Forthcoming Grand Chamber judgment in the case of Georgia v. Russia (II)

The European Court of Human Rights will be delivering a Grand Chamber judgment in the case of Georgia v. Russia (II) (application no. 38263/08) at a public hearing on 21 January 2021 at 11 a.m. in the Human Rights Building, Strasbourg.

The case concerned allegations by the Georgian Government of administrative practices on the part of the Russian Federation entailing various breaches of the Convention, in connection with the armed conflict between Georgia and the Russian Federation in August 2008.

Principal facts and complaints

The application was lodged in the context of the armed conflict that occurred between Georgia and the Russian Federation in August 2008 following an extended period of ever-mounting tensions, provocations and incidents between the two countries. It was brought by Georgia against the Russian Federation under Article 33 (inter-State cases) of the European Convention on Human Rights ("the Convention").

Georgia alleged that the Russian Federation – through indiscriminate and disproportionate attacks against civilians and their property on the territory of Georgia by the Russian army and/or the separatist forces placed under its control – had allowed or caused an administrative practice to exist, resulting in a violation of Articles 2 (right to life), 3 (prohibition of torture and of inhuman or degrading treatment), 5 (right to liberty and security), 8 (right to respect for private and family life) and 13 (right to an effective remedy) of the Convention, Articles 1 (protection of property) and 2 (right to education) of Protocol No. 1, and Article 2 of Protocol No. 4 (freedom of movement).

Procedure

The application was lodged with the European Court of Human Rights on 11 August 2008 and declared partly admissible on 13 December 2011. On 3 April 2012 the Chamber relinquished jurisdiction in favour of the Grand Chamber. The Court took evidence from witnesses and experts at a hearing held in Strasbourg from 6 to 17 June 2016. A hearing took place on 23 May 2018.

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1. Grand Chamber judgments are final (Article 44 of the Convention).

All final judgments are transmitted to the Committee of Ministers of the Council of Europe for supervision of their execution. Further information about the execution process can be found here: www.coe.int/t/dghl/monitoring/execution.
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.