



## Forthcoming Grand Chamber ruling in the case *Ukraine v. Russia (re Crimea)*

The European Court of Human Rights will be delivering a **Grand Chamber** ruling in the case of **Ukraine v. Russia (re Crimea)** (application no. 20958/14) at a public hearing on 14 January 2021 at 10 a.m. in the Human Rights Building, Strasbourg.

The case concerns Ukraine's allegations of a pattern ("administrative practice") of violations of the European Convention on Human Rights by the Russian Federation in Crimea.

### Complaints and procedure

The Ukrainian Government maintains that the Russian Federation has from 27 February 2014 exercised effective control over the Autonomous Republic of Crimea and the City of Sevastopol, integral parts of Ukraine, and has exercised jurisdiction over a situation which has resulted in numerous Convention violations. The Government alleges that the violations are a result of a general administrative practice by the Russian Federation.

The applicant Government relies on several Articles of the Convention, in particular Article 2 (right to life), Article 3 (prohibition of inhuman treatment and torture), Article 5 (right to liberty and security), Article 6 (right to a fair trial), Article 8 (right to respect for private life), Article 9 (freedom of religion), Article 10 (freedom of expression) and Article 11 (freedom of assembly). They also complain under Article 14 (prohibition of discrimination), Article 1 of Protocol No. 1 (protection of property), Article 2 of Protocol No. 1 (right to education) and Article 2 of Protocol No. 4 (freedom of movement).

The case originates in two applications (nos. 20958/14 and 42410/15) against Russia lodged with the Court by Ukraine on 13 March 2014 and 26 August 2015, respectively. Both applications concern events in Crimea and Eastern Ukraine. On 11 June 2018 the two applications were joined and given the new name *Ukraine v. Russia (re Crimea)* under application no. 20958/14. Complaints relating to events in Eastern Ukraine were placed under application no. 8019/16.

The Court applied Rule 39 of the Rules of Court (interim measure) to the case. It called upon the Russian Federation and Ukraine to refrain from measures, in particular military action, which might bring about violations of the civilian population's Convention rights, notably under Articles 2 (right to life) and 3 (prohibition of inhuman or degrading treatment).

On 7 May 2018 the Chamber dealing with these inter-State cases relinquished jurisdiction in favour of the Grand Chamber<sup>1</sup>.

Ukraine has lodged a number of other inter-State cases against Russia, and there are more than 7,000 individual applications concerning events in Crimea, Eastern Ukraine and the Sea of Azov. For further information, see the [Q & A on Inter-State Cases](#).

The McGill Centre for Human Rights and Legal Pluralism at McGill University, Canada, represented by René Provost, Professor, was granted leave to intervene in the written proceedings as a third party.

A Grand Chamber hearing was held in the Human Rights Building, Strasbourg, on 11 September 2019.

<sup>1</sup>. Under Article 30 of the European Convention on Human Rights, "Where a case pending before a Chamber raises a serious question affecting the interpretation of the Convention or the Protocols thereto, or where the resolution of a question before the Chamber might have a result inconsistent with a judgment previously delivered by the Court, the Chamber may, at any time before it has rendered its judgment, relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case objects".

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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.