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

THIRD SECTION

DECISION

Application no. 56876/21
Simone POLVERINI
against Russia

The European Court of Human Rights (Third Section), sitting on 13 February 2025 as a Committee composed of:

Diana Kovatcheva*, President*,
Úna Ní Raifeartaigh,
Mateja Đurović*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 3 November 2021,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant's complaint under Article 8 of the Convention concerning the interference with his right to respect for his family life stemming from a dispute related to childcare was communicated to the Russian Government ("the Government").

THE LAW

Complaint under Article 8 of the Convention (interference with the right to respect for family life stemming from a dispute related to childcare)

The application concerns the decision of the Russian courts to refuse his request for the return of his minor son to the place of his habitual residence in Italy following his allegedly unlawful retention in Russia by his mother, under the Hague Convention on the Civil Aspects of International Child Abduction.

The Court observes that the refusal of the domestic courts to secure the return of the child was based on the exception that the wronged parent

consented to the change of the child's place of habitual residence from Italy to Russia within the meaning of Article 13 (a) of the Hague Convention.

The Court finds that the domestic court based their decisions on objective evidence and adopted a cautious approach when dismissing the applicant's request for the return of his son, and that there is no clear indication of arbitrariness in the present case (compare to *Kupás v. Hungary*, no. 24720/17, 28 October 2021).

In view of the above, the Court finds that the applicant's complaint is manifestly ill-founded and the application must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 6 March 2025.

Viktoriya Maradudina Acting Deputy Registrar	Diana Kovatcheva President