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

THIRD SECTION

DECISION

Application no. 51011/20
Hristo Petrov NIKOLOV
against Bulgaria

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

Ioannis Ktistakis, *President*,
Peeter Roosma,
Lətif Hüseynov,
Darian Pavli,
Diana Kovatcheva,
Úna Ní Raifeartaigh,
Canòlic Mingorance Cairat, *judges*,
and Milan Blaško, *Section Registrar*,

Having regard to:

the above application lodged on 11 November 2020;

the observations by the respondent Government and the observations in reply by the applicant; and

the third-party comments by the European Roma Rights Centre,

Having deliberated, decides as follows:

THE FACTS

1. The applicant, Mr Hristo Petrov Nikolov, is a Bulgarian national who was born in 1975 and lives in Samokov. He was represented by Mr A. Kashamov, a lawyer practising in Sofia.

2. The Bulgarian Government ("the Government") were represented by their Agent, Ms S. Sobadzhieva of the Ministry of Justice.

3. The facts of the case, as submitted by the parties, and as can be seen from the material that they provided and from publicly available material, may be summarised as follows.

A. Background

1. The applicant

4. The applicant is of Roma ethnic origin. For a long time he has been known as an activist for the integration of Roma into Bulgarian society.

2. Mr I.G.

5. After serving as a public prosecutor in Sofia for about 10 years, in July 2016 Mr I.G. was appointed head of the (then existing) Specialised Prosecutor's Office. In July 2018 he was promoted to the position of Deputy Chief Prosecutor in the Supreme Cassation Prosecutor's Office. In December 2019 he became Chief Prosecutor. Mr I.G. served in that position until June 2023, when his term of office was terminated prematurely, on the basis that he had tarnished the reputation of the judiciary. He then also resigned from his position as a public prosecutor.

B. Statement by Mr I.G. in issue in the case

6. Shortly after 8 a.m. on 17 April 2019 Mr I.G. gave an interview to a morning news show on Bulgarian National Television (Bulgaria's public television broadcaster). In that interview, which was live-streamed from his office, he spoke about several topics. The first one, to which the interview was chiefly devoted, was a widely reported ongoing criminal case against the (former) mayor of one of Sofia's boroughs, her deputy and an alleged accomplice of theirs, in which the (then existing) Specialised Criminal Court had given its judgment two days previously, on 15 April 2019. (At the time of the well-publicised arrest of the mayor and her deputy about a year earlier, in April 2018, Mr I.G. had supervised the prosecutors' work on the case in his capacity as head of the Specialised Prosecutor's Office.)

7. In the course of the interview, which lasted altogether about 20 minutes, Mr I.G. first commented on the severity of the sentences handed down by the Specialised Criminal Court. He then turned to the charges in relation to which the court had convicted the co-accused and those in relation to which it had acquitted them, and then to the evidence gathered in the case and its sufficiency. The interview's relevant segment contained the following exchange, which lasted about a minute:

> "**Mr I.G.:** "... and a bunch of other manipulations – how the main witness has recanted. Mr [D.] is a defendant. He gave evidence in the pre-trial proceedings as the accused. The fact that he would later repudiate that evidence was already planned for in the pre-trial proceedings. Everyone does that. So we anticipated that he would adopt that [course of] conduct.
>
> **Interviewer:** That is, a ...

> **Mr I.G.:** I, just that ... let me just add, sorry to interrupt you ... [the] only thing that could not have been foreseen – it was clear that he would say that this was not true in the pre-trial proceedings; all accused do so, Gypsies also do so, including in cases – this is widespread. The point is that we did not expect him not giving evidence in the course of the trial. It was logical to tailor one's evidence in such a way, knowing how the proceedings have unfolded. It is always the accused who give evidence at the end, so that they can build on what [evidence] has been gathered during the trial. He did not give evidence. He said that it was not true, but he did not give evidence. He gave explanations to the journalists. But the place to give explanations is in court."

8. The interview continued with a discussion of Mr [D.]'s evidence and conduct in the proceedings; the likely outcome of the case on appeal; the fairness of the first-instance judgment; the media coverage of the case and the work of the Specialised Prosecutor's Office on it; threats by the accused to sue the prosecutors for defamation; and, more generally, the tactics used by accused persons to put pressure on the prosecuting authorities. The discussion then turned to another ongoing high-profile case, Mr I.G.'s recent visit to the United States of America, his potential bid to become Chief Prosecutor and various attempts by outsiders to influence the prosecuting authorities and the judiciary. The interview concluded with Mr I.G.'s comments on investigations into the assets of high-profile figures.

9. In his application, the applicant referred to two media publications criticising Mr I.G.'s remark about Roma in that interview.

(a) An article published by the news website 5gmedia.bg two days after the interview, on 19 April 2019, under the title "[I.G.] with 'kind' words about Gypsies and Jews – merely 'hate speech' or simply hatred?" That article criticised Mr I.G. for his remark about Roma and another remark that he had made in April 2018, in connection with the same criminal case, about the World Jewish Congress. It noted, in particular, that even though his observation about Roma – that lying was habitual behaviour for them – had been largely overlooked in the context of his interview as a whole, it had nonetheless arguably amounted to overt hate speech or incitement, coming from one of the country's top prosecutors.

(b) An article published by the news and commentary website terminalno.bg one day after the interview, on 18 April 2019, under the title "[I.G.]'s revelations". That article likewise condemned Mr I.G.'s remark, saying that it was intolerable and should cost him his position, especially since it had come at a time when mass protests in the town of Gabrovo, following an alleged assault by three Roma men against a shop assistant earlier in April 2019, had not yet died down.

C. Proceedings under the Protection from Discrimination Act 2003

1. Before the Commission for Protection from Discrimination

(a) The applicant's complaint

10. A week later, on 25 April 2019, the applicant, acting in his capacity as a Bulgarian national of Roma ethnic origin, complained about Mr I.G.'s statement "... Gypsies also do so, including in cases" to the Commission for Protection from Discrimination ("the Commission") under section 50 of the Protection from Discrimination Act 2003 ("the Act"). He alleged that, by using the word "Gypsies" and by ascribing a certain type of conduct to all Roma, that statement had negatively stereotyped them, and had amounted to harassment and incitement to discrimination against them, under section 5 of that Act read in conjunction with paragraph 1(1) and (5) of the Act's additional provisions (see the reference in paragraph 27 below).

(b) The Commission's decision

11. Having examined the complaint, in June 2019 the Commission dismissed it, finding that Mr I.G.'s statement had not amounted to harassment or incitement to discrimination (*реш. № 401 от 25.06.2019 г. по прет. № 113/2019 г., КЗД*).

12. The Commission found that it had to analyse the statement as a whole, and in the context of the entire interview in which it had been made and the topic under discussion. It was clear that the interview had mainly concerned the conduct of one of the accused in a specific criminal case. The reference to "Gypsies" in it could not be seen as the expression of views specifically about people of Roma ethnic origin, because the conduct to which Mr I.G. had referred had been ascribed to all those facing charges, irrespective of their ethnicity. The statement did not therefore bear the meaning which the applicant had attributed to it. Nor had Mr I.G. faulted all accused persons who altered their statements, or implied that they all lied; he had merely made a factual observation. His statement had therefore not carried a negative message. It had not created a threatening, hostile or insulting environment for the applicant, despite his subjective perception of it.

13. The Commission went on to note that the right to freedom of expression, as interpreted by the courts, included the right to express all sorts of opinions, even those not perceived as moral, proper, laudable, and so on.

14. Lastly, despite Mr I.G.'s position of official authority, his statement could not be seen as an instruction towards the people listening to his interview to discriminate on the basis of ethnicity. The applicant had not produced any evidence that the statement had resulted in discrimination.

2. Judicial review of the Commission's decision

(a) Proceedings before the Sofia Region Administrative Court

(i) Claim for judicial review

15. The applicant sought judicial review. He argued that the Commission had failed to take into account his arguments and had misinterpreted the statement in issue; in reality it had meant that the conduct of the accused person in the specific case under discussion was something especially typical of accused people of Roma ethnic origin. The statement had been out of place, since none of the accused persons in that case had been Roma, and it had needlessly focused the audience's attention on Roma as an ethnic group. It has thus affected the applicant as a member of that group.

16. In his ensuing observations, the applicant argued, in particular, that the key element in assessing whether there had been harassment was the alleged victim's subjective perception. A normally sensitive person belonging to the Roma ethnic group would see the statement as violating his or her dignity. Other issues which the Commission had improperly played down were that the statement had been made during an interview on national television, and that in Bulgarian society Roma were commonly seen as lawbreakers and liars. Nor had the Commission taken due account of the high-ranking position of the statement's author or correctly analysed the statement's meaning in the context of the whole interview.

(ii) Judgment of the Sofia Region Administrative Court

17. In October 2019 the Sofia Region Administrative Court dismissed the applicant's claim (*реш. № 1195 от 11.10.2019 г. по адм. д. № 976/2019 г., АдмС-София-област*).

18. It found that the semantic analysis of the statement showed that it had concerned the frequent alterations of previous evidence by accused persons rather than some distinction between Roma and the rest of the population in Bulgaria. There was no basis on which to say that the use of the word "Gypsy" had in itself been discriminatory. No evidence had been produced to show that the statement had created a hostile, insulting or offensive environment for the applicant. It had not been directed against him personally. The relevant provisions of the Protection from Discrimination Act 2003 did not concern abstract statements, but conduct targeting specific people. The statement had not been intended to violate the applicant's dignity and had not resulted in that, irrespective of his subjective perceptions on the point.

(b) Proceedings before the Supreme Administrative Court

(i) The appeal on points of law lodged by the applicant

19. The applicant appealed on points of law. He submitted that the Sofia Region Administrative Court had analysed the statement incorrectly, had not

taken into account his submissions, and had erred in the interpretation and application of the Protection from Discrimination Act 2003, in particular by holding that it did not concern statements about an ethnic group as a whole.

(ii) Judgment of the Supreme Administrative Court

20. On 14 May 2020 the Supreme Administrative Court upheld the lower court's judgment (*реш. № 5610 от 14.05.2020 г. по адм. д. № 14676/2019 г., ВАС, V о.*).

21. The court agreed with the reasons given by the lower court and added that under Article 132 § 1 of the Constitution (see paragraph 28 (a) below) public prosecutors enjoyed immunity from civil liability in respect of acts carried out in the course of their work, and that under section 214 of the Judiciary Act 2007 (see paragraph 28 (b) below) they could not be respondents to administrative proceedings in relation to acts carried out in the course of or in connection with their duties, unless a statute provided otherwise – which was not the case with the Protection from Discrimination Act 2003. It had thus not been open to the Commission to even open proceedings in response to the applicant's complaint.

D. The applicant's criminal complaint against Mr I.G.

22. In July 2019 the applicant made a criminal complaint against Mr I.G., alleging that with his statement Mr I.G. had committed defamation and insult in violation of Articles 146 and 147 of the Criminal Code respectively.

23. In February 2020 the Sofia District Court discontinued the proceedings, finding that Mr I.G.'s statement had not amounted to defamation against the applicant, since it had not concerned him personally or cited specific facts about him. Nor had the statement amounted to an insult towards the applicant, since it had not been directed against him personally or been uttered in his presence. The facts alleged by the applicant could not therefore be subsumed under the criminal-law provisions on which he had relied (*разп. от 04.02.2020 г. по н. ч. х. д. № 12099/2019 г., СРС*).

24. The applicant appealed, but in March 2021 the Sofia City Court upheld the decision to discontinue the proceedings, agreeing with the reasons given by the lower court (*реш. № 260161 от 12.03.2021 г. по в. н. ч. д. № 4634/2020 г., СГС*).

E. Professional ethics report in relation to Mr I.G.'s statement

25. In May 2019 an investigator reported Mr I.G.'s statement to the Inspectorate attached to the Supreme Judicial Council, asking it to check whether the statement had breached the relevant ethics code.

26. The report was referred to the professional ethics commission of the Supreme Cassation Prosecutor's Office. In June 2019 it examined the matter and found no breach of the relevant professional ethics rules.

RELEVANT LEGAL FRAMEWORK

27. The relevant provisions of the 1991 Constitution and of the Protection from Discrimination Act 2003, and the relevant case-law of Bulgaria's courts have been set out in *Asen Asenov v. Bulgaria* (no. 38741/19, §§ 38-63, 12 May 2026) and in *Budinova and Isaev v. Bulgaria* (no. 60342/19, §§ 44-69, 12 May 2026).

28. In this case, it should be additionally mentioned that:

(a) under Article 132 § 1 of the 1991 Constitution, as amended in 2003, judges, public prosecutors and investigators bear no criminal or civil liability for their professional actions or their decisions, unless the act alleged against them amounts to a wilful and publicly prosecutable criminal offence; and

(b) under section 214 of the Judiciary Act 2007, as amended in February 2020, judges, public prosecutors and investigators cannot be respondents to administrative proceedings in relation to acts carried out in the course of or in connection with their duties, unless a statute provides otherwise.

COMPLAINTS

29. The applicant complained under Article 8 of the Convention, alone and taken together with Article 14, that he had remained without redress in respect of Mr I.G.'s discriminatory statement owing to the manner in which the Commission for Protection from Discrimination and the administrative courts had construed the law and dealt with the case.

30. The applicant further complained under Article 13 of the Convention that the manner in which the Supreme Administrative Court had construed the law and dealt with the case had deprived him of an effective remedy in respect of his complaint under Article 8.

THE LAW

A. Complaint under Articles 8 and 14 of the Convention

31. In respect of his complaint that he had remained without redress in respect of the Mr I.G.'s allegedly discriminatory statement (see paragraph 29 above), the applicant relied on Articles 8 and 14 of the Convention.

32. These provisions read, in so far as relevant, as follows:

Article 8 (right to respect for private and family life)

"1. Everyone has the right to respect for his private ... life ..."

Article 14 (prohibition of discrimination)

"The enjoyment of the rights and freedoms set forth in [the] Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

1. Victim status

(a) The parties' submissions

33. The Government submitted that the applicant could not claim to be a victim, since he had not been personally affected by Mr I.G.'s statement. The proceedings which he had brought in relation to the statement had in effect been part of his professional endeavours as an activist in the non-profit sector.

34. The applicant disagreed, pointing out that he had been personally affected by the decisions given in the proceedings under the Protection from Discrimination Act 2003.

(b) The Court's assessment

35. An examination of the applicant's complaint shows that it does not concern the statement of Mr I.G. as such; it rather concerns the refusal of the Commission for Protection from Discrimination, upheld by the administrative courts, to afford redress to the applicant in respect of that statement. It is not in doubt that the applicant was personally and directly affected by the Commission's decision and the judgments which upheld it. Whether Mr I.G.'s statement and the Commission's and the courts' reaction to it engaged the applicant's rights under Articles 8 and 14 is a question which concerns the compatibility of the applicant's complaint with the provisions of the Convention *ratione materiae* rather than his status as an alleged victim in that regard (see *Budinova and Chaprazov v. Bulgaria*, no. 12567/13, § 41, 16 February 2021, and *Behar and Gutman v. Bulgaria*, no. 29335/13, § 46, 16 February 2021).

36. The Government's objection must therefore be dismissed.

2. Applicability of Articles 8 and 14 of the Convention

(a) The parties' and the third-party intervener's submissions

37. The Government submitted that Mr I.G.'s statement had not affected the applicant's "private life" to the point of attracting the application of Articles 8 and 14 in relation to it. His use of the word "Gypsies" had not been offensive in itself in the particular context. Though unfortunate, that had been

a spontaneous and hasty "slip of tongue", appearing only once and without further elaboration, in an interview dealing with other topics. It could thus hardly be seen as deliberately intending to convey an anti-Roma message, in particular since Mr I.G. had not sought to distinguish Roma from other people but had instead likened their conduct to that of others, giving his professional opinion on the tendencies observed in the procedural conduct of most criminal defendants in Bulgaria. Nor had he suggested that Roma engaged in anti-social or unlawful conduct. The statement had had no addressee: the topic and the purpose of the interview demonstrated that Mr I.G. had not been confronting the Roma community. It was quite different from the statements in issue in other cases of that sort before Bulgaria's courts and the Court.

38. The applicant pointed out that according to various reports Roma were the primary target of hate speech in Bulgaria. There was also a strong public prejudice against them. Mr I.G., in his capacity as Deputy Chief Prosecutor, had not simply reproduced that prejudice, but had used it to peddle an additional one. His reference to Roma in stigmatising terms had not contributed anything of substance to his story; it had merely served to affirm the prejudice against them. The representation of a whole ethnic group as criminal or dishonest by nature had no added value, could not sit at the core of public statements about law enforcement and ran counter to democratic values. The stigmatisation of Roma or other minority groups paved the path to their exclusion. Mr I.G.'s statement had been made in the course of a media interview and outside any relevant context, and had had a significant impact on the group's dignity. It was true that it had been a one-off, but it had been made by a high-ranking official whose tasks involved promoting respect for the rule of law and for equality before the law. The protection of speech was not absolute, and did not extend to speech surpassing certain bounds. In particular it did not extend to speech which could lead to the rejection of and hatred towards entire communities.

39. The third-party intervener, the European Roma Rights Centre, drew attention to the pervasiveness of discrimination against Roma in Europe in general and Bulgaria in particular, their disadvantaged social position and the widespread use of racist rhetoric against them, in particular by politicians, which it described as "anti-Gypsyism". It cited a number of examples of such conduct by Bulgarian politicians and urged the Court to start using that term in its case-law. The third-party intervener then referred extensively to the 2012 Rabat Plan of Action on the prohibition of advocacy of national, racial or religious hatred that constitutes incitement to discrimination, hostility or violence (A/HRC/22/17/Add.4) and to the Court's case-law in relation to such issues. In its view, the prevalence of anti-Gypsyism in Europe meant that (a) the Court had to accept that individual Roma should be able to bring legal challenges against hate speech directed against their community as a whole, and that (b) when dealing with such cases, the national authorities had a duty under Articles 8 and 14 to identify and name stereotypes common

to anti-Gypsyism and to protect Roma from public figures spreading such stereotypes, via criminal measures or civil and administrative sanctions, as appropriate.

(b) The Court's assessment

(i) General principles

40. To be seen as capable of impacting on the sense of identity of an ethnic or social group and on the feelings of self-worth and self-confidence of its members to the point of affecting their "private life" and thus triggering the application of Article 8 in relation to them, the negative stereotyping of the group must reach a certain level. Whether that level has been reached can only be decided on the basis of all the circumstances of the case (see *Budinova and Chaprazov*, § 61, and *Behar and Gutman*, § 65, both cited above).

41. The relevant factors include but are not necessarily limited to:

(a) the characteristics of the group (for instance, its size, its degree of homogeneity, its particular vulnerability or history of stigmatisation, and its position *vis-à-vis* society as a whole);

(b) the precise content of the negative statements regarding the group (for instance, the degree to which they could convey a negative stereotype about the group as a whole, and the specific content of that stereotype); and

(c) the statements' form and context, their reach (which may depend on where and how they have been made), the position and status of their author, and the extent to which they could be considered to have affected a core aspect of the group's identity and dignity (see *Budinova and Chaprazov*, § 63, and *Behar and Gutman*, § 67, both cited above).

42. It cannot be said that one of those factors invariably takes precedence; it is the interplay of all of them that leads to the ultimate conclusion on whether Article 8 applies. The overall context of each case – in particular the social and political climate prevalent at the time when the statements were made – may also be an important consideration (see *Budinova and Chaprazov*, § 63, and *Behar and Gutman*, § 67, both cited above).

43. Those principles were recently reiterated in *Nepomnyashchiy and Others v. Russia* (nos. 39954/09 and 3465/17, § 58, 30 May 2023) and *Yevstifeyev and Others v. Russia* (nos. 226/18 and 2 others, § 52, 3 December 2024). It was also clarified that the applicant's subjective perceptions of the above points are not decisive (see *Yevstifeyev and Others*, cited above, § 58).

(ii) Application of those principles

(α) Characteristics of the group

44. As borne out by the content of Mr I.G.'s statement (see paragraph 7 above), the group targeted by it were Roma in Bulgaria. The Court has long acknowledged the disadvantaged and vulnerable position of Roma and the need for their special protection, and has specifically emphasised the need to

combat their negative stereotyping (see *Budinova and Chaprazov*, cited above, § 64, with further references, and, more recently, *Paketova and Others v. Bulgaria*, nos. 17808/19 and 36972/19, § 161, 4 October 2022).

(β) Content of the statement

45. The statement in issue ("Gypsies also do so") was a single phrase in an interview devoted to another topic entirely. Mr I.G.'s remark that Roma, like other people facing criminal charges, often recanted their pre-trial statements when their cases came to trial, was dropped in passing and was not revisited or elaborated upon during the remainder of his interview, which moved on to other unrelated topics (see paragraphs 6-8 above). This was a far cry from the calculated, repetitive and inflammatory anti-Roma statements in issue in *Budinova and Chaprazov* (cited above, § 65), the virulently antisemitic statements in issue in *Behar and Gutman* (cited above, § 69), or the aggressively homophobic ones in issue in *Nepomnyashchiy and Others* (cited above, § 60).

46. It is true that the statement set out a prevalent stereotype about Roma in Bulgaria – that they are dishonest. However, again – and while this is not to be understood as any sort of condoning of Mr I.G.'s remark, or as its analysis from the perspective of his right to freedom of expression – this did not rise to the level of the vicious stereotypes about Roma featuring in the statements in issue in *Budinova and Chaprazov* (cited above, § 65). Mr I.G.'s assertion set forth a conduct-focused stereotype with no abusive epithets, which was not accompanied by calls for exclusion or hatred, or, indeed, claims of inherent moral inferiority – since he stated that Roma engaged in the same sort of conduct as other criminal defendants (see paragraph 7 above).

(γ) Form, context and reach of the statement, and position and status of its author

47. The statement was made in the course of a live interview during a morning show on national television. Although this permits a conclusion that it became instantly known to a large audience, Mr I.G.'s remark about Roma was, at the same time, brief and ephemeral, and featured in a 20-minute interview devoted entirely to unrelated matters (see paragraphs 6-8 above). It can thus hardly be accepted that it captured the audience's attention to a degree sufficient to have made a material impact on the general public's views about Roma. There is no evidence that this specific remark was then broadly picked up and acquired amplified visibility. On the contrary, one of the articles cited by the applicant stated that the remark had been largely overlooked in the context of the interview as a whole (see paragraph 9 (a) above).

48. However, the statement's author was the Deputy Chief Prosecutor whose career was on the rise (see paragraph 5 above). It could thus reasonably

be perceived as an authoritative assertion, capable of influencing public attitudes and perhaps even judicial actors.

49. In addition, in terms of overall context, it is of some significance that the statement came in the wake of mass protests in one town relating to an alleged offence committed by individuals of Roma ethnic origin (see paragraph 9 (b) above).

(δ) Conclusion

50. As apparent from the above analysis, some of the relevant factors (the characteristics of the targeted group, the position and status of the statement's author, and the overall context – see paragraph 41 (a) and (b) and 42 *in fine* above) point in one direction, and other factors (the statement's form, content and reach – see paragraph 41 (b) and (c) above) point in the opposite direction. As the Court has explained, it cannot be said that one of those factors invariably takes precedence; it is the interplay of all of them that leads to the ultimate conclusion on whether Article 8 applies (see paragraph 42 above). The analysis cannot, moreover, be reduced to a mathematical exercise; it must be qualitative and based on the reality of the situation as it presents itself to the Court. In the present case, the statement's form, content and reach carry a decisive weight. It cannot be accepted that Mr I.G.'s brief off-hand remark, made in the course of an interview devoted entirely to other topics, and – according to the available evidence – not broadly picked up upon, affected the sense of identity of Roma in Bulgaria and their feelings of self-worth and self-confidence to a level sufficient to have an impact on the applicant's "private life". Article 8 of the Convention is thus not applicable.

51. For the same reason, it cannot be accepted that the facts of the case fall within the ambit of Article 8. It follows that Article 14 of the Convention does not apply either (contrast *Budinova and Chaprazov*, § 69, and *Behar and Gutman*, § 74, both cited above).

52. The complaint is therefore incompatible *ratione materiae* with the provisions of the Convention within the meaning of Article 35 § 3 (a) and must be rejected in accordance with Article 35 § 4.

3. Other admissibility issues

53. In the light of the above conclusion, there is no need to examine the Government's further objections that: (a) the application was out of time; (b) it was abusive as the applicant had omitted to inform the Court about his criminal complaint against Mr I.G. and the proceedings after the report regarding the statement had been sent to the Inspectorate attached to the Supreme Judicial Council (see paragraphs 22-26 above); and (c) the complaint was manifestly ill-founded.

B. Complaint under Article 13 of the Convention

54. In respect of his complaint that he had been deprived of an effective remedy for his complaint under Articles 8 and 14 of the Convention (see paragraph 30 above), the applicant relied on Article 13 of the Convention.

55. Article 13 provides as follows:

> "Everyone whose rights and freedoms as set forth in [the] Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity."

56. The parties made no submissions in relation to that complaint.

57. The Court finds that in view of the conclusion in paragraph 52 above, the complaint under Articles 8 and 14 does not give rise to an arguable claim of a breach of a Convention right. Article 13 therefore does not apply (see, among other authorities, *Yevstifeyev and Others*, cited above, § 61).

58. It follows that the complaint is incompatible *ratione materiae* with the provisions of the Convention within the meaning of Article 35 § 3 (a) and that it must be rejected in accordance with Article 35 § 4.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 12 May 2026.

Milan Blaško
Registrar

Ioannis Ktistakis
President