



KEY CASES

2024

First and second quarters



List of cases recommended
by the Jurisconsult and
approved by the Bureau

**European Court of
Human Rights**

July 2024



NOTE

A selection of the most important cases dealt with by the Court (also referred to as “key cases”) is made quarterly by the Bureau, upon recommendation by the Jurisconsult (see Title I, Chapters II and III, of the [Rules of Court](#) about their respective roles). This list contains the selection of key cases for 2024.

Cases are listed by reference to the relevant Convention Articles and keywords, then alphabetically by respondent State and by applicant. They are also listed under the importance level “Key cases” in the [HUDOC](#) case-law database.

By default, all references are to Chamber judgments. Grand Chamber cases, whether judgments or decisions, are indicated by “[GC]”. Decisions are indicated by “(dec.)”.

Chamber judgments that are not yet “final” within the meaning of Article 44 of the Convention are marked “ ”. In the event that any such judgment is accepted for referral to the Grand Chamber in accordance with Article 43, it will not be included in the present list.

For information on the manner of citing the Court’s case-law, please see [here](#).

Article 44 § 2 – Final judgments

The judgment of a Chamber shall become final

- (a) when the parties declare that they will not request that the case be referred to the Grand Chamber; or
- (b) three months after the date of the judgment, if reference of the case to the Grand Chamber has not been requested; or
- (c) when the panel of the Grand Chamber rejects the request to refer under Article 43.

Article 43 – Referral to the Grand Chamber

1. Within a period of three months from the date of the judgment of the Chamber, any party to the case may, in exceptional cases, request that the case be referred to the Grand Chamber.
2. A panel of five judges of the Grand Chamber shall accept the request if the case raises a serious question affecting the interpretation or application of the Convention or the Protocols thereto, or a serious issue of general importance.
3. If the panel accepts the request, the Grand Chamber shall decide the case by means of a judgment.

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Cases by Article

ARTICLE 1

RESPONSIBILITY OF STATES

Territorial jurisdiction of Portugal established in respect of complaints by a group of young Portuguese concerning the harm caused by climate change

Lack of extraterritorial jurisdiction of remaining respondent States: *inadmissible*

***Duarte Agostinho and Others v. Portugal and 32 Others (dec.)* [GC], no. 39371/20, 9 April 2024**

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ARTICLE 5

PROCEDURE PRESCRIBED BY LAW

Arrest and pre-trial detention of a judge serving at the United Nations International Residual Mechanism for Criminal Tribunals despite his diplomatic immunity: *violation*

***Aydın Sefa Akay v. Türkiye*, no. 59/17, 23 April 2024 (not final)**

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Deprivation of liberty

Preventive home-curfew orders constituting a restriction of liberty issued against applicants suspected of potential participation in violent actions during the COP21 summit: *inadmissible*

***Domenjoud v. France*, nos. 34749/16 and 79607/17, 16 May 2024 (not final)**

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ARTICLE 6

Article 6 § 1 (administrative and civil)

ACCESS TO COURT

CIVIL RIGHTS AND OBLIGATIONS

Lack of effective access to court in respect of applicant association's complaint concerning effective implementation of mitigation measures under domestic law: *Article 6 applicable; violation*

***Verein KlimaSeniorinnen Schweiz and Others v. Switzerland* [GC], no. 53600/20, 9 April 2024**

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Article 6 § 1 (criminal)

FAIR HEARING

Validity of waiver of the right to legal assistance signed by the applicant while in unrecorded detention and suffering from drug withdrawal symptoms: *violation*

***Bogdan v. Ukraine*, no. 3016/16, 8 February 2024**

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Article 6 § 2

PRESUMPTION OF INNOCENCE

Refusal of compensation for a miscarriage of justice, following quashing of applicants' criminal convictions as "unsafe", for failing to meet new statutory test: *no violation*

***Nealson and Hallam v. the United Kingdom* [GC], nos. 32483/19 and 35049/19, 11 June 2024**

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Article 6 § 3 (c)

DEFENCE THROUGH LEGAL ASSISTANCE

Validity of waiver of the right to legal assistance signed by the applicant while in unrecorded detention and suffering from drug withdrawal symptoms: *violation*

***Bogdan v. Ukraine*, no. 3016/16, 8 February 2024**

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ARTICLE 8

RESPECT FOR PRIVATE AND FAMILY LIFE

Respondent State's failure to comply with positive obligation to combat climate change: *Article 8 applicable; violation*

***Verein KlimaSeniorinnen Schweiz and Others v. Switzerland* [GC], no. 53600/20, 9 April 2024**

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RESPECT FOR PRIVATE LIFE

Searches of the person and house of a judge serving at the United Nations International Residual Mechanism for Criminal Tribunals despite his diplomatic immunity: *violation*

***Aydın Sefa Akay v. Türkiye*, no. 59/17, 23 April 2024 (not final)**

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Impossibility for a terminally ill patient, suffering from an incurable progressive neurodegenerative disease, to be assisted in dying, by virtue of a blanket and extraterritorial ban: *no violation*

***Dániel Karsai v. Hungary*, no. 32312/23, 13 June 2024 (not final)**

[Judgment](#) | [Legal summary](#)

Applicant convicted for begging in a pedestrian street in Copenhagen and sentenced to twenty days' imprisonment: *Article 8 inapplicable; inadmissible*

***Dian v. Denmark* (dec.), no. 44002/22, 21 May 2024**

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RESPECT FOR HOME

Searches of the person and house of a judge serving at the United Nations International Residual Mechanism for Criminal Tribunals despite his diplomatic immunity: *violation*

***Aydın Sefa Akay v. Türkiye*, no. 59/17, 23 April 2024 (not final)**

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POSITIVE OBLIGATIONS

Respondent State's failure to comply with positive obligation to combat climate change: *Article 8 applicable; violation*

Verein KlimaSeniorinnen Schweiz and Others v. Switzerland [GC], no. 53600/20, 9 April 2024

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Impossibility for a terminally ill patient, suffering from an incurable progressive neurodegenerative disease, to be assisted in dying, by virtue of a blanket and extraterritorial ban: *no violation*

Dániel Karsai v. Hungary, no. 32312/23, 13 June 2024 (not final)

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ARTICLE 9

FREEDOM OF RELIGION

MANIFEST RELIGION OR BELIEF

Decrees in Flemish and Walloon Regions prohibiting animal slaughter without prior stunning, while providing for reversible stunning in ritual slaughter: *no violation*

Executief van de Moslims van België and Others v. Belgium, no. 16760/22 et al., 13 February 2024

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ARTICLE 14

DISCRIMINATION

Decrees in Flemish and Walloon Regions prohibiting animal slaughter without prior stunning, while providing for reversible stunning in ritual slaughter: *no violation*

Executief van de Moslims van België and Others v. Belgium, no. 16760/22 et al., 13 February 2024

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Alleged discrimination between patients dependent on life-sustaining treatment and those patients who were not, and consequently could not hasten their death by refusing such treatment: *no violation*

Dániel Karsai v. Hungary, no. 32312/23, 13 June 2024 (not final)

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ARTICLE 15

DEROGATION IN TIME OF EMERGENCY

Preventive home-curfew order, issued against one of the two applicants suspected of potential participation in violent actions during the COP21 summit, under state-of-emergency legislation enacted following terrorist attacks: *not covered by derogation*

***Domenjoud v. France*, nos. 34749/16 and 79607/17, 16 May 2024 (not final)**

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ARTICLE 33

INTER-STATE APPLICATION

Administrative practices by Russian authorities predominantly in Crimea resulting in multiple Convention violations

***Ukraine v. Russia (re Crimea)* [GC], nos. 20958/14 and 38334/18, 25 June 2024**

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ARTICLE 34

LOCUS STANDI

VICTIM

Victim status of individual applicants and standing (*locus standi*) of applicant association regarding climate-change complaints: *inadmissible in respect of individual applicants; standing of applicant association upheld*

***Verein KlimaSeniorinnen Schweiz and Others v. Switzerland* [GC], no. 53600/20, 9 April 2024**

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ARTICLE 35

Article 35 § 1

EXHAUSTION OF DOMESTIC REMEDIES

EFFECTIVE DOMESTIC REMEDY

Application to the Court without pursuing any of the remedies available in the Portuguese domestic legal order concerning climate-change complaints: *inadmissible*

***Duarte Agostinho and Others v. Portugal and 32 Others (dec.)* [GC], no. 39371/20, 9 April 2024**

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Article 35 § 3 (a)

RATIONE PERSONAE

Complaint by the former mayor of the municipality of Grande-Synthe of insufficient action by France to prevent climate change: *inadmissible (incompatible ratione personae)*

***Carême v. France (dec.)* [GC], no. 7189/21, 9 April 2024**

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ARTICLE 46

Article 46 § 2

EXECUTION OF JUDGMENT

INDIVIDUAL MEASURES

Respondent State to take measures to secure the safe return of prisoners transferred from Crimea to penal facilities located on the Russian Federation's territory

***Ukraine v. Russia (re Crimea)* [GC], nos. 20958/14 and 38334/18, 25 June 2024**

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ARTICLE 1 OF PROTOCOL No. 1

Article 1 § 1

PEACEFUL ENJOYMENT OF POSSESSIONS

Confiscation order issued by Italian authorities aimed at recovering from the Getty Museum in the US a bronze statue from the classical Greek period: *no violation*

***The J. Paul Getty Trust and Others v. Italy*, no. 35271/19, 2 May 2024 (not final)**

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ARTICLE 2 OF PROTOCOL No. 4

Article 2 § 1

FREEDOM OF MOVEMENT

Preventive home-curfew order issued – under state-of-emergency legislation enacted following terrorist attacks – against two applicants suspected of potential participation in violent actions during the COP21 summit: *no violation, violation*

***Domenjoud v. France*, nos. 34749/16 and 79607/17, 16 May 2024 (not final)**

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Cases by respondent State

BELGIUM

Executief van de Moslims van België and Others v. Belgium, no. 16760/22 et al.,
13 February 2024

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DENMARK

Dian v. Denmark (dec.), no. 44002/22,
21 May 2024

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FRANCE

Carême v. France (dec.) [GC], no. 7189/21,
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79607/17, 16 May 2024 (not final)

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HUNGARY

Dániel Karsai v. Hungary, no. 32312/23,
13 June 2024 (not final)

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ITALY

The J. Paul Getty Trust and Others v. Italy,
no. 35271/19, 2 May 2024 (not final)

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PORTUGAL

*Duarte Agostinho and Others v. Portugal
and 32 Others* (dec.) [GC], no. 39371/20,
9 April 2024

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RUSSIA

Ukraine v. Russia (re Crimea) [GC],
nos. 20958/14 and 38334/18, 25 June 2024

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SWITZERLAND

*Verein KlimaSeniorinnen Schweiz and Others
v. Switzerland* [GC], no. 53600/20,
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TÜRKIYE

Aydın Sefa Akay v. Türkiye, no. 59/17,
23 April 2024 (not final)

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UKRAINE

Bogdan v. Ukraine, no. 3016/16,
8 February 2024

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UNITED KINGDOM

Nealon and Hallam v. the United Kingdom
[GC], nos. 32483/19 and 35049/19,
11 June 2024

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Cases by applicant

A

Aydın Sefa Akay v. Türkiye, no. 59/17,
23 April 2024 (not final)

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B

Bogdan v. Ukraine, no. 3016/16,
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C

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