



## KEY THEME<sup>1</sup>

### Rights of the child

### Contact rights

(Last updated: 31/08/2024)

#### Introduction

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The mutual enjoyment by parent and child of each other's company constitutes a fundamental element of family life (*Strand Lobben and Others v. Norway* [GC], 2019, § 202) even if the relationship between the parents has broken down (*Baškys v. Lithuania*, 2022, § 41). Moreover, even in cases in which an applicant and his or her child have not been deprived of the "mutual enjoyment of each other's company" owing to regular contact, the Court has considered that both the quantity and quality of contact arrangements, including overnight stays, contact on special occasions and during holidays, if considered to be in the best interests of the child, are of great importance in the context of positive contact between a non-resident parent and a child that may further enhance the relationship in order to achieve quality time with each other (*Popadić v. Serbia*, 2022, § 87).

In so far as the family life of a child is concerned, the Court has reiterated that there is a broad consensus, including in international law, in support of the idea that in all decisions concerning children, their best interests are a primary consideration. Indeed, the Court has emphasised that in cases involving the care of children and contact restrictions, the child's interests must come before all other considerations (*Strand Lobben and Others v. Norway* [GC], 2019, § 204).

#### Applicability of Article 8 of the Convention

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The applicability of Article 8 in cases concerning contact rights requires an assessment of the existence of a family relationship which amounts to a parent-child relationship. The notion of "family life" is not confined to marriage-based relationships and may encompass other *de facto* family ties. Although, as a rule, cohabitation may be a requirement for such a relationship, exceptionally other factors may also serve to demonstrate that the relationship suffices to create *de facto* family ties. For example, cases concerning contact rights were raised by:

- Non-custodial parents after divorce whose contact rights were restricted (*Luca v. the Republic of Moldova*, 2023, § 85).
- Parents in respect of their adult but incapacitated children due to disability: the Court recognised the possible existence of "family life" between parents and adult children when "additional factors of dependence, other than normal emotional ties, are shown to exist" (*Bierski v. Poland*, 2022, §§ 39-41 and 46-47).
- Biological fathers: the application of this principle has been found to extend equally to the relationship between biological fathers and their children born outside of a relationship. In this regard, Article 8 cannot be interpreted as only protecting "family life" which has already been established but, where the circumstances warrant it, must extend to the potential relationship which may develop between a biological father and a child born outside of a

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<sup>1</sup> Prepared by the Registry. It does not bind the Court.

relationship. Relevant factors in this regard include the nature of the relationship between the biological parents and the demonstrable interest in and commitment by the biological father to the child both before and after the birth (*A and Others v. Italy*, 2023, § 73). The Court has considered that intended family life may, exceptionally, fall within the ambit of Article 8, notably in cases where the fact that family life has not yet fully been established is not attributable to the applicant (*Katsikeros v. Greece*, 2022, §§ 47-48, *Schneider v. Germany*, 2011, § 81).

- Grandparents: in normal circumstances the relationship between grandparents and grandchildren is different in nature and degree from the relationship between parent and child and thus by its very nature generally calls for a lesser degree of protection (*Kruškić v. Croatia* (dec.), 2014, § 110, *T.A. and Others v. the Republic of Moldova*, 2021, § 50, *T.S. and J.J. v. Norway* (dec.), 2016, §§ 23-24). However, when grandparents took care of a child since his or her birth, behaving in all respects as the child's parents, the same degree of protection concerning parents will be accorded also to them (*Terna v. Italy*, 2021, § 64).
- Foster parents: the Court has found that the relationship between a foster family and a fostered child who had lived together for many months amounted to family life despite the lack of a biological relationship. The Court took into account the fact that a close emotional bond had developed between the foster family and the child, similar to the one between parents and children, and that the foster family had behaved in every respect like the child's parents (*V.D. v. Russia*, 2019, §§ 91-92, *Nazarenko v. Russia*, 2015, §§ 57-58).
- Social parents: the Court has also applied this principle in respect of a parent's partner/spouse or former partner/spouse who is neither the child's biological nor legal parent but takes care of the child or participates in his or her upbringing, or did so in the recent past – such a relationship being often referred as “social parenthood” (*Vinškovský v. the Czech Republic* (dec.), 2023, § 40, *Callamand v. France*, 2022, §§ 20-22).

## Whether to examine a case under negative or positive obligations

Although the object of Article 8 is essentially that of protecting the individual against arbitrary interference by the public authorities, it does not merely compel the State to abstain from interferences: in addition to this primarily negative undertaking, there may be positive obligations inherent in an effective respect for private life (*J.N. v. Poland*, 2022, § 145, *Ribić v. Croatia*, 2015, § 89).

The Court has recognised that, in the field of contact rights, the boundaries between the State's positive and negative obligations under Article 8 do not lend themselves to precise definition. The applicable principles are, nonetheless, similar. In particular, in both instances regard must be had to the fair balance which has to be struck between the general interest and the interests of the individual; in both contexts the State enjoys a certain margin of appreciation (*M.H. v. Poland*, 2022, § 65) and the decision-making procedure must provide the requisite protection of parental interests (*Popadić v. Serbia*, 2022, § 85).

### Measures constituting interference:

- Domestic measures hindering the mutual enjoyment by parent and child of each other's company amount to an interference with the rights protected by Article 8 of the Convention (*Baškys v. Lithuania*, 2022, § 41, *K. and T. v. Finland* [GC], 2001, § 151). Decisions restricting an applicant's contact rights constitute an interference with his or her right to family life under Article 8 (*Bizdîga v. the Republic of Moldova*, 2023, § 55, *A.M. and Others v. Russia*, 2021, § 51, *R.M. v. Latvia*, 2021, § 102). Similarly, the placement of a child in the State's care and the subsequent refusal to allow contacts between the child and the parent amounts to an interference with the right to family life (*E.M. and Others v. Norway*, 2022, §§ 50-51).

- Decisions restricting an applicant's contact with his or her child can also amount to an interference with the right to respect for private life (*Katsikeros v. Greece*, 2022, § 49).

### ***Situations triggering positive obligations:***

The following situations are, in principle, examined from the point of the State's positive obligations:

- In general, where contact disputes concerning children arise between parents, it is in the light of the State's positive obligations under Article 8 that the Court will examine whether the difficulties in enforcing the court decisions for protective measures regarding the contact between an applicant and his or her child amounted to a breach of the applicant's right to respect for his family life (*Baškys v. Lithuania*, 2022, § 41). Therefore, where the alleged breach of Article 8 is the consequence of an applicant's separation from the child's other parent, and does not stem directly from a decision or an act of a public authority, the case is to be assessed in the light of the State's positive obligations under Article 8 (*Vinškovský v. the Czech Republic* (dec.), 2023, §§ 44-45, *Honner v. France*, 2020, § 53, with further references).
- The unreasonable length of domestic proceedings in which custody and contact rights have to be decided falls to be examined under the State's positive obligations (*Ribić v. Croatia*, 2015, § 91; but see *M.H. v. Poland*, 2022, § 65).
- The non-enforcement of judicial decisions, whereby an applicant was granted contact rights, is to be examined under the State's positive obligation under Article 8 to allow a parent to see his or her child and establish regular and meaningful contacts with him or her. In such cases, the Court's task consists of examining whether the domestic authorities took all necessary steps that could reasonably be demanded in the specific circumstances to maintain the relationship between the applicant and his or her child and to examine the manner in which they intervened to facilitate contact between them, as defined by the relevant domestic decisions (*Anagnostakis v. Greece*, 2023, § 55, *I.S. v. Greece*, 2023, § 84).

### **Principles drawn from the current case-law**

In the context of both negative and positive obligations, the Court has to consider whether, in the light of the case as a whole, the reasons given by the competent domestic authorities to justify their decisions were "relevant and sufficient" for the purposes of Article 8 § 2 of the Convention. To that end, the Court must ascertain whether the domestic courts conducted an in-depth examination of the entire family situation and a whole series of factors, particularly those of a factual, emotional, psychological, material and medical nature, and made a balanced and reasonable assessment of the respective interests of each person, with a constant concern for determining what the best solution would be for the child (*T.A. and Others v. the Republic of Moldova*, 2021, § 52, and *Strand Lobben and Others v. Norway* [GC], 2019, § 211).

### ***Negative obligations:***

In cases concerning domestic measures hindering the access of a parent to his or her child, the Court has recognised that the authorities enjoy a wide margin of appreciation, in particular when deciding on custody. However, a stricter scrutiny was called for as regards any further limitations, such as restrictions placed on parental rights of access, and as regards any legal safeguards designed to secure an effective protection of the right of parents and children to respect for their family life. Such further limitations entail the danger that the family relations between a young child and one or both parents would be effectively curtailed (*Bizdiga v. the Republic of Moldova*, 2023, § 58, *Sommerfeld v. Germany* [GC], 2003, §§ 62-63). Similar principles apply to cases concerning decisions on contact rights of grandparents (*Q and R v. Slovenia*, 2022, § 95).

- In determining whether the refusal of access of a parent to his or her child was “necessary in a democratic society”, the Court has to consider whether, in the light of the case as a whole, the reasons adduced to justify this measure were “relevant and sufficient” (*Katsikeros v. Greece*, 2022, §§ 57-63). In this respect, the Court will have regard to the fact that perceptions as to the appropriateness of intervention by public authorities in the care of children vary from one Contracting State to another, depending on such factors as traditions relating to the role of the family and to State intervention in family affairs and the availability of resources for public measures in this particular area. However, consideration of what is in the best interests of the child is, in every case, of crucial importance (*Kilic v. Austria*, 2023, § 122, *Strand Lobben and Others v. Norway* [GC], 2019, § 210).
- In deciding on contact restrictions, the domestic authorities have a duty to consider an applicant’s alleged history of domestic violence, a relevant and mandatory factor to be weighed in assessment (*Bîzdîga v. the Republic of Moldova*, 2023, § 62) as well as the vulnerability of an applicant (*A.I. v. Italy*, 2021, §§ 101-103).
- The Court will further have regard to the authorities’ decision-making process, to determine whether it has been conducted so as to ensure that the views and interests of the natural parents are made known to, and duly taken into account by, the authorities and that they are able to exercise in due time any remedies available to them (*Strand Lobben and Others v. Norway* [GC], 2019, §§ 212-213).
- As regards the decision-making process, the Court has held that it would be going too far to say that domestic courts are always required to involve a psychological expert on the issue of awarding contact to a parent not having custody, but it depends on the specific circumstances of each case, due regard being had to the age and maturity of the child concerned (*ibid.*, § 213). However, in several cases concerning children the Court found that the decision-making process had not been fair in view of the failure of the domestic authorities to obtain an expert opinion, where such an opinion had been necessary in order to assess a child’s relationship with his or her parents or to evaluate whether the statements given by the child corresponded to his or her true wishes (*Byčenko v. Lithuania*, 2023, § 116; see also *Omorefe v. Spain*, 2020, §§ 54-56).
- The question of whether the domestic courts need to hear a child in court depends on the specific circumstances of each case, due regard being had to the age and maturity of the child concerned (*Byčenko v. Lithuania*, 2023, § 106).

### **Positive obligations:**

The positive obligations inherent in the effective “respect” for family life, in the context of contact rights cases, entail the adoption of measures designed to secure respect for family life even in the sphere of relations between individuals, including both the provision of a regulatory framework of adjudicatory and enforcement machinery protecting individuals’ rights and the implementation, where appropriate, of specific steps. The right for a parent to have measures taken with a view to his or her being reunited with the child, and an obligation for the national authorities to take such measures, applies also to cases where contact and residence disputes concerning children arise between parents or other members of the children’s family (*E.K. v. Latvia*, 2023, § 73). This framework should enable the State to adopt measures to reunite parent and child, including in the event of conflict between the two parents (*A.T. v. Italy*, 2021, § 66, *R.B. and M. v. Italy*, 2021, § 65, *Terna v. Italy*, 2021, § 60, *Boştină v. Romania*, 2016, § 55). The obligation of the national authorities to take measures to facilitate contact by a non-custodial parent with children is not, however, absolute: it is an obligation of means, and not one of result.

- States’ positive obligations under Article 8 of the Convention include an obligation to put in place necessary protective frameworks by which to adjudicate contact arrangements (see,

for example, *Glaser v. the United Kingdom*, 2000, § 63, and, more recently, *E.K. v. Latvia*, 2023, § 73, with further references).

- Regard for family unity and for family reunification in the event of separation are inherent considerations in the right to respect for family life under Article 8 of the Convention. Accordingly, in the case of the imposition of public care restricting family life, a positive duty lies on the authorities to take measures to facilitate family reunification as soon as reasonably feasible (*Strand Lobben and Others v. Norway* [GC], 2019, § 205). A care order should be regarded as a temporary measure, to be discontinued as soon as circumstances permit, and any measures implementing temporary care should be consistent with the ultimate aim of reuniting the natural parents and the child. In this type of case the adequacy of a measure is to be judged by the swiftness of its implementation, as the passage of time can have irremediable consequences for relations between the child and the parent with whom it does not live. Furthermore, the ties between members of a family and the prospects of their successful reunification will perforce be weakened if impediments are placed in the way of their having easy and regular access to each other (*ibid.*, § 208). The positive obligations are not confined to ensuring that children can rejoin their parents or have contact with them, but also extend to all the preparatory steps to be taken to that end (*A and Others v. Italy*, 2023, § 98, *A.T. v. Italy*, 2021, § 66, *Haddad v. Spain*, 2019, § 54, *Polidario v. Switzerland*, 2013, § 65). Indeed, the establishment of contact may not be possible immediately, and may require preparatory or phased measures (*T.A. and Others v. the Republic of Moldova*, 2021, § 62, *Neves Caratão Pinto v. Portugal*, 2021, § 112). The cooperation and understanding of all concerned will always be an important ingredient. However, a lack of cooperation between separated parents is not a circumstance which can, of itself, exempt the authorities from their positive obligations under Article 8 of the Convention. It rather imposes on the authorities an obligation to take measures to reconcile the conflicting interests of the parties, the best interests of the child being a primary consideration. While the national authorities must do their utmost to facilitate such cooperation, any obligation to apply coercion in this area must be limited, since the interests, as well as the rights and freedoms, of all concerned must be taken into account, and more particularly the best interests of the child and his or her rights under Article 8 of the Convention (*Ribić v. Croatia*, 2015, §§ 94-95).
- The domestic authorities must take into account the risks that the exercise of contact rights entails for the physical and psychological integrity of the child (*I.M. and Others v. Italy*, 2022, § 111).
- Although coercive measures against children are not desirable in this sensitive area, the use of sanctions must not be ruled out in the event of unlawful behaviour by the parent with whom the children live (*A.S. and M.S. v. Italy*, 2023, § 153, *Ribić v. Croatia*, 2015, § 95).
- In cases where children resist contact with one parent, Article 8 requires States to try to identify the causes of such resistance and address them accordingly (*Jurišić v. Croatia (no. 2)*, 2022, § 43, *Ribić v. Croatia*, 2015, § 94). The question of whether the domestic courts need to hear a child in court depends on the specific circumstances of each case, having due regard to the age and maturity of the child concerned (*A and Others v. Italy*, 2023, § 110). The right of a child to express his or her own views should not be interpreted as effectively giving an unconditional veto power to children without any other factors being considered and an examination being carried out to determine their best interests. Were a court to base its decision on the views of children who are palpably unable to form and articulate an opinion as to their wishes – for example, because of a loyalty conflict – such a decision could run contrary to Article 8 (*A.S. and M.S. v. Italy*, 2023, § 147, *I.S. v. Greece*, 2023, § 94, *K.B. and Others v. Croatia*, 2017, § 143).

- As regards the issue of ordering a psychological report on the possibilities of establishing contact between the child and the applicant, the Court has observed that as a general rule it is for the national courts to assess the evidence before them, including the means to ascertain the relevant facts. However, in several cases concerning children, the Court found that the decision-making process had not been fair in view of the failure of the domestic authorities to obtain an expert opinion, where such an opinion had been necessary in order to assess a child's relationship with his or her parents or to evaluate whether the statements given by the child corresponded to his or her true wishes (*A.S. and M.S. v. Italy*, 2023, § 157, *A and Others v. Italy*, 2023, §§ 105 and 108).
- The ineffective, and in particular delayed, conduct of custody and contact proceedings may give rise to a breach of positive obligations under Article 8 as procedural delay and the resulting passage of time may lead to a *de facto* determination of the matter at issue. Therefore, in cases concerning a person's relationship with his or her child there is a duty to exercise exceptional diligence (*T.C. v. Italy*, 2022, § 58). This duty, which is decisive in assessing whether a case has been heard within a reasonable time as required by Article 6 § 1 of the Convention, also forms part of the procedural requirements implicit in Article 8 (*Paparrigopoulos v. Greece*, 2022, § 49, *Ribić v. Croatia*, 2015, § 92). A similar requirement of promptness and diligence applies to enforcement of decisions on custody and parental authority (see, for example, *Barnea and Caldararu v. Italy*, 2017, §§ 87-89).

### Noteworthy examples

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- *Honner v. France*, 2020 – domestic authorities' refusal to grant contact rights to a woman having no biological link with a child who was born to her partner, through medically assisted reproduction, when the two women were in a relationship. The domestic courts observed that the applicant and the child's mother had an extremely conflictual relationship and that it was not in the child's best interests to maintain contact with the applicant. The Court agreed that the decision had been taken in the child's best interests.
- *A.M. and Others v. Russia*, 2021 – the first applicant is a transgender woman, who has gone through a medical and legal gender transition (male-to-female). The other applicants are her children, who were born before the applicant's transition. The domestic courts restricted the applicant's parental rights and deprived her of contact with her children on account of her gender transition and the allegedly negative effect on them of her communicating with them and providing information on her transition. The Court found that the domestic courts had failed to make a balanced and reasonable assessment of the respective interests and found violations of Article 8 and of Article 14 of the Convention.
- *Anagnostakis and Others v. Greece*, 2021 – delays in proceedings aimed at determining the amount of contact between a father and his child resulting in a violation of Article 8.
- *R.M. v. Latvia*, 2021 – temporary suspension of the applicant's parental authority and limitation of contact rights with a vulnerable child based on relevant and sufficient reasons, notably the applicant's refusal to cooperate with the authorities, and adopted in domestic proceedings in which the applicant had full opportunity to participate at all stages, including through repeated judicial review (see also *G.M. v. France*, 2021);
- *E.M. and Others v. Norway*, 2022 – the refusal by the domestic authorities to lift a care order in respect of the two applicant children, an order removing the mother's parental responsibilities, and the refusal to grant her contact rights. The children had been placed in emergency care because of concerns relating to sexual abuse and violence. The Court concluded that in the domestic proceedings considerable attention had been paid to the question of maintaining, to the extent possible, the mother-child relationship, albeit with the children's best interests always remaining paramount.

- *Paparrigopoulos v. Greece*, 2022 – delays in paternity proceedings, which lasted nine years and eight months, affected the applicant’s relationship with his child.
- *Jurišić v. Croatia (no. 2)*, 2022 – continued non-enforcement, following a Court’s judgment finding a violation of Article 8, of judicial decisions whereby the applicant had been granted contact rights. The Court found no violation of Article 8 on account of the applicant’s own questionable conduct (see also *Ovakimyan v. Russia* (dec.), 2016, § 62).
- *I.M. and Others v. Italy*, 2022 – the domestic courts’ decisions had not taken account of the difficulties surrounding the contact sessions between the applicant’s children and their father, who was violent, of the unsafe conditions highlighted on several occasions by the various actors, of the violence experienced by the children’s mother and the children, or of the criminal proceedings pending against the father for ill-treatment.
- *Bierski v. Poland*, 2022 – the domestic authorities’ failure to re-establish contact between the applicant and his adult child, the latter affected by severe mental disability.
- *M.H. v. Poland*, 2022 – unjustified seven-month delay in joint divorce and custody proceedings depriving the applicant of the possibility of having additional contact with her young daughter over a three-month period.
- *Vinškovský v. the Czech Republic* (dec.), 2023 – dismissal of the applicant’s request to be granted contact rights with the child of his former partner with whom he had lived for two years. The Court applied the general principles concerning contacts between “social parents” and the children of their former partner (see also *Nazarenko v. Russia*, 2015, and *V.D. and Others v. Russia*, 2019).
- *Anagnostakis v. Greece*, 2023 – non-enforcement of judicial decisions granting the applicant contact rights with his child not attributed to a lack of diligence on the part of the relevant authorities but due to the tense relationship between parents and their behaviour, including the applicant’s unaccommodating conduct (contrast with *I.S. v. Greece*, 2023, *E.K. v. Latvia*, 2023, and *A and Others v. Italy*, 2023).
- *Bîzdîga v. the Republic of Moldova*, 2023 – restriction of the applicant’s contact rights with her son, following a decision-making process which was not reasonable, fair or sufficiently expedient.
- *Luca v. the Republic of Moldova*, 2023 – the domestic authorities’ failure to take prompt measures to support the applicant in maintaining contact with her children leaving her to defend her rights on her own; and to take into account incidents of domestic violence in the determination of the child’s contact rights.

## Recap of general principles

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- *Haddad v. Spain*, 2019, §§ 51-56, regarding the State’s positive obligations to facilitate family reunification as soon as reasonably feasible;
- *Jurišić v. Croatia (no. 2)*, 2022, §§ 42-44, regarding the State’s positive obligations in relation to the swift enforcement of contact rights;
- *Popadić v. Serbia*, 2022, §§ 82-85: recap of general principles concerning both positive and negative obligations in contact rights cases;
- *Katsikeros v. Greece*, 2022, §§ 52-55, regarding the proportionality of an interference with a natural father’s private life on account of a decision to restrict his contact rights with his child.

## Further references

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### ***Case-law guides:***

- [Guide on Article 8 - Right to respect for private and family life, the home and correspondence](#)

### ***Other key themes:***

- [Filiation](#)
- [Representation of the child before the ECHR](#)
- [Right of the child to be heard in domestic proceedings on family matters](#)



## KEY CASE-LAW REFERENCES

### Leading cases:

- *Sommerfeld v. Germany* [GC], no. 31871/96, ECHR 2003-VIII (extracts) (no violation of Article 8; violation of Article 14 taken together with Article 8);
- *Strand Lobben and Others v. Norway* [GC], no. 37283/13, 10 September 2019 (violation of Article 8);
- *Abdi Ibrahim v. Norway* [GC], no. 15379/16, 10 December 2021 (violation of Article 8 read in the light of Article 9).

### Other cases under Article 8 of the Convention:

- *Glaser v. the United Kingdom*, no. 32346/96, 19 September 2000 (no violation of Article 8; no violation of Article 6 § 1; no violation of Article 9);
- *K. and T. v. Finland* [GC], no. 25702/94, ECHR 2001-VII (violation of Article 8 in respect of the emergency care order concerning J; no violation of Article 8 in respect of the emergency care order concerning M; no violation of Article 8 in respect of the normal care orders in regard to either child; violation of Article 8 by reason of the failure to take proper steps to reunite the family; no violation of Article 8 in respect of current access restrictions; no violation of Article 13);
- *Schneider v. Germany*, no. 17080/07, 15 September 2011 (violation of Article 8; no need to examine the complaint under Article 8, read in conjunction with Article 14);
- *Polidario v. Switzerland*, no. 33169/10, 30 July 2013 (violation of Article 8);
- *Kruškić v. Croatia* (dec.), no. 10140/13, 25 November 2014 (inadmissible – manifestly ill-founded);
- *Nazarenko v. Russia*, no. 39438/13, ECHR 2015 (extracts) (violation of Article 8; no need to examine either the complaints under Article 6 § 1 and Article 13);
- *Ribić v. Croatia*, no. 27148/12, 2 April 2015 (violation of Article 8);
- *Boştinã v. Romania*, no. 612/13, 22 March 2016 (no violation of Article 8);
- *T.S. and J.J. v. Norway* (dec.), no. 15633/15, 11 October 2016 (inadmissible – manifestly ill-founded);
- *K.B. and Others v. Croatia*, no. 36216/13, 14 March 2017 (violation of Article 8);
- *Barnea and Caldararu v. Italy*, no. 37931/15, 22 June 2017 (violation of Article 8);
- *V.D. and Others v. Russia*, no. 72931/10, 9 April 2019 (no violation of Article 8 on account of the transfer of the child to his biological parents and the termination of the first applicant’s guardianship over him; violation of Article 8 on account of the respondent State’s failure to provide a possibility for the family ties between the applicants and the child to be maintained);
- *Haddad v. Spain*, no. 16572/17, 18 June 2019 (violation of Article 8);
- *Omorefe v. Spain*, no. 69339/16, 23 June 2020 (violation of Article 8);
- *Honner v. France*, no. 19511/16, 12 November 2020 (no violation of Article 8);
- *A.I. v. Italy*, no. 70896/17, 1 April 2021 (violation of Article 8; no need to examine the complaint under Article 13);
- *R.B. and M. v. Italy*, no. 41382/19, 22 April 2021 (violation of Article 8);
- *A.T. v. Italy*, no. 40910/19, 24 June 2021 (violation of Article 8);
- *Neves Caratão Pinto v. Portugal*, no. 28443/19, 13 July 2021 (violation of Article 8);

- *Anagnostakis and Others v. Greece*, no. 46075/16, 23 September 2021 (violation of Article 8);
- *T.A. and Others v. the Republic of Moldova*, no. 25450/20, 30 November 2021 (violation of Article 8);
- *G.M. v. France*, no. 25075/18, 9 December 2021 (no violation of Article 8);
- *R.M. v. Latvia*, no. 53487/13, 9 December 2021 (no violation of Article 8; strike-out of the complaint under Article 2 of Protocol No. 1 concerning primary education; inadmissible, Article 2 of Protocol No. 1 in respect of the music school);
- *E.M. and Others v. Norway*, no. 53471/17, 20 January 2022 (inadmissible in so far as it concerns the second and third applicants; no violation of Article 8 in so far as it concerns the first applicant);
- *Callamand v. France*, no. 2338/20, 7 April 2022 (violation of Article 8; complaint under Article 14 inadmissible – non-exhaustion of domestic remedies);
- *Paparrigopoulos v. Greece*, no. 61657/16, 30 June 2022 (violation of Article 8; violation of Article 14 combined with Article 8; no need to examine complaint under Articles 6 and 13);
- *Jurišić v. Croatia (no. 2)*, no. 8000/21, 7 July 2022 (no violation of Article 8);
- *Katsikeros v. Greece*, no. 2303/19, 21 July 2022 (complaint under Articles 8 and 6 inadmissible regarding the alleged lack of impartiality – non-exhaustion of domestic remedies; no violation of Article 8; no violation of Article 6 § 1 regarding the rejection of the additional grounds of appeal on points of law);
- *Popadić v. Serbia*, no. 7833/12, 20 September 2022 (violation of Article 8);
- *Bierski v. Poland*, no. 46342/19, 20 October 2022 (violation of Article 8);
- *Baškys v. Lithuania*, no. 47410/20, 22 November 2022 (no violation of Article 8);
- *M.H. v. Poland*, no. 73247/14, 1 December 2022 (violation of Article 8);
- *Kilic v. Austria*, no. 27700/15, 12 January 2023 (no violation of Article 8, interpreted alone and in the light of Article 9);
- *Byčenko v. Lithuania*, no. 10477/21, 14 February 2023 (no violation of Article 8);
- *E.K. v. Latvia*, no. 25942/20, 13 April 2023 (violation of Article 8);
- *I.S. v. Greece*, no. 19165/20, 23 May 2023 (violation of Article 8);
- *Vinškovský v. the Czech Republic* (dec.), no. 59252/19, 5 September 2023 (complaint under Article 8, inadmissible – manifestly ill-founded);
- *A and Others v. Italy*, no. 17791/22, 7 September 2023 (violation of Article 8);
- *Anagnostakis v. Greece*, no. 26504/20, 10 October 2023 (no violation of Article 8);
- *Bîzdîga v. the Republic of Moldova*, no. 15646/18, 17 October 2023 (violation of Article 8; violation of Article 6 § 1);
- *Luca v. the Republic of Moldova*, no. 55351/17, 17 October 2023 (violation of Article 8);
- *A.S. and M.S. v. Italy*, no. 48618/22, 19 October 2023 (violation of Article 8).

### Contact rights under other Articles:

- *Terna v. Italy*, no. 21052/18, 14 January 2021 (violation of Article 8; no violation of Article 14 combined with Article 8; no need to examine complaint under Article 13);
- *A.M. and Others v. Russia*, no. 47220/19, 6 July 2021 (violation of Article 8; violation of Article 14 taken together with Article 8);
- *Q and R v. Slovenia*, no. 19938/20, 8 February 2022 (complaints under Article 6 § 1 inadmissible concerning the foster care permission proceedings of the second applicant and

the continuing involvement of the welfare authorities in those proceedings for the first applicant – non-exhaustion of domestic remedies; violation of Article 6 § 1 as regards the first applicant’s complaint about the length of the foster care permission proceedings; no violation of Article 8 as regards the applicants’ complaint concerning the contact proceedings);

- *T.C. v. Italy*, no. 54032/18, 19 May 2022 (no violation of Article 14 in conjunction with Article 8; complaint under Article 8 inadmissible – manifestly ill-founded).