



FLASH NEWS

06/25

EUROPEAN COURT OF HUMAN RIGHTS

OVERVIEW FROM 14/7 TO 26/9

UK / BRADSHAW AND OTHERS v UNITED KINGDOM

Right to free elections - Free expression of the opinion of the people - Alleged failure to investigate credible allegations of Russian interference in the democratic elections of the United Kingdom and to establish an effective legal framework to protect voters from such interference

Non-infringement of Article 3 of Protocol No 1 (right to free elections) to the ECHR.

The case concerns the government's response to reports of Russian interference in the United Kingdom's democratic processes, particularly during the 2019 general election.

The applicants argued that, despite credible allegations that Russia had sought to interfere in the democratic elections in the United Kingdom, including by disseminating disinformation and conducting influence campaigns, the government had failed in its duty ('positive obligation') to investigate these allegations and had not put in place an effective legal and institutional framework to protect against the risk of such interference.

The European Court of Human Rights (ECtHR) considers that while States must not remain passive when presented with evidence that their democratic processes are under threat, they must be granted a significant margin of appreciation in choosing the means to counter such threats. In the view of the ECtHR, while there is no doubt that the United Kingdom's initial response to reports of Russian interference in its elections was inadequate, two thorough and independent investigations were conducted, and the government has since taken a number of legislative and operational measures to combat attempts at disinformation and protect the democratic integrity of the United Kingdom.

Assuming that there were shortcomings, these were not sufficiently serious to undermine the very substance of the applicants' right, guaranteed by Article 3 of Protocol No 1 to the ECHR, to have elections organised 'under conditions which will ensure the free expression of the opinion of the people'.

Judgment of 22.7.2025 (application No 15653/22) ([EN](#))

Press release ([FR/EN](#))

Legal summary ([FR/EN](#))

EL / M.P. AND OTHERS v GREECE

Right to respect for family life - Forced return of two children to their father in the United States in the context of an international child abduction case - Obligation to examine ex officio whether it is appropriate to hear the children and, if necessary, to dismiss the case by means of a reasoned decision

Infringement of Article 8 (right to respect for family life) of the ECHR.

The case concerns a mother and her two children, who are opposing the return of the two children to their father in the United States, as ordered by the Greek courts in connection with international child abduction proceedings.

The European Court of Human Rights (ECtHR) notes that the Greek courts assessed the situation without considering whether it was appropriate to seek the children's opinion, which was nevertheless a key factor.

Consequently, it considers that the Greek courts were not in a position to determine, on an informed basis, whether there was a

'grave risk' within the meaning of Article 13(b) of the Hague Convention of 25 October 1980 on the Civil Aspects of International Child Abduction, and that the decision-making process under domestic law did not meet the procedural requirements inherent in Article 8 of the ECHR. The forced return of the two children to the United States cannot therefore be considered necessary in a democratic society.

This is the first case concerning child abduction proceedings in which the European Court of Human Rights (ECtHR) has ruled that national courts are required to examine ex officio whether it is appropriate to hear the child, either directly or otherwise, and, if necessary, to dismiss the case by means of a reasoned decision.

Judgment of 9.9.2025 (application No 2068/24) ([FR](#))

Press release ([FR/EN](#))



ES / SILES CABRERA v SPAIN

Right to respect for private and family life - Refusal of residence on grounds of lack of means of subsistence - Fair balance between private and family interests and those of the State in controlling immigration in the general interest of the economic well-being of the country

Non-infringement of Article 8 (right to respect for private and family life) of the ECHR.

The case concerns the application for a residence permit that Mr Siles Cabrera submitted in 2018, invoking the criterion of social ties ('arraigo social'). The couple arrived in Spain with their spouse in 2005 and had a son there in 2012. Mr Siles Cabrera's wife and son also hold Bolivian nationality. Among other health issues, the couple's son has an autism spectrum disorder, for which he has received specialised support since he was very young.

The authorities of the province of Vizcaya rejected the application on the grounds that the applicant had not provided evidence that he had his own means of subsistence.

The European Court of Human Rights (ECtHR) ruled in particular that the Spanish authorities, acting within the limits of their discretion ('margin of appreciation'), had struck a fair balance between the interests of Mr Siles Cabrera and those of the State in controlling immigration in the general interest of the country's economic well-being.

Judgment of 17.7.2025 (application No 5212/23) ([EN](#))
Press release ([FR/EN](#))

OTHER INFORMATION

Grand Chamber hears case on whether additional judges may participate in deliberations of Dutch Supreme Court in the interests of consistency of case-law

On 27 August 2025, the case **Savran v Denmark** (application No 57467/15) was referred to the Grand Chamber.

The application concerns the practice of the Hoge Raad der Nederlanden (Supreme Court of the Netherlands) whereby judges of the criminal division who are not sitting in the panel to which a case has been assigned may participate in the deliberations in the interests of legal uniformity ('rechtseenheid'). These Supreme Court judges are called 'reserve judges' ('reservisten').

Invoking Article 6 (right to a fair trial) of the ECHR, the applicant alleges that her appeal was not examined by an independent and impartial tribunal established by law, as judges from outside the panel may have participated in the deliberations on her case.

Press release ([FR/EN](#))