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

THIRD SECTION

CASE OF MANJANI v. ALBANIA

(Application no. 32283/23)

JUDGMENT

Art 8 • Private life • Disproportionate refusal of the applicant's admission to the School of Magistrates for training as a prosecutor on the basis of a juvenile theft conviction for which he had been legally rehabilitated • Art 8 applicable following both reason-based and consequence-based approaches • Absolute and permanent ban on admission had a clear and serious impact on the applicant's personal choice as to the way he wished to pursue his professional and private life, shape his social identity and develop relationship with others • Disregard of the applicant's age at the time of the offence and insufficient consideration of relevant circumstances • Impugned measure imposed at an early stage of his professional life having a significant effect in terms of its duration • Failure to carry out a thorough and sufficiently individualised assessment of the applicant's personal situation

Prepared by the Registry. Does not bind the Court.

STRASBOURG

10 March 2026

FINAL

10/06/2026

This judgment has become final under Article 44 § 2 of the Convention.
It may be subject to editorial revision.

COUNCIL OF EUROPE
CONSEIL DE L'EUROPE

In the case of Manjani v. Albania,

The European Court of Human Rights (Third Section), sitting as a Chamber composed of:

Ioannis Ktistakis*, President*,
Lətif Hüseynov,
Darian Pavli,
Úna Ní Raifeartaigh,
Mateja Đurović,
Canòlic Mingorance Cairat,
Vasilka Sancin*, judges*,
and Milan Blaško, *Section Registrar,*

Having regard to:

the application (no. 32283/23) against the Republic of Albania lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") by an Albanian national, Mr Shiqiri Manjani ("the applicant"), on 21 August 2023;

the decision to give notice to the Albanian Government ("the Government") of the complaint concerning the decision not to admit the applicant to the School of Magistrates on the basis of a spent juvenile conviction, and to declare inadmissible the remainder of the application;

the parties' observations;

Having deliberated in private on 10 February 2026,

Delivers the following judgment, which was adopted on that date:

INTRODUCTION

1. The case concerns the refusal of the applicant's admission to the School of Magistrates for training as a prosecutor on the basis of a conviction for theft committed when he was a minor, for which he had subsequently been legally rehabilitated.

THE FACTS

2. The applicant was born in 1991 and lives in Pogradec. He was represented by Mr E. Yzeiraj, a lawyer practising in Tirana.

3. The Government were represented by Mr O. Moçka, General State Advocate.

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

I. REFUSAL OF ADMISSION TO THE SCHOOL OF MAGISTRATES

5. In February 2020 the applicant applied for admission to the three-year initial training programme for magistrates (prosecutor profile) at the School of Magistrates for the 2020-2021 academic year. In his application, the

applicant stated that in 2006, at the age of 15, he had been convicted of theft, that a suspended sentence had been applied, and that he had been rehabilitated as of 1 December 2014. He also submitted a certificate from the General Directorate of Prisons (Ministry of Justice) dated 29 May 2017 indicating his 2006 conviction and stating that he had been rehabilitated under Article 69 of the Criminal Code. Following a preliminary assessment, he was included in the list of candidates meeting the admission criteria for the programme, which was approved by the High Prosecutorial Council ("the HPC"). He passed his admission examination. As part of the admission process, the HPC then carried out a verification of his assets and background checks. The applicant again submitted information about his conviction in a self-declaration form in accordance with the Decriminalisation Act (see paragraph 16 below).

6. In a plenary meeting held on 17 December 2020 the HPC decided, by a majority vote (seven to two), that in view of his conviction the applicant did not meet the admission criterion under section 28(d) of the Status of Judges and Prosecutors Act (see paragraph 14 below) and should not therefore be admitted. The HPC stated that the impugned provision had to be read in such a way as to take into account an individual's entire criminal history because the legislature had clearly expressed its intention to prohibit those with criminal convictions from becoming part of the judicial system. In the course of its deliberations, the HPC took note, *inter alia*, of draft amendments to section 28(d) circulating at the time with the idea of providing that those with a criminal conviction – regardless of rehabilitation – would be ineligible for magistrates' training. Two members of the HPC disagreed, stating in their dissenting opinion that, under Article 69(b) of the Criminal Code (see paragraph 18 below), the applicant was considered to have no convictions. In adopting the impugned provision (that is, section 28(d) as in force at the time of the HPC's decision), the legislature had dropped the word "never [convicted]" that had appeared in the draft proposal and had not incorporated any specific provisions which would exclude rehabilitation.

7. The applicant appealed against the HPC's decision. On 18 March 2021 the Administrative Court of Appeal, by two votes to one, dismissed his appeal. Replying to the applicant's argument that under Article 69(b) of the Criminal Code he was considered to have no convictions and that there were therefore no legal obstacles to his admission to the School of Magistrates, the court stated that section 28(d) of the Status of Judges and Prosecutors Act, being a special law governing the conditions and criteria for admission to that institution and taking precedence over other legal provisions, referred not to a legal presumption or criminal records but to the fact of conviction, regardless of rehabilitation. In a separate opinion, the dissenting judge emphasised that, in accordance with Article 69 of the Criminal Code on rehabilitation, the applicant's conviction legally no longer existed. Therefore, the fact that he had been convicted did not fall under the exclusionary criterion of section 28(d) of the Status of Judges and Prosecutors Act,

according to a fair interpretation of that provision, and there were accordingly no legal obstacles to his admission to the School of Magistrates.

8. The applicant appealed against the Administrative Court of Appeal's decision. On 17 March 2022 the Supreme Court unanimously dismissed his appeal, stating, *inter alia*, that the impugned provision in section 28(d) of the Status of Judges and Prosecutors Act was unclear and that there had been problems in the course of its implementation. It had therefore been amended by the legislature on 23 March 2021 (see paragraph 14 below). As amended, it explicitly provided that rehabilitation would not be decisive. By amending the provision in this way, the legislature had confirmed what in fact should have been deduced by the law-applying bodies even before the amendment. The problem which the amendment sought to address was that rehabilitation applied in principle regardless of the seriousness of the offence, including for very serious criminal offences. Therefore, section 28(d) of the Status of Judges and Prosecutors Act, even before the 2021 amendments, meant to prohibit those convicted by a final decision from joining the justice system, regardless of rehabilitation or whether the sentence had subsequently been expunged and was considered to have not existed. The ban was aimed at guaranteeing the integrity required of a magistrate. Theft was a serious criminal offence carried out intentionally, which discredited the image of a public official, especially a judge or prosecutor, for whom integrity was not merely a virtue but a necessity to ensure public trust in the justice system. Even if the 2021 amendments had been applicable, they would not have benefited the applicant because of the very nature of the offence committed, despite the passage of time. Those amendments linked the ban to the nature of the offence committed rather than to the conditions and circumstances in which it had been committed. Therefore, the fact that the applicant had committed the offence as a minor could not be considered a mitigating factor.

9. The applicant lodged a constitutional complaint. On 23 March 2023 the Constitutional Court, by five votes to one, dismissed his complaint. It stated, in particular, that guaranteeing the integrity of public officials constituted a legitimate aim for protecting State independence, democratic order and national security. A law could restrict the right to exercise a profession by imposing certain criteria to protect the public interest. The Status of Judges and Prosecutors Act was aimed at guaranteeing the integrity of candidates for a magistrate career (that is, a career as a judge or prosecutor). Its interpretation by the courts in the applicant's case did not appear arbitrary in the constitutional sense. Therefore, the judicial decisions had not violated the applicant's right to access public functions. As regards the alleged violation of the right to private life, the applicant had failed to demonstrate that the interference was significant. Apart from a magistrate career, he had not been denied access to any other public functions or activities related to a profession which could earn him a living through lawful work. Furthermore, passing the examination for entrance to the School of Magistrates was only one step

towards a magistrate career, which depended on the successful completion of the training programme and other legal procedures leading to appointment as a magistrate. His complaint was therefore unfounded. The Constitutional Court's decision was served on the applicant on 26 April 2023.

10. Judge M. Xhaferllari expressed a dissenting opinion, criticising the domestic courts' reasoning from the perspective of the right to a reasoned judicial decision. In particular, she argued that the ordinary courts had ignored the fact that the HPC had, in essence, applied draft amendments circulating at the time, and that the Supreme Court itself had created an appearance of retroactivity by applying the law as amended after the HPC's decision. She further argued that the majority had failed to carry out a proper balancing exercise between the competing interests and to justify why the ban on the applicant's admission to the School of Magistrates was proportionate and compatible with human dignity, given his age at the time of the offence and limited ability to understand the seriousness and consequences of his actions. In her view, it was necessary to take into account the progressive developments in the Albanian legal system relating to protection of children's rights, particularly the 2017 juvenile criminal justice reforms. These reforms aimed to ensure that criminal offences and any resulting sentences would not have lifelong consequences for minors, that access to the personal data of minors in conflict with the law would be restricted or even destroyed, and that their right to private life would receive special protection and guarantees. The courts in the applicant's case had not explained whether, and on what basis, it could be assumed that the applicant was considered potentially dangerous or whether, if admitted as a magistrate, he might act in a manner that could undermine public confidence in the professional integrity of magistrates.

11. The applicant worked as a lawyer in the private sector before serving, since 2019, as a judicial police officer at a prosecutor's office.

II. THE APPLICANT'S CONVICTION IN 2006

12. On 21 November 2006 the applicant was convicted of theft (Article 134 of the Criminal Code) by the Bulqizë District Court and sentenced to eight months' imprisonment. It was established that in September 2006, in the course of a meeting between the applicant's father and three other individuals, including D., a potential buyer of land belonging to the father, the applicant, then aged 15, was left alone in D.'s car while the adults inspected the land. In their absence, the applicant opened the glove compartment, found banknotes amounting to 1,000,400 Albanian leks and concealed them among rubbish approximately ten metres away from the car. Upon returning, D. saw that the glove compartment had been opened and that the money was missing. The applicant initially denied taking it. D. called the police. When questioned at the police station, the applicant admitted taking the money, explaining that he had felt awkward admitting it earlier in front

of the others. The money was immediately recovered and returned to its owner.

13. In sentencing, the court noted that the applicant had admitted his guilt, posed a low degree of social danger and that the consequences of the criminal offence were minimal, given that the property had been returned to its owner, the applicant's minor age and his level of education. Also taking into account the need for the applicant to continue school, the court suspended the execution of the sentence for three years under Article 59 of the Criminal Code (see paragraph 18 below). The applicant did not appeal, and the judgment became final on 1 December 2006.

RELEVANT LEGAL FRAMEWORK AND PRACTICE

I. DOMESTIC LAW AND PRACTICE

A. Status of Judges and Prosecutors Act and related legislation

14. At the material time, section 28 of the Status of Judges and Prosecutors Act (Law no. 96/2016) provided, in so far as relevant, as follows:

Section 28 – Criteria for admission to initial training

> "Every person is entitled to apply to the School of Magistrates for admission to the initial training for magistrates, provided that they simultaneously meet the following criteria:
>
> ...
>
> (d) [he or she] has not been convicted by a final criminal judgment;
>
> ..."

Section 28(d), as amended by Law no. 50/2021 of 23 March 2021, provides as follows:

> "... [he or she] has not been convicted by a final criminal judgment for committing a criminal offence, which, by [its] nature, discredits the position and image of a judge or prosecutor or seriously undermines public trust in the judicial system, regardless of whether he or she has been rehabilitated under the provisions of the Criminal Code."

15. The absence of a final conviction for a crime constitutes one of the general requirements for admission to the civil service in Albania. This applies to positions such as legal assistants at courts of appeal (and, since amendments to the Judiciary Act on 23 March 2021, those working in first-instance courts), legal advisers at the Supreme Court and the Prosecutor General's Office and State Advocates. The School of Magistrates provides initial mandatory professional training for candidates for these positions (Law no. 152 of 30 May 2013, Law no. 97 of 6 October 2016, Law no. 98 of 6 October 2016, Law no. 115 of 3 November 2016 and Law no. 10018 of 13 November 2008).

B. Decriminalisation Act (2015)

16. Under sections 2 to 5 of Law no. 138/2015 on ensuring the integrity of persons exercising, elected or appointed to public functions ("the Decriminalisation Act"), as amended by Law no. 38/2016, persons wishing to be appointed to public office must complete and sign a self-declaration form confirming that there are no grounds preventing their appointment. This includes the absence of a final criminal conviction – whether in Albania or elsewhere – resulting in a sentence of imprisonment for any of the offences listed in the Decriminalisation Act. A false declaration is punishable under Article 190 of the Criminal Code. The standard self-declaration form includes the following question: "Have you ever been convicted by a final judicial decision of an Albanian or foreign judicial authority?".

17. The Tirana Court of Appeal, in judgment no. 853 of 26 September 2022 (see *Thanza v. Albania*, no. 41047/19, § 51, 4 July 2023), held that the criminal-record disclosure provisions of the Decriminalisation Act (see paragraph 16 above) were in derogation of the ordinary rules of rehabilitation under the Criminal Code and related legislation. Furthermore, the self-declaration form connected to the Decriminalisation Act, which was adopted through a separate and atypical parliamentary "decision" (*vendim*), imposed disclosure requirements that went beyond those established in the Decriminalisation Act itself and, to that extent, could not give rise to criminal liability (for false statements) under Article 190 § 1 of the Criminal Code. The Court of Appeal's judgment was affirmed by the Supreme Court on 2 December 2025 (judgment no. 00-2025-1826).

C. Criminal Code

18. At the material time, the relevant provisions of the Criminal Code provided as follows:

Article 59 – Suspension of the execution of a prison sentence

"Due to the low level of dangerousness posed by the offender and the circumstances of the criminal offence, the court, when imposing a prison sentence of up to five years, may order that the convicted person be placed on probation, suspending the execution of the sentence, provided that during the probation period the offender does not commit another criminal offence of equal or greater seriousness than the initial offence.

The duration of the probation period shall be between 18 months and 5 years."

Article 62 – Revocation of probation

"If the convicted person, during the probation period, commits another criminal offence of equal or greater seriousness than the initial offence, the court shall revoke the suspension decision.

Revocation also occurs when the convicted person, without reasonable cause, has not fulfilled the measures and obligations ... imposed on [him or her].

When the suspension decision is not revoked, the sentence imposed shall be considered to have not existed [*i paqenë*]."

The last sentence of Article 62 was removed as a result of amendments to the Criminal Code by Law no. 10023 of 27 November 2008, which entered into force on 15 January 2009.

Article 69 – Rehabilitation

"The following shall be considered as not having been convicted:

...

(b) Those who have been sentenced to imprisonment for a period from six months to five years and who, within five years of the date of serving the sentence, have not committed another criminal offence."

D. Juvenile Justice Code

19. The relevant provisions of the Juvenile Justice Code (Law no. 37 of 30 March 2017, which entered into force on 1 January 2018) provide as follows:

Article 3 – Definitions

"...

3. A minor is a person under 18 years of age.

..."

Article 10 – Principle of the best interests of the child

"1. The competent authorities, in every decision and action undertaken in the implementation of this Code, shall give primary consideration to the best interests of the minor.

...

3. Decisions and acts of the competent authorities shall include specific reasoning regarding the manner in which the best interests of the minor have been assessed and how their protection shall be ensured."

Article 12 – Right to the harmonious development of the minor

"1. In every decision and procedure relating to juvenile criminal justice, the minor's right to physical, mental, spiritual, moral and social development shall be taken into consideration.

2. Decisions and acts of the competent authorities shall include specific reasoning regarding the manner in which the minor's right to such development has been assessed and how the implementation of paragraph 1 of this Article will be ensured."

Article 13 – Principle of proportionality

"Any measure taken against a minor in conflict with the law shall be proportionate to the circumstances of the criminal offence, the personality of the minor, and in accordance with the needs related to age, upbringing, education, personal, family, social and environmental conditions, developmental needs, as well as other needs of the minor, including, where applicable, special needs."

Article 14 – Priority of alternative diversion measures

"1. To achieve the objectives of this Code and other laws related to juvenile justice, priority shall be given to alternative diversion measures from criminal prosecution in juvenile criminal justice procedures.

2. Alternative measures aimed at diverting the minor from criminal prosecution or implementing restorative justice measures shall be considered the first option. When such an assessment is made by any competent authority, the respective acts shall reflect the consideration that an alternative diversion measure better serves the purposes of the minor's reintegration, rehabilitation and the prevention of violations of the law, as opposed to placing the minor under criminal liability and enforcing a criminal sentence.

..."

Article 21 – Protection of the minor's private life

"1. A minor's right to privacy shall be fully respected at every stage of juvenile criminal justice, taking due care to avoid any harm to the minor.

2. No information shall be published that could lead to the identification of a minor in conflict with the law, a minor victim or a minor who is a witness to a criminal offence.

3. Data concerning a minor's previous convictions shall not be made public.

4. The identification or publication, in any form, of a minor's personal data is prohibited, except in cases provided for by the legislation on personal data protection.

5. Except in cases provided for by the legislation on personal data protection, personal data relating to a criminal offence committed under the age of 18 may be disclosed or published only with the minor's consent.

6. The processing of minors' data shall be carried out in accordance with the legislation on personal data protection.

7. Violation of paragraph 4 of this Article constitutes a criminal offence under the provisions of the Criminal Code."

Article 55 – Criteria and conditions for applying diversion measures

"1. The competent authority shall, in every case, assess the application of a diversion measure for a minor in conflict with the law.

2. In deciding on the implementation of a diversion measure from criminal prosecution, the competent authority shall consider the best interests of the minor, the seriousness of the criminal offence committed and the penalty prescribed for that offence, the minor's age, the degree of culpability, the damage caused, the deterrent effect of criminal prosecution, the minor's behaviour after committing the offence, as well as the individual assessment report prepared in accordance with Article 47 of this Code.

3. In particular, a diversion measure shall be applied by the competent authority if:

(a) there is sufficient evidence for a reasonable suspicion that the minor has committed a criminal offence punishable by up to 5 years' imprisonment or by a fine;

(b) the minor admits and explains the criminal offence in the presence of defence counsel;

(c) the minor has not been reported for committing a criminal offence or is not a repeat offender.

..."

II. INTERNATIONAL MATERIAL

A. Council of Europe

20. Recommendation No. R (84) 10 of the Committee of Ministers of the Council of Europe on the criminal record and rehabilitation of convicted persons (adopted on 21 June 1984) notes in its preamble that any use of criminal records outside the context of a criminal trial may jeopardise a convicted person's chances of social reintegration and should therefore be restricted "to the utmost". The Recommendation invited member States to review their legislation with a view to introducing a number of measures – including provisions limiting the communication of information contained in criminal records and provisions governing the rehabilitation of offenders – that would prohibit any reference to the convictions of a rehabilitated person except on compelling grounds provided for by national law.

21. Recommendation No. R (87) 20 of the Committee of Ministers of the Council of Europe on social reactions to juvenile delinquency (adopted on 17 September 1987) states, *inter alia*, as follows:

"The Committee of Ministers, under the terms of Article 15.b of the Statute of the Council of Europe,

Considering that young people are developing beings and in consequence all measures taken in their respect should have an educational character;

Considering that social reactions to juvenile delinquency should take account of the personality and specific needs of minors, and that the latter need specialised interventions and, where appropriate, specialised treatment, based in particular on the principles embodied in the United Nations Declaration of the Rights of the Child;

Convinced that the penal system for minors should continue to be characterised by its objective of education and social integration ...

...

Having regard to the United Nations Standard Minimum Rules for the Administration of Juvenile Justice ('the Beijing Rules'),

Recommends the governments of member states to review, if necessary, their legislation and practice with a view:

...

1. to undertaking or continuing particular efforts for the prevention of juvenile maladjustment and delinquency, in particular:

a. by implementing a comprehensive policy promoting the social integration of young people;

..."

22. The European Guidelines on Ethics and Conduct for Public Prosecutors ("the Budapest Guidelines"), adopted by the Council of Europe Conference of Prosecutors General of Europe on 31 May 2005, provide, *inter alia*, as follows:

IV. Private conduct

"a. Public prosecutors must not compromise the actual or the reasonably perceived integrity, fairness and impartiality of the public prosecution service by activities in their private life.

b. Public prosecutors shall respect and obey the law at all times.

c. Public prosecutors should conduct themselves in such a way as to further and retain public confidence in their profession.

..."

23. The relevant part of Opinion No. 13 (2018) on the independence, accountability and ethics of prosecutors, issued by the Council of Europe's Consultative Council of European Prosecutors (CCPE), provides as follows:

"51. The respect for the rule of law requires the highest ethical and professional standards in behaviour of prosecutors, as for judges, both on duty and off, which allows confidence in justice by society. Prosecutors act on behalf of the people and in the public interest. They should therefore always maintain personal integrity and act in accordance with the law, fairly, impartially and objectively, respecting and upholding fundamental rights and freedoms ..."

B. United Nations

24. The United Nations Convention on the Rights of the Child of 20 November 1989, to which Albania is a State Party, provides as follows:

Article 1

"For the purposes of the present Convention, a child means every human being below the age of 18 years unless under the law applicable to the child, majority is attained earlier."

Article 3 § 1

"In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration."

Article 40 § 1

> "States Parties recognise the right of every child alleged as, accused of, or recognised as having infringed the penal law to be treated in a manner consistent with the promotion of the child's sense of dignity and worth, which reinforces the child's respect for the human rights and fundamental freedoms of others and takes into account the child's age and the desirability of promoting the child's reintegration and the child's assuming a constructive role in society."

25. In its General Comment no. 10 (2007) on children's rights in juvenile justice (see CRC/C/GC/10, 25 April 2007), the United Nations Committee on the Rights of the Child emphasised that the protections guaranteed by the Convention on the Rights of the Child in the context of the criminal justice system applied to everyone under the age of 18 at the time the offence was committed. It noted as follows:

> "29. The Committee reminds States parties that, pursuant to article 40 (1) of CRC, reintegration requires that no action may be taken that can hamper the child's full participation in his/her community, such as stigmatization, social isolation, or negative publicity of the child. For a child in conflict with the law to be dealt with in a way that promotes reintegration requires that all actions should support the child becoming a full, constructive member of his/her society."

The Committee specifically addressed the issue of criminal records for juvenile offenders, stating as follows:

> "67. The Committee also recommends that the States parties introduce rules which would allow for an automatic removal from the criminal records of the name of the child who committed an offence upon reaching the age of 18, or for certain limited, serious offences where removal is possible at the request of the child, if necessary under certain conditions (e.g. not having committed an offence within two years after the last conviction)."

The Committee provided the following observations with regard to measures in the sphere of juvenile justice:

> "71. ... that the reaction to an offence should always be in proportion not only to the circumstances and the gravity of the offence, but also to the age, lesser culpability, circumstances and needs of the child, as well as to the various and particularly long-term needs of the society. A strictly punitive approach is not in accordance with the leading principles for juvenile justice spelled out in Article 40 § 1 of CRC [Convention on the Rights of the Child] ... In cases of severe offences by children, measures proportionate to the circumstances of the offender and to the gravity of the offence may be considered, including considerations of the need of public safety and sanctions. In the case of children, such considerations must always be outweighed by the need to safeguard the well-being and the best interests of the child and to promote his/her reintegration."

THE LAW

I. ALLEGED VIOLATION OF ARTICLE 8 OF THE CONVENTION

26. The applicant complained that the decision not to admit him to the School of Magistrates for training as a prosecutor on the basis of a spent

juvenile conviction had violated his rights under Article 8 of the Convention, which reads as follows:

> "1. Everyone has the right to respect for his private and family life, his home and his correspondence.
>
> 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."

A. Admissibility

27. The Government noted the applicant's previous work as a lawyer in the private sector and his current role as a judicial police officer at a prosecutor's office, arguing that the refusal of his admission to the School of Magistrates had not attained the threshold of seriousness required for Article 8 to apply. In their view, it was still open to him to work as a lawyer elsewhere. Had he been admitted to the School of Magistrates' three-year initial training programme, his remuneration during the training period would have been lower than his salary as a judicial police officer.

28. The applicant stated that the measure had been applied on the basis of a spent juvenile conviction relating to an offence committed in his youth owing to immaturity. It had permanently and irreversibly blocked his path to becoming a magistrate (specifically a prosecutor), a career he had pursued with dedication through legal education, training, professional practice and participation in competitive selection procedures for the School of Magistrates, for which he had prepared and met all the criteria.

29. The Court reiterates that whereas no general right to employment, nor a right of access to the civil service or a right to choose a particular profession, can be derived from Article 8, the notion of "private life", as a broad term, does not exclude in principle activities of a professional or business nature. It is, after all, in the course of their working lives that the majority of people have a significant opportunity to develop relationships with the outside world (see *Denisov v. Ukraine* [GC], no. 76639/11, § 100, 25 September 2018). Restrictions on an individual's professional life may fall within Article 8 where they have repercussions on the manner in which he or she constructs his or her social identity by developing relationships with others. Moreover, professional life is often intricately linked to private life, especially if factors relating to private life, in the strict sense of the term, are regarded as qualifying criteria for a given profession (see *Pişkin v. Turkey*, no. 33399/18, §§ 172-78, 15 December 2020, with further references, and *Özpınar v. Turkey*, no. 20999/04, §§ 45-48, 19 October 2010). Professional life is therefore part of the zone of interaction between a person and others which, even in a public context, may fall within the scope of "private life" (see

Fernández Martínez v. Spain [GC], no. 56030/07, §§ 109-10, ECHR 2014 (extracts)).

30. There are some typical aspects of private life which may be affected in employment-related disputes by dismissal, demotion, non-admission to a profession or other similarly unfavourable measures. These aspects include (i) the applicant's "inner circle", (ii) the applicant's opportunity to establish and develop relationships with others, and (iii) the applicant's social and professional reputation. There are two ways in which a private-life issue would usually arise in such a dispute: either because of the underlying reasons for the impugned measure (in that event the Court employs the reason-based approach) or – in certain cases – because of the consequences for private life (in that event the Court employs the consequence-based approach). However, this division does not preclude cases in which the Court may find it appropriate to employ both approaches in combination, examining whether there is a private-life issue in the underpinning reasons for the impugned measure and, in addition, analysing the consequences of the measure (see *Denisov*, cited above, §§ 115 and 109, and *Guliyev v. Azerbaijan*, no. 54588/13, § 43, 6 July 2023). If the consequence-based approach is at stake, the threshold of severity assumes crucial importance. Such threshold is to be assessed by comparing the applicant's life before and after the measure in question, so that the applicant's subjective perceptions are considered against the background of the objective circumstances existing in the particular case, both material and non-material (see *Denisov*, cited above, §§ 116-17).

31. The Court considers that both approaches are relevant in the present case. As regards the reason for the impugned measure, it concerned the applicant's conviction 14 years prior to the refusal of his admission to a training programme enabling him to pursue a career as a magistrate (prosecutor). The Court has previously held that, as a conviction recedes into the past, it becomes a part of the person's private life which must be respected (see *M.M. v. the United Kingdom*, no. 24029/07, § 188, 13 November 2012, and *Rotaru v. Romania* [GC], no. 28341/95, §§ 43-44, ECHR 2000-V). It is true that the applicant himself disclosed information about his conviction in his application to the School of Magistrates and in the self-declaration required for the admission vetting process, in which he was asked for details of his conviction history and provided them as requested. The applicant was required to disclose such data fully and truthfully, subject to a perjury penalty, under the self-declaration form required by the Decriminalisation Act and, apparently, regardless of his rehabilitation (see paragraph 16 above). This, in any event, does not deprive him of the protection afforded by the Convention (see *M.M. v. the United Kingdom*, cited above, § 189).

32. Furthermore, the applicant committed the offence at issue at the age of 15, when he was regarded as a minor under domestic law and as a child under the United Nations Convention on the Rights of the Child – both terms

meaning a person under 18 years of age (see paragraphs 19 and 24 above). Therefore, given his age at the material time, he could not be regarded as having the capacity to fully foresee the consequences of his actions (see, *mutatis mutandis*, *F.M. and Others v. Russia*, nos. 71671/16 and 40190/18, §§ 284, 181 and 175, 10 December 2024 concerning children's capacity to consent).

33. As regards the consequence of the impugned measure, it permanently prevented the applicant from pursuing a career as a magistrate, specifically a prosecutor (see, *mutatis mutandis*, *Farhad Mehdiyev v. Azerbaijan*, no. 36057/18, § 39, 18 March 2025; compare and contrast *Ballıktaş Bingöllü v.Turkey*, no. 76730/12, § 60, 22 June 2021, and *Angerjärv and Greinoman v. Estonia*, nos. 16358/18 and 34964/18, § 125, 4 October 2022; compare and contrast also with *Bala v. Albania* (dec.), no. 21141/20, §§ 60-66, 9 April 2024, which concerned access to a small number of high level positions in the justice sector). The measure also meant that he was potentially barred from a whole range of career paths beyond that of a prosecutor or judge, in particular positions as a legal assistant, a legal adviser to superior courts, and State Advocate, roles to which the training at the School of Magistrates provided access (see paragraph 15 above).

34. The Court has found that a restriction on access to positions serving the public interest may affect the enjoyment of the right to respect for "private life" within the meaning of Article 8, in so far as it prevents the individual concerned from pursuing a profession that corresponds to his or her professional qualifications (see *Naidin v. Romania*, no. 38162/07, § 32, 21 October 2014, in which Article 8 was found to be applicable).

35. More generally, in examining Article 8 cases concerning law-related and other professions, the Court has held that legal restrictions in respect of persons declared bankrupt on the exercise of their professional activities and civil rights, in particular not to be registered as a member of certain professions such as a lawyer or notary, affected applicants' opportunities to develop relationships with the outside world and undoubtedly fell within the sphere of private life, making Article 8 applicable (see *Campagnano v. Italy*, no. 77955/01, § 54, ECHR 2006-IV). A far-reaching ban on taking up private-sector employment has also been found to affect "private life" (see *Sidabras and Džiautas v. Lithuania*, nos. 55480/00 and 59330/00, § 47, ECHR 2004-VIII).

36. Blocking access to training that leads to a certain career path may also fall within the scope of Article 8. In a previous case, the Court held that the decision to remove an applicant from a list of trainee lawyers affected his ability to pursue his professional activity and brought about consequential effects on the enjoyment of his right to respect for his private life within the meaning of Article 8 (see *Jankauskas v. Lithuania* (no. 2), no. 50446/09, § 58, 27 June 2017). In another case, the Court held that the refusal to allow an applicant to sit for her bar examination after completing her bar traineeship

fell within the scope of Article 8 because it affected her personal choice as to the way she wished to pursue her professional and private life (see *Bigaeva v. Greece*, no. 26713/05, §§ 24 and 25, 28 May 2009).

37. In the present case, the refusal of the applicant's admission to the School of Magistrates was not related to any lack of the required professional qualifications. On the contrary, he had trained and worked as a lawyer before becoming a judicial police officer in a prosecutor's office, and he had passed the entrance examination for initial magistrates' training. The only reason for the ban was his prior conviction for an offence committed as a minor, 14 years earlier – a conviction for which he had been legally rehabilitated and which had been erased from his criminal record. The absolute and permanent ban on his admission to the School of Magistrates, and consequently on pursuing a career as a prosecutor at an early stage of his professional development, had a clear and serious impact on his personal choice as to the way he wished to pursue his professional and private life, shape his social identity and develop relationships with others. Article 8 is therefore applicable.

38. The Court notes that this complaint is neither manifestly ill-founded nor inadmissible on any other grounds listed in Article 35 of the Convention. It must therefore be declared admissible.

B. Merits

1. The parties' submissions

39. The applicant submitted that, pursuant to Article 62 of the Criminal Code (see paragraph 18 above), his conviction as a minor had been entirely extinguished and was considered to have not existed, and that, in any event, he had been rehabilitated under Article 69 of the Criminal Code (ibid.), with the conviction having been expunged from his criminal record. The impugned measure was arbitrary, stigmatising and punitive, akin to an additional criminal penalty beyond the limits of the initial sentence, and it could not be considered a foreseeable consequence of the acts he had committed as a minor. The domestic authorities had essentially applied the amended section 28(d) of the Status of Judges and Prosecutors Act retroactively, thereby showing the deficient quality of the domestic law. The measure was an absolute ban applied automatically, without any individual assessment of his specific circumstances, such as the absence of any deviant behaviour since the offence committed in his youth owing to immaturity and, therefore, the lack of any risk to the moral integrity of the justice system. The domestic authorities had attributed a permanent legal consequence to the extinguished conviction, disregarding the importance of his rehabilitation and reintegration into society and violating his rights to personal and professional development and human dignity. Furthermore, the measure was inconsistent with significant developments in domestic penal law, notably the entry into force of the Juvenile Justice Code, under which the applicant's acts committed as

a minor would not even be subject to prosecution, let alone punished and stigmatised for life by a ban on becoming a magistrate. In accordance with modern standards, such conduct would instead be addressed through educational and rehabilitation measures aimed at reintegration. In his view, therefore, the measure was unlawful and disproportionate, and the State had exceeded any reasonable margin of appreciation.

40. The Government stated that, even assuming that Article 8 was applicable, the interference was in accordance with domestic law which was clear and foreseeable. As regards necessity and proportionality, they referred to the Court's case-law concerning Albanian vetting cases (in particular, *Xhoxhaj v. Albania*, no. 15227/19, 9 February 2021), noting that the strict admission criteria for future judges and prosecutors under the Status of Judges and Prosecutors Act had been part of the reform undertaken in 2016 with a view to restoring public trust in the justice system. According to the Government, the applicant's conviction for theft cast doubt on his moral integrity and the relationship he would have with his duties and the law, and created grounds for undermining public trust in the justice system. The position of prosecutor represented one of the most sensitive functions in the State system, and it was therefore reasonable to require a higher ethical and moral standard for that role. The restriction in question complied with Recommendation No. R (84) 10 of the Committee of Ministers (see paragraph 20 above).

2. The Court's assessment

(a) Whether there was an "interference"

41. Having found that Article 8 is applicable (see paragraph 37 above), the Court takes the view that the refusal of the applicant's admission to the School of Magistrates on the basis of a spent juvenile conviction may be considered an interference with his right to respect for his private life. In order to determine whether the interference amounted to a violation of the Convention, the Court must seek to ascertain whether it fulfilled the requirements of Article 8 § 2, that is, whether it was "in accordance with the law", pursued a legitimate aim under that provision, and was "necessary in a democratic society" (see *Pişkin*, cited above, § 203).

(b) Whether the interference was justified

(i) Whether the interference was "in accordance with the law"

42. The wording "in accordance with the law" requires the impugned measure to have some basis in domestic law. The law must be accessible to the person concerned and foreseeable as to its effects (see *S. and Marper v. the United Kingdom* [GC], nos. 30562/04 and 30566/04, § 95, ECHR 2008). The ban on the applicant's admission to the School of Magistrates was based on section 28(d) of the Status of Judges and

Prosecutors Act. The Court therefore accepts that the interference had a legal basis in domestic law.

43. In so far as the applicant alleged that the domestic law did not meet the "quality of law" requirement, the Court notes that, as recognised by the domestic courts, the version of section 28(d) that was in force at the time the impugned measure was imposed against him, did not specify what role rehabilitation should play in its application. Given the general principle that individuals should not continue to suffer the consequences of a conviction post-rehabilitation (see Article 69 of the Criminal Code at paragraph 18 above), it would appear that the applicant was entitled to expect that his spent conviction at the time of applying to the School of Magistrates would not be a bar to his admission.

44. However, the national courts appear to have followed the logic of the new version of section 28(d), as amended in 2021 while the applicant's case was pending before the Supreme Court, which granted only limited weight to rehabilitation and prioritised the nature of the offence and its impact on the public image of magistrates, thus creating the appearance of a retroactive application of that provision in the present case.

45. Furthermore, the Court notes that the applicant had to fill in and submit a self-declaration form under the Decriminalisation Act, which required applicants for various positions in the public sector to disclose their complete criminal history, even if they had been rehabilitated (see paragraphs 16 and 17 above). This aspect added to the confusion as to the legal standards applicable to candidates for magistrate positions such as the applicant.

46. In view of the above, the Court retains doubts as to whether the relevant law was foreseeable to the applicant. However, it is not necessary in the circumstances of the present case to delve further into that issue, because the Court considers that, even assuming that the interference was lawful, it was not "necessary in a democratic society", for the reasons detailed below (see paragraphs 48-59 below).

(ii) Whether the interference pursued a legitimate aim

47. The Court notes the Constitutional Court's reasoning that the ban on the applicant's admission to the School of Magistrates was aimed at guaranteeing the integrity of candidates for a magistrate career to protect State independence, democratic order and national security (see paragraph 9 above). Having regard also to the Government's submissions that the interference pursued the aim of restoring public trust in the justice system (see paragraph 40 above), the Court accepts that the interference with the applicant's right to respect for his private life pursued the legitimate aims of protecting national security, public safety and the rights and freedoms of others within the meaning of Article 8 § 2 (see *Xhoxhaj*, cited above, §§ 391-93).

(iii) Whether the interference was "necessary in a democratic society"

(α) General principles

48. In determining whether the impugned measure was "necessary in a democratic society", the Court has to consider whether, in the light of the case as a whole, the reasons adduced to justify the measure were relevant and sufficient and whether it was proportionate to the legitimate aims pursued (see *Pişkin*, cited above, § 212).

49. In this connection, the Court reiterates the fundamental importance of the obligation to state the reason for administrative acts affecting individual interests (see, among recent authorities, *Versaci v. Italy*, no. 3795/22, § 141, 15 May 2025). However, while it is for the national authorities to make the initial assessment of necessity, the final evaluation as to whether the reasons cited for the interference are relevant and sufficient remains subject to review by the Court for conformity with the requirements of the Convention. The Court has to satisfy itself that the national authorities have applied standards which were in conformity with the principles embodied in the Convention and, moreover, that they have based their decisions on an acceptable assessment of the relevant facts. As regards the review carried out by the domestic courts, it should be pointed out that, while Article 8 contains no explicit procedural requirements, the Court cannot satisfactorily assess whether the reasons adduced by national authorities to justify their decisions were "sufficient" for the purposes of Article 8 § 2 without at the same time determining whether the decision-making process, seen as a whole, provided the applicant with the requisite protection of his interests, as safeguarded by that Article (ibid., §§ 141-43).

50. Although in a different context, the Court has already held that national authorities may legitimately take measures which prevent certain individuals from exercising certain sensitive professions, subject however to compliance with a number of requirements (see *Advisory opinion as to whether an individual may be denied authorisation to work as a security guard or officer on account of being close to or belonging to a religious movement* [GC], request no. P16-2023-001, the *Conseil d'État* of Belgium, §§ 84-85 and 92, 14 December 2023). In particular, the Court has held that the risk analysis that the domestic authorities must carry out should take account of the nature of the specific role in question (ibid., § 93), and that the risk must be the subject of an individual and detailed assessment carried out in the light of the personal situation of the individual concerned (ibid., § 100), although without entirely disregarding the general context (ibid., § 101). The Court has further clarified that, regardless of the nature of the right or interest that a preventive measure seeks to protect, there must be a real risk, in other words one that is sufficiently established. The containment of a mere speculative danger, presented as a preventive measure for the protection of democracy and its values, cannot be seen as meeting a pressing social need.

For the adoption of preventive measures to be legitimate, it may be necessary for the authorities to make specific estimations of the potential scale of the consequences that the realisation of the risk would entail if it were not to be eliminated in time. In addition, the risk that the authorities' preventive action seeks to avert must be serious and even carry a certain gravity, without which any limitations of the rights and freedoms of others may not be legitimate (ibid., §§ 103-04). Lastly, the Court has held that both the personalised assessment of the existence of a risk and the assessment of the reality and scale of that risk by the appropriate national authorities must be amenable to review by an independent judicial authority (ibid., §§ 101 and 105). Such authority must be able to perform an effective review of the disputed measure, and that review, in order to meet Convention requirements, must concern the reality of the risk identified, its scale, its nature and its immediacy (ibid., § 112).

(β) Application of the above principles to the present case

51. The Court notes that prosecutors, like judges, are required to meet high standards of integrity in the conduct of their professional duties and their private matters out of office in order to maintain public confidence in the integrity of the justice system (see *Sevdari v. Albania*, no. 40662/19, § 95, 13 December 2022; see also the European Guidelines on Ethics and Conduct for Public Prosecutors ("the Budapest Guidelines"), and the subsequent Opinion No. 13 (2018) on the independence, accountability and ethics of prosecutors, issued by the Council of Europe's Consultative Council of European Prosecutors, cited at paragraphs 22-23 above). It can be accepted that for this purpose States may define general rules restricting access to those professions on integrity grounds. The Court considers, however, that in principle an individualised assessment is nevertheless required, especially when it comes to the relevance of juvenile offences (see paragraph 50 above).

52. As to the present case, the Court observes, first, that the reasoning in the domestic authorities' decisions was essentially limited to the question of whether to interpret the relevant section of the Status of Judges and Prosecutors Act in a way which would disqualify those rehabilitated after a criminal conviction, despite the absence of explicit provisions to that effect. The position adopted was that rehabilitation should not be taken to automatically remove the effect of section 28(d), and that the decisive factor to be assessed was the nature of the offence, even if a person had been rehabilitated. According to the domestic authorities, the fact that the applicant was a juvenile at the relevant time could not override the serious nature of the offence.

53. By limiting their assessment in this way, the domestic courts did not undertake a thorough and individualised analysis of the circumstances relevant to the ban on the applicant's admission to the School of Magistrates and, consequently, a magistrate's career. They therefore failed to carry out a

proper balancing exercise between the competing interests and to justify why the ban on his admission to that institution was proportionate and compatible with the notion of respect for private life.

54. Secondly, and more importantly, the Court notes that the applicant's age at the time of the offence was regarded as having little relevance. The same was true of the time elapsed since the offence and his conduct during that period. There was no discussion of the seriousness of the specific offence committed by the applicant, except for a general remark that theft was a serious intentional crime. Indeed, the domestic courts appear to have disregarded the findings of the Bulqizë District Court which, in sentencing the applicant in 2006, held that the social dangerousness and consequences of the criminal offence were minimal, given that the property had been returned to its owner, the applicant's age and his level of education at the time. Also taking into account the need for the applicant to continue school, the court suspended the execution of the sentence for three years. Nor did the national authorities consider the applicant's character at the time of his application to the Magistrates' School and whether there were any reasons to believe that, if admitted to magistrates' training and given the chance to become a prosecutor, he would behave in a way prejudicial to the image of a prosecutor. This despite the fact that the applicant was previously considered fit to serve as an investigative officer within the same prosecutorial system (see paragraph 11 above).

55. The approach of the national authorities stands in tension with the Court's case-law, in which special attention has been given to age in cases involving interference with private life. In the case of *Maslov*, for example, which concerned the expulsion of a foreigner as a result of convictions for offences committed between 14 and 15 years of age, the Grand Chamber held that when assessing the nature and seriousness of offences committed by an applicant, it must be taken into account whether he or she committed them as a juvenile or as an adult (see *Maslov v. Austria* [GC], no. 1638/03, § 72, ECHR 2008). The decisive feature of that case was the young age at which the applicant committed the offences and, with one exception, their non-violent nature (ibid., § 81). Where the reason for an interference with a person's private life lies in offences committed when a minor, the obligation to have regard to the best interests of the child applies and includes an obligation to facilitate his or her reintegration (ibid., §§ 82-83). The obligation to have regard to the best interests of the child is enshrined in Article 3 of the United Nations Convention on the Rights of the Child, while Article 40 makes reintegration an aim to be pursued by the juvenile justice system (ibid.; see also paragraphs 24 and 25 above). The same principles were incorporated in the Albanian Juvenile Justice Code, which was in effect at the time of the impugned measure against the applicant (see paragraph 19 above).

56. The Court has also held, in a case concerning the processing and disclosure of personal data concerning criminal convictions and their consequences on applicants' private life in a prospective employment context, that the level of interference with the private life of convicted persons whose convictions have become spent is particularly intrusive in respect of their social reintegration (see *N.F. and Others v. Russia*, nos. 3537/15 and 8 others, § 54, 12 September 2023). The Court referred to Recommendation No. R (84) 10 of the Committee of Ministers of the Council of Europe on the criminal record and rehabilitation of convicted persons, according to which any use of criminal records outside the context of a criminal trial may jeopardise a convicted person's chances of social reintegration and should therefore be restricted "to the utmost" (see paragraph 20 above). Recommendation No. R (87) 20 of the Committee of Ministers further called for implementing a comprehensive policy promoting the social integration of young people (see paragraph 21 above).

57. Lastly, the Court reiterates that rehabilitation, that is, the reintegration into society of a convicted person, is required in any community that established human dignity as its centrepiece (see *Polyakova and Others v. Russia*, nos. 35090/09 and 3 others, § 88, 7 March 2017, with further references, and *Danilevich v. Russia*, no. 31469/08, § 47, 19 October 2021). The Court notes that the relevant national legislation, and in particular the Decriminalisation Act (2015), appears to be silent on the effects of rehabilitation as regards access to a broad range of positions in the public sector.

58. In disregarding the applicant's age and treating juvenile and adult offenders on an equal footing, the Albanian authorities failed to take properly into account the above considerations. Furthermore, a number of relevant circumstances were not sufficiently considered, including the non-violent and impulsive nature of the offence committed by the applicant, which can be regarded as a typical act of juvenile delinquency (see *Maslov*, cited above, § 81, and, *a contrario*, with necessary changes made, *Azerkane v. the Netherlands*, no. 3138/16, § 73, 2 June 2020); the length of time since the commission of the offence (see, *mutatis mutandis*, *Hurbain v. Belgium* [GC], no. 57292/16, § 221, 4 July 2023); the applicant's apparently law-abiding conduct during that period, in which he trained and worked as a lawyer before becoming a judicial police officer in a prosecutor's office; and his character at the relevant time (see, *mutatis mutandis*, *Maslov*, cited above, §§ 81-85 and 87-95; *İhsan Ay v. Turkey*, no. 34288/04, § 40, 21 January 2014; and *Gaughran v. the United Kingdom*, no. 45245/15, § 94, 13 February 2020). The impugned measure was imposed at an early stage of the applicant's professional life and therefore had a significant effect in terms of its duration (contrast with *Denisov*, cited above, § 128). The domestic authorities' approach to the applicant's case lacked therefore a thorough and sufficiently individualised assessment of his personal situation.

59. Having regard to the above circumstances, the ban on the applicant's admission to the School of Magistrates for training as a prosecutor on the basis of a juvenile conviction for which he had been rehabilitated was disproportionate.

60. There has accordingly been a violation of Article 8 of the Convention.

II. OTHER ALLEGED VIOLATIONS OF THE CONVENTION

61. The applicant complained that he had suffered a breach of his rights protected under Article 6 § 1 of the Convention on account of the way the domestic law had been applied in the proceedings concerning the decision not to admit him to the School of Magistrates, as well as of his right to education under Article 2 of Protocol No. 1 to the Convention. However, having regard to the facts of the case, the submissions of the parties and its findings under Article 8 of the Convention, the Court considers that it has examined the main legal questions raised in the present application and that there is no need to give a separate ruling on these additional complaints (see *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* [GC], no. 47848/08, § 156, ECHR 2014).

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

62. Article 41 of the Convention provides:

> "If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party."

A. Damage

63. The applicant claimed an amount equal to the salary he would have received had he attended the initial three-year training programme at the School of Magistrates and subsequently worked as a magistrate, as well as any relevant insurance payments, interest for inflation and taxes. He claimed these amounts either up to the point of being allowed to attend the training programme or up to retirement age, supplemented by the corresponding pension, in respect of pecuniary damage. He also claimed 20,000 euros (EUR) in respect of non-pecuniary damage.

64. The Government submitted that the applicant's claim in respect of pecuniary damage was unfounded, speculative and excessive, as it was based on a possible career trajectory rather than a proven and direct loss. They further submitted that the claim in respect of non-pecuniary damage was excessive and unsupported by evidence, and that the mere finding of a violation by the Court, if it were to reach such a conclusion, would constitute sufficient redress.

65. The Court does not discern any causal link between the violation found and the pecuniary damage alleged; it therefore rejects this claim. On the other hand, the Court considers that the applicant must have suffered some non-pecuniary damage as a result of the violation found. Making its assessment on an equitable basis, it awards him EUR 4,500 in respect of non-pecuniary damage, plus any tax that may be chargeable.

66. Lastly, the Court notes that Albanian law provides for the possibility of reopening court proceedings in cases where the Court has found a violation of the Convention (see *Besnik Cani v. Albania*, no. 37474/20, §§ 56-57, 4 October 2022). Accordingly, the most appropriate form of redress for the applicant would be to reopen the proceedings, should he request this, and re-examine the case in a manner that is in keeping with all the requirements of Article 8 of the Convention.

B. Costs and expenses

67. The applicant also claimed EUR 5,000 "for any costs, expenses, taxes or other liabilities before any domestic authority" and the Court. He did not provide any details and did not submit any supporting documents.

68. The Government submitted that the claim was excessive and unsupported by evidence.

69. According to the Court's case-law, an applicant is entitled to the reimbursement of costs and expenses only in so far as it has been shown that these were actually and necessarily incurred and are reasonable as to quantum. In the present case, regard being had to the claim as submitted by the applicant and the above criteria, the Court rejects the claim for costs and expenses.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the complaint under Article 8 of the Convention concerning the decision not to admit the applicant to the School of Magistrates for training as a prosecutor on the basis of a spent juvenile conviction admissible;

2. *Holds* that there has been a violation of Article 8 of the Convention;

3. *Holds* that there is no need to examine the admissibility and merits of the remaining complaints under Article 6 § 1 of the Convention and Article 2 of Protocol No. 1 to the Convention;

4. *Holds*
   (a) that the respondent State is to pay the applicant, within three months from the date on which the judgment becomes final in accordance with

Article 44 § 2 of the Convention, EUR 4,500 (four thousand five hundred euros), to be converted into the currency of the respondent State at the rate applicable at the date of settlement, plus any tax that may be chargeable, in respect of non-pecuniary damage;

(b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amount at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

5. *Dismisses* the remainder of the applicant's claim for just satisfaction.

Done in English, and notified in writing on 10 March 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Milan Blaško Registrar	Ioannis Ktistakis President