

THE EUROPEAN COURT OF HUMAN RIGHTS: THE COURT'S ANNUAL REPORT AT ITS 75TH ANNIVERSARY (2025)

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Abstract

The European Court of Human Rights released its yearly report covering the year 2025 which details its activities during its 75th anniversary, putting focus on the different Convention articles that have been at the centre of the Court's judgments over the year.

Keywords

Council of Europe, European Convention of Human Rights, European Court of Human Rights, Human Rights.

1. Introduction and the *Annual Report* itself

The 2025 European Court of Human Rights Report is divided into two distinct documents: the *Annual Report: European Court of Human Rights 2025* and the *Overview of the Case-Law: European Court of Human Rights 2025*. The present work will discuss these two documents which both start with forewords, respectively by Matias Guyomar, President of the European Court of Human Rights, and by Marialena Tsirly, Registrar of the European Court of Human Rights. The *Annual Report*, then, illustrates detailed statistics on its judicial activities, the composition of the Court and of the Sections, interviews of the newly appointed judges from Finland, Andorra, Armenia, Slovenia, Monaco and the United Kingdom. A section is also dedicated to a focus on the Court's Archives.

After giving an overview of the Court the *Report* focuses on its working methods and procedures, specifically on the electronic notification of judgments and decisions adopted in case processed via the Fast-track procedure, the advancements in IT development and the exploration of artificial intelligence, and the enhancement of the legal framework on judicial ethics. Then, following the section on the sharing of Convention knowledge, the *Report* closes with the timeline and photo gallery of the events celebrating the 75th anniversary of the Convention and with the "The year in pictures" section.

2. The Overview of the Case-Law

Even though shorter in length, the *Overview of the Case-Law* is a denser document compared to the *Report*. The document is divided into sections: jurisdiction and admissibility, "core" rights, procedural rights, other rights and freedoms, just satisfaction, binding force and execution of judgments, and inter-State cases, closing with a list of the key cases of the year.

2.1. Jurisdiction and admissibility

On the Jurisdiction of States (Article 1) the Report highlights the decision of the Grand Chamber in the case of *Mansoury v. Italy*, which confirmed the Court's case-law regarding State responsibility for events that take place on board of ships flying their flags. In the case of *Ukraine and the Netherlands v. Russia* the Grand Chamber found numerous violations arising from administrative practices contrary to Articles 2, 3, 4 § 2, 5, 8, 9, 10, 11, 13, and 14 and of Articles 1 and 2 of Protocol No. 1 in the case of the downing of flight MH17 and of Articles 3, 5, and 8 of the Convention in the case of the adoption of Ukrainian children. In *Georgia v. Russia (II)* the Court specified that the 2022 Russian attack on Ukraine is not a "wholly distinct set of facts but [...] a continuation and escalation of the strategy pursued by Russia since 2014" with the Russian Federation assuming a degree of responsibility over the individuals affected by these attacks.

Regarding Victim status (Article 34) the Court noted the case of *Cannavacciuolo and Others v. Italy* that concerned the failure of the Italian authorities to take all appropriate steps in protecting the lives of persons living in the so-called “Terra dei Fuochi”. This judgment has clarified the principles governing the victim status and *locus standi* in environment-related cases by clarifying that the standing of associations in *Verein Klima Seniorinnen Schweiz and Others v. Switzerland* only applies to cases concerning climate change, with the *Cannavacciuolo* case not being related to climate change and, therefore, not having the possibility of associations being applicants. On Victim status and *locus standi* (Article 34) the case of *Greenpeace Nordic and Others v. Norway*, concerning the procedural obligation to conduct an environmental impact assessment in connection with the extraction of petroleum, has had a noteworthy judgment which applies the tests on the victim status of individual applicants and the *locus standi* of the applicant associations. The Court found that the two-step high threshold for victim status test had not been fulfilled because the Court has not found substantiation of any specific impact of climate change on mental or physical health whilst also appreciating that climate change poses a threat to the Sámi people. The Grand Chamber’s decision in the case of *Mansouri v. Italy* has clarified the nature of domestic remedies by referring to the applicant’s duty to make proper use of them.

2.2 “Core” rights

The case of *Cannavacciuolo and Others v. Italy*, on the topic of the Right to life (Article 2), has found that, in the “Terra dei Fuochi” issue, the Italian authorities have put this protected right in peril by failing to take all appropriate measures to protect the lives of persons living in the affected area.

On the prohibitions present in Article 3, in the case of *Ukraine and the Netherlands v. Russia* the Grand Chamber found numerous violations of the prohibition of torture by the Russian Federation, more specifically a “systematic use of rape and sexual violence as a weapon of war against civilians and prisoned”, amounting to torture *ex Article 3* and as a crime against humanity as defined in the Statute of the International Criminal Court. The positive obligations arising by Article 3 have been the topic of the case of *Tsaava and Others v. Georgia*, which concerns the use of kinetic impact projectiles by the police during a protest, with the Court enunciating some principles of domestic law on the topic, with the need to lay down clear and detailed guidelines on the use of these weapons, following the recommendations of international organizations. The framework presented by the Court gives the following requirements: the use of kinetic impact projectiles (more commonly known as rubber bullets) must be used only as a last resort in response to imminent threats to life or limb; these weapons must be used only in a targeted matter; projectiles containing metal must not be used; their use must follow appropriate warnings; kinetic impact projectiles can only be deployed by appropriately trained police officers; and the deployment of these projectiles has to be subjected to a strict chain of command and control.

In the aforementioned case of *Ukraine and the Netherlands v. Russia*, the Grand Chamber has found numerous violations of Article 5 § 1 (on the deprivation of liberty) in the transfers of Ukrainian children to Russia or Russian-controlled territory and their placement in foster families or adoption, a system which is also being investigated by the International Criminal Court with Vladimir Putin and Maria L’vova-Belova being the subjects of arrest warrants issued by the ICC’s Office of the Prosecutor.

2.3 Procedural rights

The judgment in the case of *Semenya v. Switzerland* has clarified that the domestic courts’ obligations under Article 6 § 1 also applies in cases concerning international sports arbitration. In *Helme v. Estonia*, which concerns the alleged entrapment of the applicant by an undercover police officer, the Court has, for the first time, called upon to deal with a purely online entrapment claim. The Court did not consider as decisive the fact that, at the start of the secret surveillance operation, there was no objective suspicion against the applicant.

2.4 Other rights and freedoms

The case of *Z and Others v. Finland* concerned an order to return two children from the Applicant country to Russia under the Hague Convention even though they had been granted asylum in Finland. The Court found no violation of the right to family life under Article 8 because it did not consider the asylum status of the children as an obstacle to return, carrying the standard process-based review set out in *X. v. Latvia*. In *Ships Waste Oil Collector B.V. and Others v. the Netherlands* the main concern was the transmission and use of legally obtained data in competition-law proceedings, with the applicants alleging a violation of Articles 8 and 13, which the Court did not find because even though the transmission of the data constitutes an interference with the right to respect for correspondence, it had an adequate legal basis, pursued a legitimate aim and had been proportionate.

On Freedom of expression, protected under Article 10, the case of *Danielț v. Romania* concerned a disciplinary sanction imposed on the Applicant for posting two messages on his Facebook page. The Court found a violation of Article 10, defining criteria for the freedom of expression of judges: judges and prosecutors have a duty to be circumspect and prudent in tone and language, the historical context has importance in weighing in rights and interests, and that the domestic courts have to distinguish between statements made on open social networks and those made on closed social networks.

Other noteworthy cases are: *UAB Profarma and UAB Bona Diagnosis v. Lithuania*, regarding the enjoyment of possessions (Article 1 of Protocol No. 1); *Tsaava and Others v. Georgia*, on the freedom of the press; *Bradshaw and Others v. the United Kingdom*, concerning Article 3 of Protocol No. 1 (right to free elections); and *Tomenko v. Ukraine*, on the right to stand for election.

The pilot judgment on the Binding force and execution of judgment under Article 46 is the aforementioned case of *Cannavacciuolo and Others v. Italy*, in which the Court has entered into detail on the procedural measures required to respond to the deficiencies found in the activities of the Italian authorities: the development of a general strategy including all measures with delimitation of competencies and of responsibility among the public institutions involved; the establishment of an independent monitoring mechanism for assessing the general strategy; and the setting up of a single information platform on the “Terra dei Fuochi” issue.

3. Conclusions

In conclusion, the activities of the European Court of Human Rights is, as always, quite vast and heterogeneous in the topic that it has to issue judgments on. The most noteworthy cases of 2025, in our opinion, are *Ukraine and the Netherlands v. Russia* and *Cannavacciuolo and Others v. Italy*, which have confirmed the Court’s capability to judge complex matters which involve multiple rights, prohibitions, and the effectiveness of its judgments itself.