for instance, the fact that the person with whom ties were claimed was the only surviving relation or the presence of family members who can provide care – or other viable alternatives – in the country of origin or where the person requiring care and support lives, may be of relevance in this assessment (see *Martinez Alvarado*, cited above, §§ 41-43). Financial dependency on its own has never been considered sufficient to constitute additional ties of dependency, and accordingly family life between adult family members (ibid., § 42).

33. A finding of the existence of "family life" based on "additional elements of dependency" will often be the result of a combination of elements. The assessment of whether "additional elements of dependency, other than normal emotional ties", have been shown to exist, requires an individualised review of the relationship at issue, and other relevant circumstances of the case (ibid. § 44).

34. Finally, the Court will assess the question whether a relationship between adult family members constitutes "family life" within the meaning of Article 8 on the basis of the facts occurring prior to the date that the decision regarding the request for family reunification became final (ibid. § 45).

(b) Application of the above principles in the present case

35. The court notes that it is questionable whether the applicant, a Syrian national living in Lebanon, can claim to be within the respondent State's jurisdiction. However, this question can ultimately be left open since the present application is in any event inadmissible for the reasons below (compare *Alneel v. Norway* (dec.), no. 14368/22, § 44, 11 March 2025).

36. The applicant's complaint concerning the refusal to grant a provisional residence visa relates to a moment in time at which she and her brother had reached the age of majority. Therefore, in the light of the Court's case-law, it is necessary to establish whether it has been demonstrated that

the relationship between the applicant and her brother constituted "family life" within the autonomous meaning of Article 8 of the Convention and thus falls within the scope of that provision. The Court will make this assessment based on the facts and circumstances up to 22 January 2021, that being the date on which the decision regarding the request for family reunification became final (see paragraph 19 above).

37. The Court agrees with the Government that mental health problems caused by war and displacement, however distressing, are not, in and of itself, sufficient to create additional ties of dependency constituting "family life" within the meaning of Article 8 of the Convention. An individualised assessment of the relationship at issue, and other relevant circumstances of the case, is required to establish whether such dependency exists (see paragraph 33 above).

38. The Court takes note of the applicant's shared past with her brother, their cohabitation before their departure from Syria, and the difficult experiences the family endured during the war and their displacement to Lebanon. It also takes note of the applicant's assertion that she and her brother had always lived together and maintained a particularly close bond. However, as the Court has consistently held, the existence of past cohabitation or emotional closeness is not in itself enough to establish "family life" between adult siblings. For such a relationship to fall within the scope of Article 8, "additional elements of dependency, involving more than the normal emotional ties" must be shown (see *Slivenko and Others*, cited above, §§ 94 and 97 and *Martinez Alvarado*, cited above, § 36).

39. The Court observes, regarding the applicant's medical situation, that she relied primarily on her psychological vulnerability following the departure of her brother and parents, and on her need for his emotional and protective presence. The medical statements submitted in the domestic proceedings indicated that she suffered from anxiety, depression, agoraphobia, insomnia and psychosomatic symptoms (see paragraphs 10 and 13 above). While the Court does not doubt that the separation from her family, together with the hardship of her circumstances in Lebanon, had an impact on her mental well-being, it finds no evidence suggesting that the applicant's condition was of such severity as to render her dependent on her brother. In this respect the Court does not see any reasons to question the domestic authorities findings (see paragraph 17 above).

40. With regard to the applicant's argument that, as a young Syrian woman in Lebanon she required the protection of male family members, the Court notes that the applicant had been able to reside in Lebanon independently since early 2019 and has been absorbed by the church community that has supported her. The Court thus sees no reason to depart from the domestic authorities' findings in this respect.

41. As regards financial support, the Court notes that the applicant's brother had sent money to her through intermediaries while she resided in

Lebanon. However, even taking this into account, financial dependence on its own has never been considered sufficient to constitute "additional elements of dependency" (see *Martinez Alvarado*, cited above, § 42).

42. Lastly, the Court takes note of the evidence of daily communication between the applicant and her brother. Frequent contact and emotional closeness between adult siblings, however, do not exceed what is normally expected in such family relationships and do not suffice to establish the existence of "family life" (ibid., § 44).

43. In view of the foregoing, the Court concludes that the applicant has not demonstrated the existence of "additional elements of dependency, involving more than the normal emotional ties" between herself and her brother. Their relationship therefore did not constitute "family life" within the meaning of Article 8 of the Convention at the relevant time, as established by the domestic authorities.

44. The applicant's complaint is accordingly inadmissible as being incompatible *ratione materiae* with the provisions of the Convention, within the meaning of Article 35 § 3 (a), and must be rejected pursuant to Article 35 § 4.

For these reasons, the Court, by a majority,

Declares the application inadmissible.

Done in English and notified in writing on 23 April 2026.

Hasan Bakırcı
Registrar

Lado Chanturia
President