

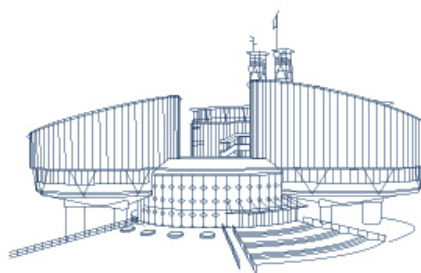
PRESS RELEASE

DISAPPEARANCE OF ESTELLE MOUZIN: COURT FINDS THAT FRENCH COURTS ACKNOWLEDGED DEFICIENCIES IN JUSTICE SYSTEM AND COMPENSATED FOR RESULTING NON-PECUNIARY DAMAGE

Mouzin v. France

ECHR 248 (2026) 08.10.2026

Press release issued by the Registrar of the Court



In its decision in the case of [Mouzin v. France](#) (application no. 15353/19), the European Court of Human Rights has unanimously declared the application inadmissible. The decision is final.

The case concerned the judicial investigation and proceedings in relation to the disappearance on 9 January 2003 of the applicant's 9-year-old daughter, Estelle Mouzin. Her body was never found.

The Court's decision was based both on the criminal conviction of Ms Olivier in 2023 and 2024 and on a 2025 judgment acknowledging the State's gross negligence as a result of the defective operation of the public justice system.

The Court noted that (i) the perpetrators had been identified and Ms Olivier had been convicted, and (ii) the deficiencies in the proceedings ultimately leading to that outcome had been acknowledged and redress had been afforded as part of the action brought under Article L. 141-1 of the Code of Judicial Organisation. It was thus apparent that the various shortcomings observed throughout the criminal proceedings, and the delays and errors that had caused the applicant continuous suffering, had been explicitly taken note of in the context of the legal avenues ("domestic remedies") used at national level. The Court concluded that the French courts had acknowledged and provided redress for the breach of the right to respect for life protected by Article 2 of the Convention. In such circumstances, the applicant had lost his victim status before the Court for the purposes of Article 34 of the Convention. His application was therefore rejected on that ground.

PRINCIPAL FACTS AND COMPLAINTS

Criminal proceedings

The applicant, Eric Mouzin, is a French national who was born in 1955 and lives in Montesson (France).

On 9 January 2003 the applicant's 9-year-old daughter, Estelle Mouzin, disappeared on her way from school to her home in Guermantes.

On 10 January 2003 a judicial investigation was opened against persons unknown into the apprehension, abduction and false imprisonment or arbitrary detention of a minor under the age of 15. It was assigned to the investigating judge at the Meaux *tribunal de grande instance*.

The applicant and Estelle's mother joined the proceedings as civil parties on 31 January 2003.

The investigators explored many leads, but to no avail.

On 23 June 2003 Mr Fourniret was arrested by the Belgian police on charges of abducting M.S. His wife, Ms Olivier, was questioned jointly by Belgian and French investigators on 6 August 2003 and 15 March 2005.

On 28 May 2008 the Ardennes Assize Court convicted Mr Fourniret for the abduction, rape and murder of seven young women and girls, sentencing him to life imprisonment. It also convicted Ms Olivier for aiding and abetting four of those crimes and sentenced her to life imprisonment with a minimum term of 28 years.

On 27 November 2019 Mr Fourniret was charged with the abduction and false imprisonment resulting in death of Estelle Mouzin. On 21 August 2020 Ms Olivier was charged with aiding and abetting the apprehension, abduction, false imprisonment or arbitrary detention of the child.

Mr Fourniret died on 10 May 2021.

On 28 March 2022 the Paris *tribunal judiciaire* investigating court relinquished jurisdiction in favour of the Nanterre *tribunal judiciaire*'s national serial and unsolved crimes unit.

In a judgment of 6 May 2024, the Assize Court declared admissible the civil-party applications of the applicant and Estelle's mother, brother and sister. It ordered Ms Olivier to pay them financial compensation for the damage caused by the crime.

Action for damages on account of the defective operation of the public justice system

On 11 January 2019 the applicant applied to the Paris *tribunal judiciaire* under Article L. 141-1 of the Code of Judicial Organisation, seeking 150,000 euros (EUR) and EUR 200,000 in damages from the State for gross negligence and denial of justice during the investigation into the circumstances of his daughter's disappearance.

In a judgment of 3 September 2025, the *tribunal judiciaire* found the State liable for the defective operation of the public justice system. It awarded the applicant EUR 50,000 in respect of non-pecuniary damage.

In his application to the European Court in March 2019, relying on Article 2 (right to life), the applicant alleged that the judicial investigation into the circumstances of his daughter's disappearance had been ineffective. Relying on Article 6 § 1 (right to a fair hearing), he complained about the length of the proceedings and about the judicial authorities' inaction in addressing the shortcomings in the investigation. Lastly, he submitted under Article 13 that no effective remedy had been available to him.

OUTCOME

REASONING OF THE COURT

Article 2

The Court considered that the matter should be examined solely from the standpoint of Article 2 of the Convention.

The Court began by examining the Government's preliminary objection that all the legal avenues at national level had not been used. In the circumstances of the case, Article 2 of the Convention called for a criminal response. There had been no need for the applicant to await the outcome of the criminal proceedings – 16 years after the abduction of his daughter and his civil-party application – before complaining to the Court that they had not satisfied the requirements of promptness and reasonable expedition applicable in such matters.

The Court next turned to the Government's preliminary objection that the applicant had lost victim status for the purposes of Article 34 of the Convention.

As a preliminary point, the Court observed that the applicant had joined the proceedings as a civil party on 31 January 2003, immediately after the opening of the judicial investigation. When he had lodged his application with the Court on 14 March 2019, that investigation had still not come to an end, and would not do so until 1 February 2023, after the case had been referred to the serial and unsolved crimes unit. In addition, two months before lodging his application with the Court, on 11 January 2019, the applicant had brought an action for damages under Article L. 141-1 of the Code of Judicial Organisation, seeking a ruling on the State's gross negligence and the denial of justice during the investigation. That action had led to a finding on 3 September 2025 of the State's gross negligence and to compensation for the non-pecuniary damage sustained by the applicant.

The Court then conducted an *ex post facto* examination of the applicant's situation. First, the case had ultimately been decided 20 years after the disappearance of the applicant's daughter, following Ms Olivier's committal for trial at the Hauts-de-Seine Assize Court, her conviction and sentencing to life imprisonment on 19 December 2023 for aiding and abetting abduction and false imprisonment resulting in death, and her being ordered on 6 May 2024 to pay compensation for the damage caused by the crime. As shown by the judgment of 3 September 2025, there had been deficiencies in the proceedings, which had left Estelle Mouzin's family in a state of ignorance. Nevertheless, the criminal proceedings had continued after the application had been lodged with the Court – in parallel with the civil proceedings also brought by the applicant – and the criminal courts had effectively pursued the investigation, identified the perpetrators and convicted one of them.

Second, the Paris *tribunal judiciaire*, in its judgment of 3 September 2025, had found the State liable for gross negligence and awarded the applicant compensation for the resulting non-pecuniary damage, ordering the government law officer to pay him EUR 50,000.

The Court noted in sum that (i) the perpetrators had been identified and Ms Olivier had been convicted, and (ii) the deficiencies in the proceedings ultimately leading to that outcome had been acknowledged and redress had been afforded as part of the action brought under Article L. 141-1 of the Code of Judicial Organisation. In the Court's view, it was thus apparent that the various shortcomings observed throughout the criminal proceedings, and the delays and errors that had hindered the applicant's involvement in the investigation and had caused him continuous suffering, had been explicitly taken note of in the context of the domestic remedies used. In consequence, there had been an acknowledgment that the conduct of the investigation had breached the right protected under the procedural aspect of Article 2 of the Convention.

The Court concluded that the criminal and civil remedies, taken as a whole and as provided for by law and applied in practice in the case, had made it possible to establish the facts, hold accountable those at fault and provide appropriate redress to the applicant.

The national courts' acknowledgment of the deficiencies in the judicial handling of the case, during which the applicant had waited in vain for nearly 20 years for the perpetrators to be made to answer for their actions before the Assize Court, constituted unequivocal recognition of a violation of the procedural obligations under Article 2 of the Convention. In such circumstances, the Court allowed the Government's plea of inadmissibility and found that the applicant no longer had victim status for the purposes of Article 34 of the Convention.

PROCEDURE AND COMPOSITION OF THE COURT

The application was lodged with the European Court of Human Rights on 14 March 2019.

The decision was given by a Chamber of seven judges, composed as follows:

Kateřina Šimáčková (the Czech Republic), *President*,
Gilberto Felici (San Marino),
Mattias Guyomar (France),
Andreas Zünd (Switzerland),
Diana Sârcu (the Republic of Moldova),
Vahe Grigoryan (Armenia),

Sébastien Biancheri (Monaco),

and also Victor Soloveytchik, *Section Registrar*.

The decision is available only in French.

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The European Court of Human Rights was set up in Strasbourg by the Council of Europe member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.