KEY THEME[1]
Article 8
Filiation

(Last updated: 29/02/2024)

Introduction

The notion of filiation, for current purposes, refers to the legal recognition of the relationship between a parent and a child, including the family name of a child. It thus concerns several types of applications: those lodged by a natural or legal parent or by a child (born in or out of wedlock). It does not cover specific situations such as adoption or gestational surrogacy[2], or other related matters such as custody, access or contact rights.

The establishment and disavowing of such legal recognition may raise issues under various Articles of the Convention (especially Article 8 but also Articles 6 and 14). In reviewing the decisions taken by the domestic authorities in the exercise of their power of appreciation, the Court will seek a fair balance between all the interests involved: those of the applicant, those of the child, the legal parent(s), family and the general interest in ensuring legal certainty and security of family relationships (*Lavanchy v. Switzerland*, 2021, § 32).

Applicability of Article 8

- An essential aspect of the identity of individuals is at stake where the legal parent-child relationship is concerned (*C.E. and Others v. France*, 2022, § 54). The Court accepted, in certain situations, the existence of *de facto* "family life" between an adult and a child in the absence of biological ties or a recognised legal tie, provided that there were genuine personal ties. The concept of "private life" did not exclude the emotional bonds created and developed between an adult and a child in situations other than the classic situations of kinship (§§ 49 and 53-54).
- The right to know one's origins and have them recognised does not cease with age. Birth, and in particular the circumstances in which a child was born, formed part of the child's, and subsequently the adult's, "private life" guaranteed by Article 8 (*Scalzo v. Italy*, 2022, §§ 58-59 and 63-64).
- Paternity proceedings fall within the scope of Article 8, not only in cases of marriage-based relationships but also in the presence of other *de facto* "family ties" (*Keegan v. Ireland*, 1994, § 44; *Kroon and Others v. the Netherlands*, 1994, § 30; *Nylund v. Finland* (dec.), 1999).
- Where no family tie has been established, paternity proceedings may still fall within the ambit of Article 8 under the notion of "private life" (*Nylund v. Finland* (dec.), 1999, regarding the establishment of paternal filiation by the putative father and by the child born out of wedlock, *Çapın v. Turkey*, 2019, §§ 33-34; *Backlund v. Finland*, 2010, § 37, 6 July 2010; *Mikulić v. Croatia*, 2002, §§ 52-55; *Rasmussen v. Denmark*, 1984, § 33, and *Shofman v. Russia*, 2005, § 31, regarding the disavowal of paternal filiation). The right to know one's

[1] Prepared by the Registry. It does not bind the Court.

[2] See the relevant Key Theme on "Surrogacy".

ascendants falls within the scope of the concept of "private life", which encompasses important aspects of one's personal identity, such as the identity of one's parents (*Boljević v. Serbia*, 2020, § 28), including questions of evidence through DNA testing (*I.L.V. v. Romania* (dec.), 2010, § 33).

- The inability to obtain recognition of a legal relationship between a child and the biological mother's female ex-partner may be examined under both the right to "family life" and to "private life" (*C.E. and Others v. France*, 2022, §§ 49-55).
- Mere biological kinship devoid of all legal or factual elements indicating the existence of a close personal relationship cannot be regarded as sufficient to attract the protection of Article 8 (*Marinis v. Greece*, 2014, § 62).
- Surname concerns the "private" and "family" life of an individual (*Cusan and Fazzo v. Italy*, 2014, §§ 55-56; *Mandet v. France*, 2016, §§ 44-45).
- The right of transgender parents and of their biological children to have the parents' recognised gender registered in their children's birth records concerns the applicants' "private life" (*O.H. and G.H. v. Germany*, 2023, §§ 81 and 83; see also *A.H. and Others v. Germany*, 2023, §§ 85 and 87).

Principles drawn from the current case-law

- Where the existence of a family tie with a child has been established, the State must act in a manner calculated to enable that tie to be developed and legal safeguards must be established that render possible, as from the moment of birth or as soon as practicable thereafter, the child's integration in his family (*Keegan v. Ireland*, 1994, § 50; *Kroon and Others v. the Netherlands*, 1994, § 32).
- Biological and social reality should normally prevail over a legal presumption which flies in the face of both established facts and the wishes of those concerned without actually benefiting anyone (*Kroon and Others v. the Netherlands*, 1994, § 40, regarding paternal filiation and *Emonet and Others v. Switzerland*, 2007, § 86, regarding maternal filiation). As recalled in *Mizzi v. Malta*, 2006, a situation in which a legal presumption is allowed to prevail over biological reality might not be compatible, even having regard to the margin of appreciation left to the State, with the obligation to secure effective "respect" for private and family life (§§ 113-114).
- The best interest of the child must be the paramount consideration (*Koychev v. Bulgaria*, 2020, § 56). If any balancing of interests is necessary, the interests of the child must prevail (*Yousef v. the Netherlands*, 2002, § 73). It might therefore not be unreasonable to place the child's best interests and the principle of legal certainty above the interest of the applicant, who wanted the determination of a biological fact, despite the refusal of the child, who had a long established legitimate paternal relationship with the applicant, to undergo DNA testing (*I.L.V. v. Romania* (dec.), 2010, §§ 42-45). However, the best interests of the child do not necessarily correspond to the wishes expressed by the child (*Mandet v. France*, 2016, §§ 56-57).
- The width of the margin of appreciation to be enjoyed by the State is to be determined with regard to the specific circumstances, field of application and context (*Mandet v. France*, 2016, § 52; see also *A.L. v. France*, 2022, §§ 51-55 and 61-62; *O.H. and G.H. v. Germany*, 2023, §§ 112-117; *A.H. and Others v. Germany*, 2023, §§ 112-117). For instance, when the applications raised a number of ethical questions, and there was no European consensus on the establishment of a legal parent-child relationship between a child and the biological mother's former partner, the Court decided that these considerations weighed in favour of allowing States a wide margin of appreciation. However, an essential aspect of individual identity is at stake where parent-child

relationships are concerned; in this instance, the Court clarified that the State had a narrower margin of appreciation when it came to examining the situation of the child whose best interests are paramount (*C.E. and Others v. France*, 2022, §§ 85-90).

- The private life of a deceased person, from whom a DNA sample would have to be taken, could not have been adversely affected by a request to that effect made following his death (*Jäggi v. Switzerland*, 2006, § 42; *Boljević v. Serbia*, 2020, § 54).
- Individuals have a vital interest protected under the Convention in obtaining the information which they need to learn the truth about an important aspect of their personal identity (*Scalzo v. Italy*, 2022, § 64).

Maternal filiation

- The Court recognises the principle "*mater semper certa est*" and considers that the mere mention of the mother's name on the birth certificate should constitute proof of a child's maternal filiation (*Marckx v. Belgium*, 1979, §§ 36-37). However, the Court also protects the interest of the mother in giving birth anonymously (*Odièvre v. France* [GC], 2003, § 44; *Cherrier v. France*, 2024, § 72). See also *León Madrid v. Spain*, 2021, on the placement of the mother's surname in the naming of a child (§§ 60-66).

Paternal filiation

- States may introduce time-limits to the institution of paternity proceedings (*Rasmussen v. Denmark*, 1984, § 41; *Shofman v. Russia*, 2005, § 39; *Silva and Mondim Correia v. Portugal*, 2017, § 57; *C.P. and M.N. v. France*, 2023, § 45). Once the limitation-period to contest paternity had expired, greater weight must be given to the interests of the child than to the man's interest in disproving his paternity (*Yildirim v. Austria* (dec.), 1999; *Çapın v. Turkey*, 2019, § 77). However, those time-limits should not be applied too rigidly, regardless of the circumstances of an individual case (*Phinikaridou v. Cyprus*, 2007, § 65; *Çapın v. Turkey*, 2019, §§ 57-61 and the references therein; *C.P. and M.N. v. France*, 2023, § 45).
- Situations in which the time-limits laid down by domestic law for instituting paternity proceedings are absolute and rigid may be found to be in violation of Article 8. By contrast, where the domestic law provided for an extension of the time-limits, if relevant circumstances became known following their expiry, the Court determined whether the applicants had acted with sufficient diligence so as to benefit from the possibility of bringing an action after the time-limit had expired (*Lavanchy v. Switzerland*, 2021, § 34, and *Çapın v. Turkey*, 2019, §§ 59-61).
- The vital interest in having biological truth legally established does not exempt one from complying with the requirements of domestic law (*Silva and Mondim Correia v. Portugal*, 2017, §§ 67-68; *C.P. and M.N. v. France*, 2023, § 52). For instance, a refusal to permit an exception to the time-limit under domestic law did not violate Article 8 where there was no justification for the applicant's inactivity over a 31-year period (*Lavanchy v. Switzerland*, 2021, § 39). Moreover, the Court found no violation of Article 8 where the biological father failed, without good reason, to make a valid application within the time-limit, and the child had already had an established parent-child relationship (*C.P. and M.N. v. France*, 2023, § 45).
- While performing the "balancing of interests test" in the examination of cases concerning paternity claims, the Court has taken a number of factors into consideration: see notably *Boljević v. Serbia*, 2020, §§ 51-53 and § 56, *Lavanchy v. Switzerland*, 2021, §§ 32-33.
- In *Boljević v. Serbia*, 2020, the applicant became aware of the final judgment regarding his parentage decades after the applicable deadline for the reopening of the paternity

proceedings had already expired and there was no legal way, notwithstanding his very specific situation, to have the deadline for the submission of his request for reopening extended (§ 54). The preservation of legal certainty was found not to suffice of itself as a ground for depriving the applicant of the right to ascertain his parentage (§ 55).

- When a man wants his paternity recognised in relation to a child born in wedlock (*Nylund v. Finland* (dec.), 1999), the interests of the child and the existing family unit can be given a greater weight. As to the ability for the biological father to contest the presumption of the husband's paternity, the States enjoys a certain margin of appreciation in regulating paternal filiation (*Chavdarov v. Bulgaria*, 2010, and *Marinis v. Greece*, 2014, §§ 70-71) – Compare and contrast with unmarried partners: *Różański v. Poland*, 2006, and *Yousef v. the Netherlands*, 2002.
- As concerns the presumed biological father challenging the paternity of the existing legal father who lived with the child in a social and family relationship, the decision whether the alleged biological father should be allowed to challenge paternity under the circumstances of the case falls within the State's margin of appreciation, and similar considerations apply to the question whether an alleged biological father should be allowed to demand clarification of the child's descent by genetic testing without changing the child's legal status (*Kautzor v. Germany*, 2012, §§ 77-79; see also *Ahrens v. Germany*, 2012, § 75).
- If the alleged father cannot be compelled to undertake DNA tests, the State should provide alternative means enabling an independent authority to determine the paternity claim speedily (*Mikulić v. Croatia*, 2002, § 64).
- An individual can be obliged to provide a genetic sample in disputed paternity proceedings (*Mifsud v. Malta,* 2019, §§ 70-75). It is the State`s duty to strike a fair balance between the interests of having paternity established and that of the applicant not to undergo a DNA test (*Ibid.,* 2019, § 77; see also *I.L.V. v. Romania* (dec.), 2010, §§ 37-47).

Procedural requirements

- In cases concerning a person's relationship with his or her child, there is a duty to exercise exceptional diligence in view of the risk that the passage of time may result in a *de facto* determination of the matter (*Ahrens v. Germany*, 2012, § 78). This includes proceedings for the judicial determination of paternity (*Paparrigopoulos v. Greece*, 2022, §§ 49-50).
- Considering the State's margin of appreciation, a domestic legal system under which an action to contest paternity is of a preliminary nature in relation to proceedings to establish paternity could, in principle, be considered compatible with the obligations arising out of Article 8. However, in the context of such a system, the interests of the person seeking a determination of his or her parentage have to be protected (*Scalzo v. Italy*, 2022, § 65).

Noteworthy examples

- *Kroon and Others v. the Netherlands*, 1994: the first judgment to establish the main principles applicable to filiation proceedings;
- *G.M.B. and K.M. v. Switzerland* (dec.), 2001: refusal of authorities to give mother's surname to child when family name of spouses is the father's;
- *Znamenskaya v. Russia*, 2005: the Court deals with the very specific situation of registration of uncontested paternity in respect of stillbirth;
- *Tavlı v. Turkey*, 2006: refusal of retrial to challenge paternity finding because scientific progress (DNA test) was not a valid ground for such a challenge;

- *Menéndez García v. Spain* (dec.), 2009: the Court deals with a new aspect of the issue of tracing one's origin (the establishment of one's "grand-paternity") and asserts the principle whereby "the interest in knowing one's identity varies depending on the degree of relationship in the ascending line";
- *I.L.V. v. Romania* (dec.), 2010: refusal to order mother and child to undergo DNA tests to establish scientific evidence of paternity where that issue had already been judicially determined more than ten years earlier;
- *Pascaud v. France*, 2011: this judgment illustrates the patrimonial dimension often implicit in filiation cases;
- *Krušković v. Croatia*, 2011: the first judgment of the Court to address the question of the acknowledgment of paternity by a man divested of his legal capacity;
- *Laakso v. Finland*, 2013: the application of a rigid time-limit for the exercise of paternity proceedings and, in particular, the lack of any possibility to balance the competing interests by the national courts;
- *A.L. v. Poland*, 2014: assessment of the applicant's conduct and interest in disproving, after a DNA test, his freely acknowledged paternity - compare with other attempts to disavow paternity: *Mizzi v. Malta*, 2006, *Shofman v. Russia*, 2005, and *Paulík v. Slovakia*, 2006;
- *Mandet v. France*, 2016: the Court deals with the very specific situation of a change of recognised paternity at the request and in favour of the biological father without the child's consent;
- *R.L. and Others v. Denmark*, 2017: the Court analyses in detail the best interests of the child and strikes a fair balance between his interests and the other interests involved (see also *Fröhlich v. Germany*, 2018);
- *Bagniewski v. Poland*, 2018: the role of the DNA tests (see also *Canonne v. France* (dec.), 2015), and in particular a non-judicial DNA test;
- *Mifsud v. Malta*, 2019: compulsory taking of a DNA sample obtained via a buccal swab from a man (the applicant) as a result of a court order made pursuant to filiation proceedings initiated by his putative daughter;
- *Çapın v. Turkey*, 2019: the applicant sought judicial recognition of paternity at the age of forty-five. The interest of persons in receiving the information necessary to eliminate any uncertainty in respect of his personal identity does not disappear with age, quite the reverse;
- *Boljević v. Serbia*, 2020: time-bar precluding DNA test of a deceased man and review of final judgment approving his disavowal of paternity, about which disavowal the applicant did not know and which had been accepted before DNA tests became available;
- *Koychev v. Bulgaria*, 2020: dismissal of an action challenging paternity on the grounds of the interests of the child, who had been recognised by the mother's husband, without sufficient safeguards for the alleged biological father;
- *Lavanchy v. Switzerland*, 2021: domestic courts' refusal to allow an exception to the time-limit laid down by domestic law (one year from the date of reaching the age of majority) to establish paternal filiation (see also *C.P. and M.N. v. France*, 2023);
- *C.E. and Others v. France*, 2022: domestic courts' refusal to recognise a legal relationship between a child and the biological mother's ex-partner;
- *Paparrigopoulos v. Greece*, 2022: father discriminated against by imposition of paternity judgment limiting his parental responsibility; proceedings for the judicial determination of paternity having reached a total duration of nine years and four months;

- *S.W. and Others v. Austria* (dec.), 2022: disclosure of the identity of the adoptive parent in the birth certificate of a child of same-sex parents after second-parent adoption;
- *Scalzo v. Italy*, 2022: prolonged inability of the applicant to bring an action to establish paternity on the part of her biological father owing to the length of the proceedings to contest the paternity of her putative father, as a result of which the applicant remained in a state of prolonged uncertainty with regard to her personal identity;
- *O.H. and G.H. v. Germany*, 2023: right of a transgender parent and of his/her child to have the parent's recognised gender rather that the biological sex registered in his/her child's birth record (see also *A.H. and Others v. Germany*, 2023).

Filiation under other Articles of the Convention

- *Marckx v. Belgium*, 1979: discrimination grounded on birth in the manner of establishing maternal filiation (Article 14 in conjunction with Article 8);
- *Rasmussen v. Denmark*, 1984: difference of treatment between husband and wife regarding the time-limits set to a challenge of paternity (Article 14 in conjunction with Article 6 and 8);
- *Nylund v. Finland* (dec.), 1999: non-application of Article 6;
- *Mikulić v. Croatia*, 2002: length of paternity proceedings (§§ 44-46) (Article 6);
- *Haas v. the Netherlands*, 2004: non-application of Article 8 and Article 14;
- *Mizzi v. Malta*, 2006: impossibility of introducing an action for disavowal of paternity constituted a violation of the right of access to court (§§ 71-91) (Article 6);
- *Paulík v. Slovakia*, 2006: discrimination as regards a father whose paternity has been established through a judicial declaration of paternity, compared to mothers and to fathers whose paternity is established on other grounds, because of the absence of legal means to contest his paternity (§§ 51-59) (Article 14 in conjunction with Article 8);
- *Cusan and Fazzo v. Italy*, 2014: inability for married couple to give their legitimate child the wife's surname (§§ 58-69) (Article 14 in conjunction with Article 8);
- *Koch v. Poland* (dec.), 2017: in the proceedings for the disavowal of his paternity, the applicant obtained the DNA samples by force (Articles 6 and 8: abuse of the right of application);
- *Yocheva and Ganeva v. Bulgaria*, 2021: discriminatory denial of surviving parent allowance to single mother of minor children of unknown father (§§ 106-113, § 125) (Article 14 in conjunction with Article 8);
- *León Madrid v. Spain*, 2021: paternal surname automatically preceding maternal surname in naming of child, where parents disagree, without consideration of specific circumstances (§§ 60-72) (Article 14 in conjunction with Article 8);
- *Paparrigopoulos v. Greece*, 2022: inability of the father of child born out of wedlock to exercise parental responsibility without mother's consent despite parentage established by DNA test (§§ 38-42) (Article 14 in conjunction with Article 8).

Recap of general principles

- *Shofman v. Russia*, 2005, §§ 44-45, regarding contestation of paternal filiation;
- *Emonet and Others v. Switzerland*, 2007, §§ 33-36 and 63-68, regarding maternal filiation;
- *Phinikaridou v. Cyprus*, 2007, §§ 45-48 and 51-52; *Çapın v. Turkey*, §§ 53-61, 2019, and *Lavanchy v. Switzerland*, 2021, §§ 33-34, regarding establishment of paternal filiation sought by the child;

- *Chavdarov v. Bulgaria*, 2010, §§ 36-40, regarding establishment of paternal filiation sought by the (putative) father; see also *Marinis v. Greece*, 2014, § 70;
- *Ahrens v. Germany*, 2012, §§ 58, 60-61, 63-64, and 74 regarding contestation of paternal filiation sought by the (putative) father; see also *Kautzor v. Germany*, 2012, §§ 77-79;
- *Boljević v. Serbia*, 2020, §§ 53-56, regarding an individual who sought to reopen earlier proceedings rather than bring a new paternity claim;
- *Koychev v. Bulgaria*, 2020, §§ 56-58, regarding margin of appreciation in paternal filiation cases.

KEY CASE-LAW REFERENCES

- *Marckx v. Belgium*, no. 6833/74, 13 June 1979, Series A no. 31 (violation of Article 8 and of Article 14 in conjunction with Article 8);
- *Rasmussen v. Denmark*, no. 8777/79, 28 November 1984, Series A no. 87 (no violation of Article 14 in conjunction with Article 6 or with Article 8);
- *Keegan v. Ireland*, no. 16969/90, 26 May 1994, Series A no. 290 (violation of Article 8 and Article 6 § 1);
- *Kroon and Others v. the Netherlands*, no. 18535/91, 27 October 1994, Series A no. 297-C (violation of Article 8; no separate issue under Article 14 in conjunction with Article 8);
- *Nylund v. Finland* (dec.), no. 27110/95, ECHR 1999-VI (Article 14: inadmissible - manifestly ill-founded; Article 8 taken alone and in conjunction with Article 14: inadmissible - manifestly ill-founded; Article 6, taken alone and in conjunction with Article 14: not applicable - incompatible *ratione materiae*);
- *Yildirim v. Austria* (dec.), no. 34308/96, 19 October 1999 (Article 8: inadmissible - manifestly ill-founded; Article 6: inadmissible - incompatible *ratione materiae*);
- *G.M.B. and K.M. v. Switzerland* (dec.), no. 36797/97, 27 September 2001 (Article 8 and Article 14 taken in conjunction with Article 8: inadmissible - manifestly ill-founded);
- *Mikulić v. Croatia*, no. 53176/99, ECHR 2002-I (violation of Article 6 § 1, Article 8 and Article 13 in respect of the complaint under Article 6 § 1);
- *Yousef v. the Netherlands*, no. 33711/96, ECHR 2002-VIII (no violation of Article 8);
- *Odièvre v. France* [GC], no. 42326/98, ECHR 2003-III (no violation of Article 8 and Article 14);
- *Haas v. the Netherlands*, no. 36983/97, ECHR 2004-I (non-application of Article 8, Article 13 and Article 14);
- *Znamenskaya v. Russia*, no. 77785/01, 2 June 2005 (violation of Article 8);
- *Shofman v. Russia*, no. 74826/01, 24 November 2005 (violation of Article 8);
- *Mizzi v. Malta*, no. 26111/02, ECHR 2006-I (extracts) (violation of Article 6 § 1, Article 8 and Article 14);
- *Różański v. Poland*, no. 55339/00, 18 May 2006 (violation of Article 8);
- *Jäggi v. Switzerland*, no. 58757/00, ECHR 2006-X (violation of Article 8; no separate issue under Article 14);
- *Paulík v. Slovakia*, no. 10699/05, ECHR 2006-XI (extracts) (violation of Articles 8 and 14; no separate issue under Articles 6 and 13);
- *Tavlı v. Turkey*, no. 11449/02, 9 November 2006 (violation of Article 8);
- *Emonet and Others v. Switzerland*, no. 39051/03, 13 December 2007 (violation of Article 8);
- *Phinikaridou v. Cyprus*, no. 23890/02, 20 December 2007 (violation of Article 8; no separate issue under Article 6 § 1);
- *Menéndez García v. Spain* (dec.), no. 21046/07, 5 May 2009 (Article 8: inadmissible – manifestly ill-founded);
- *Backlund v. Finland*, no. 36498/05, § 37, 6 July 2010 (violation of Article 8);
- *I.L.V. v. Romania* (dec.), no. 4901/04, 24 August 2010, (Article 8: inadmissible – manifestly ill-founded);

- *Chavdarov v. Bulgaria*, no. 3465/03, 21 December 2010 (no violation of Article 8);
- *Pascaud v. France*, no. 19535/08, 16 June 2011 (violation of Article 8);
- *Krušković v. Croatia*, no. 46185/08, 21 June 2011 (violation of Article 8);
- *A.M.M. v. Romania*, no. 2151/10, 14 February 2012 (violation of Article 8);
- *Ahrens v. Germany*, no. 45071/09, 22 March 2012 (no violation of Article 8 and no violation of Article 14 in conjunction with Article 8);
- *Kautzor v. Germany*, no. 23338/09, 22 March 2012 (no violation of Article 8 and no violation of Article 14 in conjunction with Article 8);
- *Laakso v. Finland*, no. 7361/05, 15 January 2013 (violation of Article 8);
- *Cusan and Fazzo v. Italy*, no. 77/07, 7 January 2014 (violation of Article 14 in conjunction with Article 8);
- *A.L. v. Poland,* no. 28609/08, 18 February 2014 (no violation of Article 8);
- *Marinis v. Greece*, no. 3004/10, 9 October 2014 (no violation of Article 8 and no violation of Article 14 in conjunction with Article 8);
- *Canonne v. France* (dec.), no. 22037/13, 2 June 2015 (Article 8: inadmissible – manifestly ill-founded);
- *Mandet v. France*, no. 30955/12, 14 January 2016 (no violation of Article 8);
- *L.D. and P.K. v. Bulgaria*, nos. 7949/11 and 45522/13, 8 December 2016 (violation of Article 8);
- *R.L. and Others v. Denmark*, no. 52629/11, 7 March 2017 (violation of Article 8);
- *Koch v. Poland* (dec)., no. 15005/11, 7 March 2017 (Article 8: inadmissible - abuse of the right of application, under Articles 17 and 35 § 3 (a)) - compare and contrast with *A.L. v. Poland,* no. 28609/08, 18 February 2014, §§ 44-49, Article 8);
- *Silva and Mondim Correia v. Portugal*, nos. 72105/14 and 20415/15, 3 October 2017 (no violation of Article 8);
- *Bagniewski v. Poland*, no. 28475/14, 31 May 2018 (no violation of Article 8);
- *Fröhlich v. Germany*, no. 16112/15, 26 July 2018 (no violation of Article 8);
- *Mifsud v. Malta,* no. 62257/15, 29 January 2019 (no violation of Article 8);
- *Çapın v. Turkey*, no. 44690/09, 15 October 2019 (violation of Article 8);
- *Boljević v. Serbia*, no. 47443/14, 16 June 2020 (violation of Article 8);
- *Koychev v. Bulgaria*, no. 32495/15, 13 October 2020 (violation of Article 8);
- *Yocheva and Ganeva v. Bulgaria*, nos. 18592/15 and 43863/15, 11 May 2021 (violation of Article 14 in conjunction with Article 8);
- *Lavanchy v. Switzerland*, no. 69997/17, 19 October 2021 (no violation of Article 8);
- *León Madrid v. Spain*, no. 30306/13, 26 October 2021 (violation of Article 14 in conjunction with Article 8);
- *C.E. and Others v. France*, nos. 29775/18 and 29693/19, 24 March 2022 (no violation of Article 8);
- *Paparrigopoulos v. Greece*, no. 61657/16, 30 June 2022 (violation of Article 14 in conjunction with Article 8; violation of Article 8*;* no need to examine the complaints under Articles 6 and 13);
- *S.W. and Others v. Austria* (dec.), no. 1928/19, 6 September 2022 (Article 8 and Article 14 in conjunction with Article 8: inadmissible – manifestly ill-founded);
- *Scalzo v. Italy*, no. 8790/21, 6 December 2022 (violation of Article 8);

- *O.H. and G.H. v. Germany*, nos. 53568/18 and 54741/18, 4 April 2023 (no violation of Article 8);
- *A.H. and Others v. Germany*, no. 7246/20, 4 April 2023 (no violation of Article 8);
- *C.P. and M.N. v. France*, nos. 56513/17 and 56515/17, 2023 (no violation of Article 8);
- *Cherrier v. France*, no. 18843/20, 30 January 2024 (no violation of Article 8).