

THE WAR IN UKRAINE BEFORE THE EUROPEAN COURT OF HUMAN RIGHTS: REFLECTIONS ON UKRAINE AND THE NETHERLANDS V. RUSSIA (JUDGMENT OF 9 JULY 2025)

Dr. habil. Michał Balcerzak, University Professor

University of Szczecin, Poland
e-mail: michał.balcerzak@usz.edu.pl; <https://orcid.org/0000-0002-6421-1742>

Abstract. The article situates the judgment within the broader context of Strasbourg's engagement with armed conflicts, analyzing its doctrinal innovations on jurisdiction, attribution, and evidentiary standards. It explores how the Court balanced its human rights mandate with questions of international humanitarian law, while addressing the challenges of evidentiary assessment in inter-State disputes. Beyond the specific findings, the judgment has implications for the future of accountability for mass violations of human rights, as well as for the evolving role of the Convention system in situations of war and occupation. However, the practical impact of the ECtHR's judgment will be constrained by the respondent state's non-appearance before the Court and its demonstrated refusal to communicate with the Court following the aggression on Ukraine.

Keywords: Russia's war; Ukraine; European Convention on Human Rights; European Court of Human Rights; inter-state complaints; armed conflict; human rights.

INTRODUCTION

Since the entry into force of the European Convention on Human Rights¹ (ECHR, the Convention) in 1953, slightly more than thirty inter-state applications have been brought before the European Court of Human Rights (ECtHR, the Court). The vast majority have arisen in response to profound political and/or military conflicts. The inter-State complaint mechanism has long been regarded as a remedy of last resort within the Convention system, reflecting the Council of Europe member States' collective pledge to uphold "those fundamental freedoms which are the foundation of justice and peace in the world and are best maintained on the one hand by an effective political

¹ Convention for the Protection of Human Rights and Fundamental Freedoms, signed in Rome on 4 November 1950, ETS No. 5.

democracy and on the other by a common understanding and observance of the human rights upon which they depend.”²

The ECtHR’s judgment in *Ukraine and the Netherlands v. Russia*, delivered on 9 July 2025,³ stands out as extraordinary in several ways. It is exceptional in scope (four consolidated applications, covering events between 2014 and 2022, the judgment itself extending to 500 pages plus three appendices), in evidentiary complexity (drawing on an enormous volume of material and interventions), and in its gravity from a human rights perspective, given the allegations of the most serious possible nature.

This article does not attempt to provide a detailed commentary on every aspect of the judgment, which would not be feasible in a single study of this format. Instead, it advances three core theses: firstly, the Court has given its most comprehensive articulation to date of the Convention’s application to occupied territories and areas under decisive influence of a state-party to the ECHR. Secondly, the Court refined its evidentiary practice for inter-state disputes involving allegations of massive human rights violations, which has important methodological implications. Thirdly, the judgment reflects an interpretation of the Convention in harmony with the international humanitarian law (IHL).

1. BACKGROUND OF THE CASE

Russia’s intervention in Ukraine began in early 2014 with the occupation and purported annexation of Crimea, followed by hostilities in Donbas involving armed groups supported, equipped, and directed by Russia. The situation escalated dramatically with the fullscale invasion launched on 24 February 2022. Across these phases, multiple patterns of alleged violations emerged: indiscriminate and targeted attacks against civilians, extrajudicial killings, torture and sexual violence, arbitrary detention and enforced disappearance, destruction and pillage of civilian property, restrictions on media and association, and the unlawful transfer of protected persons, including the removal of Ukrainian children to Russia.

Between 2014 and 2022, Ukraine lodged a series of inter-state applications concerning Crimea, Eastern Ukraine, and later the nationwide hostilities. The Netherlands intervened in relation to the downing of Malaysia Airlines flight MH17 on 17 July 2014, which killed 298 persons, including 196 Dutch nationals. The Grand Chamber consolidated several inter-state

² See the Preamble to the Convention.

³ Judgment of the ECtHR *Case of Ukraine and the Netherlands v. Russia* (merits) of 5 July 2025, appl. nos. 43800/14, 8019/16, 28525/20 and 11055/22.

applications,⁴ which allowed to undertake joint factual assessment and legal evaluation under the Convention. The case drew an unprecedented number of third party interventions from Council of Europe member States (twenty-six) and non-state entities (seven).

On 16 March 2022, the Committee of Ministers decided that the Russian Federation ceased to be a member of the Council of Europe, which resulted in numerous legal consequences [Drzemczewski and Lawson 2022, 38ff]. Russia ceased to be a Contracting Party to the Convention on 16 September 2022. The Grand Chamber therefore assessed Russia's conduct up to that date, while also considering later effects insofar as they resulted from pre-September 2022 violations (e.g., continuing harm to next-of-kin or continuing effects of administrative practices). Russia participated in the admissibility phase of the proceedings; however, soon after the aggression on Ukraine and its expulsion from the Council of Europe it stopped all communication with the Court. Consequently, the proceedings were conducted in the absence of the respondent state – a situation which was not unheard of in the history of international litigation, but which made the whole process more complicated and fragile.

In its preliminary observations, the Court has noted that “In none of the conflicts previously before the Court has there been such near universal condemnation of the ‘flagrant’ disregard by the respondent State for the foundations of the international legal order established after the Second World War and such clear measures taken by the Council of Europe to sanction the respondent State’s disrespect for the fundamental values of the Council of Europe: peace, as already underlined, but no less importantly human life, human dignity and the individual rights guaranteed by the Convention.”⁵ This statement reflects well the legal and factual nature of the case considered by the Court. Given the gravity of the allegations and the broader international context of Russia’s war against Ukraine, the Court did more than merely “examine” the case. It invoked the very foundations of the Council of Europe, its basic values and historical context, leaving no doubt as to the unprecedented character of the proceedings.

It is also worth noting that while the Court’s sole basis of legal application is the Convention, it is impossible to view this case in isolation from general international law, and in particular from international humanitarian law, the law of armed conflicts, and the law of state responsibility. It should also be recalled that the Convention forms an integral part of international law and must be interpreted in harmony with it.⁶

⁴ See footnote 3.

⁵ See para. 177 of the judgment.

⁶ See, for instance, the judgment of the ECtHR in *Hassan v. United Kingdom* [GC] of 16 September 2014, appl. no. 29750/09, para. 102.

2. EVIDENTIARY STANDARDS

A central challenge in *Ukraine and the Netherlands v. Russia* was evidentiary. The scale, complexity, and duration of the armed conflict – spanning nearly eight years and involving both regular Russian forces and proxy entities – posed acute difficulties for the Court’s fact-finding role. The respondent state’s failure to cooperate with the Court was a huge obstacle in gathering necessary evidence. However, the Grand Chamber’s approach reflects continuity with its existing evidentiary jurisprudence [Balcerzak 2016, 13-29] and innovations tailored to the exceptional context of inter-state conflict cases.

As in its prior case-law, the Court reaffirmed that the applicable standard of proof is that of “beyond a reasonable doubt”. Yet, consistent with the tradition in inter-state and conflict-related cases, the Court acknowledged that such proof “may follow from the coexistence of sufficiently strong, clear and concordant inferences or of similar unrebutted presumptions of fact.”⁷ In the *Ukraine and the Netherlands* case, the Grand Chamber recognized the difficulty of obtaining direct evidence in a war zone, particularly given Russia’s refusal to cooperate in the proceedings. Consequently, the Court adopted a holistic evidentiary method, giving significant weight to patterns of conduct, corroborative UN and NGO reports, and the accumulation of consistent testimonial and satellite evidence.

One notable aspect of the judgment is the Court’s extensive reliance on third-party material. Reports of the UN Human Rights Monitoring Mission in Ukraine, OSCE fact-finding missions, and NGOs such as Amnesty International and Human Rights Watch were systematically referenced. The Court clarified that although such materials are not determinative on their own, their convergence may provide a sufficiently reliable evidentiary basis for establishing facts, even though they should be examined with caution.⁸ This is consistent with its earlier reliance on independent reports in *Georgia v. Russia (II)*, however, the Ukraine judgment represents a more robust inclusion of international monitoring mechanisms into the evidentiary sources.

The *Ukraine and the Netherlands v. Russia* judgment thus reflects an application of a flexible, context-sensitive evidentiary standard. The reliance on cumulative inferences, adverse presumptions in the face of non-cooperation of the respondent state, and a willingness to consider credible third-party reports signal that the Court will not allow evidentiary obstacles to shield

⁷ See *inter alia* the judgments of the ECtHR in: *Cyprus v. Turkey* [GC] of 10 May 2001, appl. no. 25781/94, para. 113; *Georgia v. Russia (II)* [GC] of 21 January 2021, appl. no. 38263/08, para. 142, and *Ukraine v. Russia (re Crimea)* of 14 January 2021, appl. nos. 20958/14 and 38334/18, para. 257.

⁸ See the ECtHR’s decision on the admissibility of the *Ukraine and the Netherlands v. Russia* of 30 November 2022, appl. nos. 8019/16, 43800/20, 28525/20, para. 443.

states from responsibility in situations of mass violations. At the same time, this approach raises questions about the balance between judicial caution and the need to address serious human rights violations in armed conflict. Fortunately, the Court was able to reject excessive formalism and made an effort to maintain high evidentiary standards.

3. ADMISSIBILITY AND JURISDICTION

The admissibility of three of the four consolidated applications had already been examined and confirmed in the Grand Chamber's admissibility decision of 30 November 2022.⁹ At that stage, the Court addressed the 'familiar' admissibility issues arising with inter-state cases, including the exhaustion of domestic remedies (which is inapplicable where remedies are not available, ineffective or illusory, as well as when the applicant state complains of legislative measures or an administrative practice) and the four-month rule (formerly six-months), calculated from the date of the adoption of a final decision. The respondent state participated in these proceedings, including at the hearing on 22 January 2022, one month before Russia's full-scale invasion, which allowed the Court to fully examine and ultimately reject the objections as to the admissibility of the case. The admissibility of the fourth application (no. 11055/22, lodged by Ukraine after Russia's aggression), was subsequently examined and confirmed in the Court's judgment of 9 July 2025.

With respect to jurisdiction, the Court reaffirmed and elaborated on the principle that the Convention applies to acts attributable to a state on the basis of either effective territorial control or the exercise of authority and control by its agents, even outside its national borders. These principles have been well-established in the Court's case law and are rooted in the law of international state responsibility. The scope of Convention obligations is not territorially confined but extends to situations where a State, through military occupation or proxy governance, effectively substitutes its authority for that of the territorial sovereign. In line with its earlier case-law,¹⁰ the Court reiterated that the decisive criterion is the factual control exercised by the state, not formal annexation or recognition under international law.

Crucially, the Court rejected Russia's arguments raised at earlier stages of the proceedings that sought to limit its jurisdictional responsibility, holding instead that both the direct presence of Russian armed forces and the activities of local

⁹ See footnote 8.

¹⁰ See the judgments of the ECtHR in: *Loizidou v. Turkey* (preliminary objections) of 23 March 1995, appl. no. 15318/89, paras. 62-64; *Al-Skeini v. United Kingdom* [GC] of 7 July 2011, appl. no. 55721/07, paras. 131-142, and *Catan v. Moldova and Russia* [GC] of 19 October 2012, appl. nos. 43370/04, 8252/05. and 18454/06, paras. 106-110.

de facto administrations under Russia's "decisive influence" sufficed to engage responsibility under Article 1 of the Convention. This approach aligns with the law of state responsibility, as reflected in Articles 4, 8, and 11 of the International Law Commission's Articles on the Responsibility of States for Internationally Wrongful Acts,¹¹ which emphasize attribution through effective control or direction. As commentators have observed, this dual emphasis on attribution and jurisdiction represents one of Strasbourg's distinctive contributions to the general international law of responsibility, effectively operationalizing the Convention within conflict settings [Milanović 2011, 136ff].

As a result of this approach, the Grand Chamber in *Ukraine and the Netherlands v. Russia* took into account all acts attributable to Russia and its proxies between 2014 and 16 September 2022 (the date on which the Convention ceased to apply in respect of Russia following its expulsion from the Council of Europe on 16 March 2022). This temporal and substantive scope extended not only to the administrative and legislative measures imposed by the *de facto* authorities but also to the conduct of hostilities and related violations of the IHL. The Court's readiness to assess acts committed during active armed conflict marks an important development compared to its earlier, more hesitant stance in *Georgia v. Russia (II)*.

In the latter judgment, the Court held that "in the event of military operations – including, for example, armed attacks, bombing or shelling – carried out during an international armed conflict, one cannot generally speak of 'effective control' over an area."¹² According to the Court, the chaotic conditions of ongoing hostilities precluded the attribution of extraterritorial jurisdiction, thereby creating a sort of "legal vacuum" – when it comes to the application of the Convention – during the most intense phases of conflict. While arguably reflecting the factual reality of dynamic battlefield situations, the Court's reasoning somewhat blurred the distinction between jurisdiction (the threshold issue of whether Convention obligations apply) and responsibility (the question of whether a violation has occurred). As a result, the Court's stance in *Georgia II* suggested that the attribution of responsibility for grave violations committed during the conduct of hostilities might be practically foreclosed, which is difficult to reconcile with the object and purpose of the Convention.

By contrast, in the *Ukraine and the Netherlands v. Russia* judgment, the Court did not follow the *Georgia II* approach. Instead, it held that Russia's sustained military presence and decisive influence over proxy administrations in Eastern Ukraine and Crimea sufficed to establish jurisdiction not only for occupation-related governance but also for active hostilities

¹¹ Appendix to the United Nations General Assembly resolution 56/83, 12 December 2001.

¹² See para. 126 of the *Georgia v. Russia (II)*.

carried out by its armed forces and affiliated groups.¹³ In doing so, the Court closed the accountability gap identified in *Georgia II*, ensuring that serious violations of human rights – such as indiscriminate shelling, arbitrary detention, and enforced disappearances – fall within the Convention’s scope even during periods of armed confrontation.

4. INTERACTION BETWEEN THE CONVENTION AND THE INTERNATIONAL HUMANITARIAN LAW

The Grand Chamber’s judgment in *Ukraine and the Netherlands v. Russia* marks an important development in the long-standing debate on the relationship between international human rights law (IHRL) and international humanitarian law (IHL). By affirming the applicability of the ECHR to the full spectrum of Russian conduct in Ukraine from 2014 until 16 September 2022, the Court rejected the view that periods of armed conflict create “legal black holes” in which human rights protection seems to be “suspended”. Instead, the Court emphasized the complementarity of the two bodies of law, reinforcing a trend evident in its earlier case-law but never articulated with such clarity in the context of a large-scale international armed conflict.

Importantly, the Court did not treat IHL as displacing or derogating from the Convention but rather as an interpretive framework for determining the scope and content of Convention rights in situations of armed conflict. For instance, in assessing allegations of indiscriminate shelling and civilian targeting, the Court expressly acknowledged the relevance of IHL norms on distinction and proportionality,¹⁴ while grounding its analysis in the substantive guarantees of Articles 2 and 3 ECHR. This reflects the approach taken in earlier cases such as *Hassan v. United Kingdom*,¹⁵ where the Court interpreted Article 5 ECHR in light of the rules of the III and IV Geneva Conventions. However, unlike in *Hassan*, where the Court seemed to be “overfocused” on the IHL, in *Ukraine and the Netherlands v. Russia* the Court struck a more balanced position by affirming both the independent force of the Convention and its interpretive dialogue with the IHL.

Doctrinally, the Court’s position resonates with the view that IHL and IHRL operate as mutually reinforcing regimes, each supplying context and content to the other. Scholars such as Sassòli have long argued that the interplay between the two branches of international law ensures that civilians and combatants are not deprived of fundamental guarantees under the guise of armed conflict [Sassòli 2024, 458ff]. However, as one author has

¹³ See paras. 362-366 of the judgment.

¹⁴ See para. 411 of the judgment.

¹⁵ See footnote 6.

underlined, human rights law and the IHL should not be considered ‘intertwined’ or ‘interchangeable’, even though they both refer to values such as life, dignity, and fundamental freedoms in armed conflicts [Dinstein 2004, 20].

In this sense, the judgment of 9 July 2025 represents a doctrinal consolidation: it reaffirms the Convention’s extraterritorial scope, clarifies the complementarity of IHL and human rights law, and avoids the pitfalls of fragmentation. While challenges remain – particularly regarding the evidentiary threshold for establishing violations in the “fog of war” – the Court has provided a framework that strengthens the indivisibility of human rights, even in times of war.

5. VIOLATIONS OF THE CONVENTION

As mentioned, the *Ukraine and the Netherlands v. Russia* judgment is unique due to the gravity of the violations, their cumulative scale, and systemic character. The Court did not confine itself to isolated breaches; instead, it identified a persistent pattern of violations across multiple Convention provisions, occurring in the context of Russia’s effective control over parts of Eastern Ukraine and its conduct of military operations. The multiplicity and density of findings in a judgment of 500 pages make it hardly possible to analyze in detail in the format of an article. Nevertheless, the following overview highlights the most crucial violations found in the judgment under consideration:

The Court found numerous breaches of Article 2 of the ECHR (right to life), both substantive and procedural. Substantively, it attributed responsibility to Russia for deaths caused by indiscriminate shelling, extrajudicial executions, and the failure to protect civilians under its effective control. Of particular note is the Court’s attribution of responsibility for the downing of Malaysia Airlines flight MH17. Procedurally, the Court stressed the systemic failure to conduct independent investigations into loss of life, consolidating its case law on the duty to investigate under Article 2.

Equally extensive were the findings under Article 3 of the ECHR, where the Court established that Russia bore responsibility for torture and inhuman or degrading treatment committed in detention facilities under separatist control, with widespread use of physical violence, intimidation, and deprivation of basic necessities. Importantly, the Court emphasized that these were not sporadic instances but reflected a systematic practice attributable to the respondent State. The lack of effective remedies and investigations further aggravated these violations.

Further, the Court held that arbitrary and prolonged detentions by separatist forces, supported and directed by Russia, violated Article 5 of the ECHR

(right to liberty and security of person). It rejected the respondent state's attempt to characterize the detentions as beyond its jurisdiction, reaffirming the principle that effective control suffices to trigger Convention obligations. Moreover, the lack of judicial oversight or *habeas corpus* remedies in the territories in question constituted a structural violation of the right to liberty.

With respect to Article 8 of the Convention (right to respect for private and family life), the Court found numerous violations, including forced displacement, arbitrary searches, and restrictions on family reunification. While findings under Article 8 often appear ancillary in inter-State cases, here the Court highlighted the systemic disintegration of private and family life resulting from Russia's support of separatist authorities. Another notable example of a grave violation of Article 8, as well as other provisions of the Convention, consisted in the practice of abduction and forcible transfer of Ukrainian children to Russia.

The Court's findings under Articles 9-11 of the ECHR (freedom of religion, freedom of expression, freedom of association and peaceful assembly) reveal the breadth of systemic interference with civil and political freedoms in the territories under Russia's effective control. With respect to Article 9, the Court identified a pattern of harassment and repressions directed against religious minorities, notably Protestant communities, Jehovah's Witnesses, and members of the Ukrainian Orthodox Church not aligned with the Moscow Patriarchate. The evidence demonstrated that such groups were subjected to raids, confiscation of property, restrictions on worship, and intimidation of clergy, amounting to an administrative practice of denying freedom of religion. The Court found that the violations of Article 9 were "officially tolerated by the superiors of the perpetrators and by the higher authorities of the respondent state."¹⁶ It should also be recalled that in the Court's case-law, an '*administrative practice*' is usually considered as a repeated and consistent pattern of conduct, tolerated or encouraged by State authorities, which discloses the existence of systemic violations rather than isolated or sporadic incidents. Such a practice may be established through sufficiently numerous and concordant acts, coupled with official tolerance or a lack of reaction, thereby dispensing with the applicants' need to prove each individual violation.

Article 10 violations were established in relation to systematic intimidation, abduction, and ill-treatment of journalists, as well as the closure of independent media outlets. The Court emphasized that these measures were deliberate instruments of information control, intended to suppress dissent and stifle the dissemination of facts about Russia's military presence. In doing so, the Court emphasized that freedom of expression remains of heightened importance in conflict settings, particularly when reporting on violations of humanitarian law is at stake.

¹⁶ See para. 1276 of the judgment.

In relation to Article 11 of the ECHR, the Court examined extensive interferences with the right to peaceful assembly and association, focusing in particular on the treatment of protesters and civic activists in the territories under Russia's effective control. The evidence demonstrated a consistent pattern of dispersal of peaceful demonstrations, frequently through the use of force, intimidation, and arbitrary detention. Protesters expressing pro-Ukrainian views or opposing the presence of Russian forces were systematically targeted, often with violence, while organizers faced harassment and prosecution. The Court observed that these interferences were neither isolated nor incidental to the conflict, but reflected a deliberate policy aimed at suppressing avenues for public expression of opposition.

As regards Article 1 of Protocol no. 1 to the ECHR (right to peaceful enjoyment of possessions), the Court established that Russia was responsible for a wide range of violations in the territories under its effective control. These included large-scale destruction and appropriation of private homes, businesses, vehicles, and agricultural property, either as a direct consequence of shelling and looting by forces under Russian command or through expropriations conducted by local separatist authorities with Russian support. The Court treated these acts not as incidental wartime damage but as a systematic practice of unlawful deprivation of property. It further noted the absence of any compensation mechanisms or effective domestic remedies.

CONCLUSIONS

The judgment in *Ukraine and the Netherlands v. Russia* is, in every respect, unprecedented in the history of the European human rights system. As the Court itself emphasized, the ruling "marked a watershed moment in the history of the Council of Europe and the Convention."¹⁷ This was not just a judicial hyperbole: never before had the Court been called upon to address such a scale and multiplicity of human rights violations, committed in the context of an ongoing armed conflict and occupation. The challenges of establishing jurisdiction, attributing responsibility, and examining the systemic character of the abuses were enormous. However, the Court provided a coherent and doctrinally rigorous account of how the Convention applies in conditions of active hostilities and prolonged occupation – realities that the drafters of the 1950 Convention could hardly have envisaged, even though the treaty provides for a clause allowing to derogate from some obligations 'in times of war or other public emergency threatening the life of the nation' (Article 15).

¹⁷ See para. 349 of the judgment.

At the same time, the judgment carries a powerful symbolic dimension. In a way it is the Court's final pronouncement on Russia's twenty-five years of presence in the Convention system (1998-2022). That 'experiment' ultimately failed: the values of the Convention proved incapable of restraining Russian politicians' imperial ambitions, and Moscow's disregard for the Court and its jurisprudence grew increasingly manifest both before and after the aggression against Ukraine. However, it would be too simplistic to describe the years of Russia's membership in the Council of Europe as entirely 'lost'. For numerous Russian citizens, the Court provided a forum of last resort in vindicating their individual rights. The paradox remains that while Russia's state practice eroded the system, Russian individuals simultaneously made use of it more than almost any other national population. The judgment of July 2025 closes this chapter by demonstrating, sadly, that the authoritarian or totalitarian ambitions ultimately trumped the values of the European human rights system.

The prospects for the execution of the *Ukraine and the Netherlands v. Russia* judgment are bleak. Russia refused to participate in the proceedings, and since its expulsion from the Council of Europe in March 2022, it has treated the organization with open contempt. There is little basis for expecting voluntary compliance. Nevertheless, the judgment should not be considered as a moot exercise. The Court fulfilled its institutional mandate: the inter-State procedure was activated, adjudicated, and concluded in accordance with the Convention. The judgment is therefore symbolic in more than one sense: it affirms the resilience of the Strasbourg system under extreme strain and it provides an authoritative legal record of violations that will serve as a reference point for decades to come.

As has been noted, the judgment is also a milestone in doctrinal terms. It consolidates and systematizes the Court's case-law on the application of the Convention during active hostilities and foreign occupation, building upon earlier precedents such as *Cyprus v. Turkey* and *Georgia v. Russia (II)*. The Court's examination of allegations under Articles 2, 3, and 5 in conditions of armed conflict, its findings on the abduction and transfer of children under Article 8, and the infringements of civil and political freedoms (Articles 9-11) have tremendous importance. In addition, the Court expressly referred to the broader institutional response of the Council of Europe, noting that any future application of Article 41 must be coordinated with the Register of Damage Caused by the Aggression of the Russian Federation against Ukraine and a future compensation mechanism [Mężykowska 2025, 74-88].

It should also be noted that the inter-State judgment does not close the Strasbourg's docket on Russia. Thousands of individual applications remain pending (as of August 2025), many of them raising issues closely linked to the violations established in the July 2025 judgment. While the immediate

execution of such judgments is unrealistic, they nonetheless create binding obligations under Article 46 ECHR. Whether or not Russia presently acknowledges them, these obligations will remain in international law and will be claimed by victims for years or decades to come.

The broader lesson can be described as sobering. It was known long before Russia's aggression that an armed conflict remains the most destructive environment for the protection of human rights. The war in Ukraine has generated violations on a scale that is shocking even against the backdrop of the Court's long engagement with conflict situations. The ECtHR's jurisdiction did not extend to questions of international criminal responsibility, such as the crime of aggression, war crimes, or crimes against humanity, but the violations it could examine under the Convention already attest to the gravity of Russia's conduct. These legal consequences will not fade quickly.

In conclusion, the Convention system has withstood what can only be described as a hurricane. The inter-State mechanism operated as intended: allegations were received, rigorously examined, and confirmed with much precision and diligence. Whether the eventual execution of the judgment occurs will depend on political developments, above all the determination of the international community to uphold the principles of the United Nations Charter and human rights treaties. However, the *Ukraine and the Netherlands v. Russia* judgment ensures that the record of violations is authoritatively established and that the voices of victims were heard.

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