



KEY THEME¹

Article 6 (criminal limb)

Presumption of innocence

(Last updated: 28/02/2023)

Introduction

Article 6 § 2 enshrines the right of an accused person to be presumed innocent until proved guilty according to law.

There are two aspects from which the presumption of innocence can be viewed (*Allen v. the United Kingdom* [GC], 2013, §§ 93-94):

- As a procedural guarantee in the context of a criminal trial itself where it imposes requirements in respect of, *inter alia*, the burden of proof; legal presumptions of fact and law; the privilege against self-incrimination; pre-trial publicity; and premature expressions, by the trial court or by other public officials, of a defendant's guilt; and
- As a guarantee to protect individuals who have been acquitted of a criminal charge, or in respect of whom criminal proceedings have been discontinued, from being treated by public officials and authorities as though they are in fact guilty of the offence charged. To a certain extent, the protection afforded under Article 6 § 2 in this connection may overlap with the protection afforded by Article 8.

Principles drawn from the current case-law on the scope of Article 6 § 2

Criminal proceedings:

Article 6 § 2 requires, *inter alia*, that: (1) when carrying out their duties, the members of a court should not start with the preconceived idea that the accused has committed the offence charged; (2) the burden of proof is on the prosecution; and (3) any doubt should benefit the accused (*Barberà, Messegué and Jabardo v. Spain*, 1988, § 77).

Article 6 § 2 does not normally apply when no criminal charge is brought in circumstances where the individual has measures imposed on them in proceedings prior to any criminal charge (*Gogitidze and Others v. Georgia*, 2015, §§ 125-126, concerning the forfeiture proceedings *in rem* taking place before the applicant's criminal prosecution; see, by contrast, *Batiashvili v. Georgia*, 2019, § 79, where it applied in light of the particular circumstances of the case in which evidence had been manipulated in order to insinuate the existence of a crime, insinuation which then led to a criminal charge against the applicant; see also *Farzaliyev v. Azerbaijan*, 2020, § 48).

The presumption of innocence applies in criminal proceedings irrespective of the outcome of the prosecution (*Minelli v. Switzerland*, 1983, § 30). It applies to the entirety of the proceedings (*Konstas v. Greece*, 2011, § 36). However, Article 6 § 2 ceases to apply in the sentencing procedure after guilt

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

has been proved according to law (*Bikas v. Germany*, 2018, § 57; see, for an exception, *Böhmer v. Germany*, 2002, § 55).

The scope of Article 6 § 2 also encompasses posthumously conviction, which will usually be considered to breach the presumption of innocence if the applicant did not stand trial (*Magnitskiy and Others v Russia*, 2019, § 284).

Parallel proceedings:

Article 6 § 2 may apply to court decisions rendered in proceedings that were not directed against an applicant as accused but nevertheless concerned and had a link with criminal proceedings simultaneously pending against him or her, when those court decisions imply a premature assessment of his or her guilt (*Böhmer v. Germany*, 2002, § 67; *Diamantides v. Greece (no. 2)*, 2005, § 35; *Eshonkulov v. Russia*, 2015, §§ 74-75).

Article 6 § 2 applies with regard to statements made in parallel criminal proceedings against co-suspects that are not binding with respect to the applicant accused, insofar as there was a direct link between the proceedings against the applicant with those parallel proceedings (*Karaman v. Germany*, 2014, § 43).

Article 6 § 2 also applies to the proceedings concerning the revocation of the suspension of prison sentence on probation in which reference was made to the fresh criminal investigation proceedings pending against the applicant on suspicion of having committed another offence (*El Kaada v. Germany*, 2015, § 37).

The principle of presumption of innocence applies in the case of dual proceedings, namely administrative and criminal proceedings initiated in parallel (*Kemal Coşkun v. Turkey*, 2017, § 44).

Article 6 § 2 applies when applicants have two sets of criminal proceedings pending against them (*Kangers v. Latvia*, 2019, §§ 60-61).

The Court also found Article 6 § 2 to be applicable in parliamentary inquiry proceedings conducted in parallel with criminal proceedings (*Rywin v. Poland*, 2016, § 208).

Subsequent proceedings:

Whenever the question of the applicability of Article 6 § 2 arises in the context of subsequent proceedings, the applicant must demonstrate the existence of a link between the concluded criminal proceeding and the subsequent proceedings (*Allen v. the United Kingdom* [GC], 2013, § 104).

The Court considered the applicability of Article 6 § 2 to judicial decisions taken following the conclusion of criminal proceedings concerning, *inter alia*, the following (see further *Allen v. the United Kingdom* [GC], 2013, § 98):

- A former accused's obligation to bear court costs and prosecution costs;
- A former accused's request for compensation for detention on remand or other inconvenience caused by the criminal proceedings;
- A former accused's request for defence costs;
- A former accused's request for compensation for damage caused by an unlawful or wrongful investigation or prosecution;
- Imposition of civil liability to pay compensation to the victim;
- Refusal of civil claims lodged by the applicant against insurers;
- Maintenance in force of a child care order, after the prosecution decided not to bring charges against the parent for child abuse;
- Disciplinary or dismissal issues;

- Revocation of the applicant's right to social housing;
- Request for conditional release from prison;
- Proceedings for reopening of criminal proceedings;
- Confiscation of an applicant's land even through the criminal case against him had been dismissed as statute-barred (*G.I.E.M. S.R.L. and Others v. Italy* [GC], 2018, §§ 314-318);
- Conviction in the subsequent administrative proceedings following an applicant's acquittal on the same charges in the criminal proceedings (*Kapetanios and Others v. Greece*, 2015, § 88);
- Dismissal by domestic courts of an applicant's appeal against the prosecutor's decision where the proceedings became time-barred (*Caraian v. Romania*, 2015, §§ 74-77).
- Discontinuation of the criminal proceedings against the applicants on the basis of an amnesty (*Béres and Others v. Hungary*, 2017, §§ 27-34).

State obligations in brief

Prejudicial Statements:

Article 6 § 2 prohibits, not only the premature expression by the tribunal itself of the opinion that the person "charged with a criminal offence" is guilty before he has been so proved according to law, but also covers statements made by other public officials about pending criminal investigations which encourage the public to believe the suspect guilty and prejudice the assessment of the facts by the competent judicial authority. It suffices, even in the absence of any formal finding, that there is some reasoning suggesting that the court or the official regards the accused as guilty (*Karaman v. Germany*, 2014, § 41). Moreover, the prejudicial statements must concern the same criminal offence in respect of which the protection of the presumption of innocence in the context of the latter proceedings is claimed (*Larrañaga Arando and Others v. Spain* (dec.), 2019, § 48).

When the impugned statements are made by private entities (such as newspapers), and do not constitute a verbatim reproduction of (or an otherwise direct quotation from) any part of official information provided by the authorities, an issue does not arise under Article 6 § 2 but may arise under Article 8 of the Convention (*Mityanin and Leonov v. Russia*, 2019, §§ 102 and 105; see also *Mulosmani v. Albania*, 2013, § 141; and *McCann and Healy v. Portugal*, 2022, §§ 65-66, where the Court did not consider that the statements of a retired police officer were imputable to the State for the purposes of Article 6 § 2).

The Court differentiates between statements merely voicing suspicion of a suspect's guilt, and statements clearly indicating his or her guilt. The latter infringes Article 6 § 2, whereas the former has been regarded as unobjectionable in various situations examined by the Court (*Garycki v. Poland*, 2007, § 67).

In cases of unfortunate language, it is necessary to look at the context of the proceedings as a whole and their special features in order to determine whether the statements breach Article 6 § 2 (*Fleischner v. Germany*, 2019, § 65).

Statements by judicial authorities

A breach of the presumption of innocence will occur if a judicial decision concerning an accused person reflects an opinion of guilt before being proven guilty according to law. It suffices, even in the absence of any formal finding, that there is some reasoning suggesting that the court regards the accused as guilty (*Gutsanovi v. Bulgaria*, 2013, §§ 202-203). Moreover, the lack of intention to breach the right to the presumption of innocence cannot rule out a violation of Article 6 § 2 of the Convention (*Avaz Zeynalov v. Azerbaijan*, 2021, § 69).

However, it is always important to take into account the true meaning of the statements in question, rather than their literal form (*Lavents v. Latvia*, 2002, § 126).

The fact that the applicant is ultimately found guilty does not negate his initial right to be presumed innocent until proved guilty according to law (*Matijašević v. Serbia*, 2006, § 49; *Nešťák v. Slovakia*, 2007, § 90).

However, the higher court may rectify the impugned statements made by the lower courts by correcting their wording so as to exclude any prejudicial suggestion of guilt (*Benghezal v. France*, 2022, § 36).

Statements by public officials

The presumption of innocence may be infringed not only by a judge or court but also by other public authorities, such as police officials (*Alenet de Ribemont v. France*, 1995, §§ 37 and 41), the President of the Republic (*Peša v. Croatia*, 2010, § 149), the Prime Minister or Minister of the Interior (*Gutsanovi v. Bulgaria*, 2013, §§ 194-198), the Minister of Justice (*Konstas v. Greece*, 2011, §§ 43 and 45), the President of the Parliament (*Butkevičius v. Lithuania*, 2002, § 53), a prosecutor (*Daktaras v. Lithuania*, 2000, § 42), and other prosecuting authorities (*Khuzhin and Others v. Russia*, 2008, § 96).

Article 6 § 2 prohibits statements by public officials about pending criminal investigations which encourage the public to believe the suspect guilty and prejudge the assessment of the facts by the competent judicial authority (*Ismoilov and Others v. Russia*, 2008, § 161; *Butkevičius v. Lithuania*, 2002, § 53). Such prejudicial statements raise an issue under Article 6 § 2 irrespective of other considerations under Article 6 § 1, such as those related to adverse pre-trial publicity (*Turyev v. Russia*, 2016, § 21).

However, the authorities are still able to inform the public about the criminal investigations taking place, in so far as this is done with all the discretion and circumspection necessary (*Fatullayev v. Azerbaijan*, 2010, § 159; *Alenet de Ribemont v. France*, 1995, § 38; *Garycki v. Poland*, 2007, § 69).

Similarly, in *Filat v. the Republic of Moldova*, 2021, §§ 45-51, the Court did not consider that, in the context of the parliamentary proceedings for the waiver of immunity, the statements of the Prosecutor General and the President of the Parliament referring to the evidence supporting the request for the waiver of the applicant's immunity breached Article 6 § 2.

Adverse press campaigns:

A virulent press campaign can adversely affect the fairness of a trial by influencing public opinion and affect an applicant's presumption of innocence (*Ninn-Hansen v. Denmark* (dec.), 1999; *Anguelov v. Bulgaria* (dec.), 2004). Thus, for instance, the broadcast of the suspect's images on television may raise an issue under Article 6 § 2 (*Rupa v. Romania (no. 1)*, 2008, § 232).

Burden of proof:

The principle of presumption of innocence requires, *inter alia*, that it is for the prosecution to inform the accused of the case that will be made against him (*Barberà, Messegué and Jabardo v. Spain*, 1988, § 77; *Janosevic v. Sweden*, 2002, § 97).

However, a shift of the burden to the defence is compatible with Article 6 § 2 of the Convention after a *prima facie* case has already been made against the accused (*Telfner v. Austria*, 2001, § 18; *Poletan and Azirovik v. the former Yugoslav Republic of Macedonia*, 2016, §§ 63-67).

The Court has also held that the *in dubio pro reo* principle (doubts should benefit the accused) is a specific expression of the presumption of innocence (*Barberà, Messegué and Jabardo v. Spain*, 1988, § 77; *Tsalkitzis v. Greece (no. 2)*, 2017, § 60).

An issue from the perspective of this principle may arise, for instance, if the domestic courts' decisions on a guilty verdict are not sufficiently reasoned (*Melich and Beck v. the Czech Republic*, 2008, §§ 49-55; *Ajdarić v. Croatia*, 2011, § 51), or if an unattainable burden of proof has been placed on the applicant (*Nemtsov v. Russia*, 2014, § 92; *Topić v. Croatia*, 2013, § 45; *Frumkin v. Russia*, 2016, § 166).

Presumptions of fact and of law:

Article 6 § 2 allows presumptions of fact and law but it requires States to confine them within reasonable limits, taking into account the importance of what is at stake and maintaining the rights of the defence (*Salabiaku v. France*, 1988, §§ 27-28; *Radio France and Others v. France*, 2004, § 24). In other words, the means employed must be reasonably proportionate to the legitimate aim sought to be achieved (*Janosevic v. Sweden*, 2002, § 101; *Falk v. the Netherlands* (dec.), 2004; *Busuttil v. Malta*, 2021, §§ 46-47).

Noteworthy examples

- *Allen v. the United Kingdom* [GC], 2013– applicability of Article 6 § 2 in the context of subsequent proceedings;
- *Salabiaku v. France*, 1988 – concerning presumptions of fact and law which are allowed but need to be confined within reasonable limits, taking into account the importance of what is at stake and maintaining the rights of the defence;
- *Barberà, Messegué and Jabardo v. Spain*, 1988 – Article 6 § 2 requires, *inter alia*, that the burden of proof is on the prosecutor who also has the duty to inform the accused of the case that will be made against him;
- *Allenet de Ribemont v. France*, 1995 – a potential violation of the presumption of innocence in light of statements by police officials reflecting an opinion as to the guilt of the suspect before being proved so according to law; balance between the necessity of the authorities to inform the public about criminal investigations in progress and the necessity to safeguard defence rights, particularly the presumption of innocence;
- *Daktaras v. Lithuania*, 2000 – the principle of the presumption of innocence may be violated when a public official, such as a prosecutor, issues prejudicial statements;
- *Telfner v. Austria*, 2001 – Article 6 § 2 requires the burden of proof to be on the prosecution;
- *Ajdarić v. Croatia*, 2001 – concerning decisions of domestic courts not being adequately reasoned, which could contravene the principle of *in dubio pro reo*, according to which any doubt should benefit the accused;
- *Lavents v. Latvia*, 2002 – concerning the importance of taking into account the true meaning of the statements in question, rather than their literal form, in order to assess the existence of a violation of Article 6 § 2;
- *Zollmann v. the United Kingdom* (dec.), 2003 – concerning prejudicial statements which might fall under the scope of Article 8 and Article 6 civil of the Convention;
- *Bikas v. Germany*, 2018 – Article 6 § 2 does not apply to allegations made about the accused's character and conduct as part of the sentencing process;
- *Larrañaga Arando and Others v. Spain* (dec.), 2019 – prejudicial statements issued in compensation proceedings, raising potential issues under Article 8 and the civil limb of

Article 6 of the Convention, rather than under Article 6 § 2; the prejudicial statements must concern the same criminal offence in respect of which the protection of the presumption of innocence in the context of the latter proceedings is claimed;

- *Fleischner v. Germany*, 2019 – in cases of unfortunate language, it is necessary to look at the context of the proceedings as a whole and their special features in order to determine whether the statements breached Article 6 § 2;
- *Batiashvili v. Georgia*, 2019 – concerning the *mala fide* conduct of the authorities who manipulated the evidence in order to insinuate the existence of a crime – before any charge was brought – which ultimately led to a criminal charge against the applicant; considering the particular circumstances, Article 6 § 2 applied and was violated.

Presumption of innocence under other Articles of the Convention

Issues related to the presumption of innocence might also fall under the scope of the civil limb of Articles 6, 8 and 10 of the Convention.

Article 6 § 2 protects an individual who has been charged with a criminal offence from prejudicial statements which might hinder the fairness of the criminal proceedings. When, however, there are no such proceedings, statements attributing criminal or other reprehensible conduct are relevant rather to the protection against defamation and to the question of adequate access to court to determine civil rights, raising therefore potential issues under Articles 8 and the civil limb of Article 6 of the Convention (*Zollmann v. the United Kingdom* (dec.), 2003; *Ismoliov and Others v. Russia*, 2008, § 160; *Mikolajová v. Slovakia*, 2011, §§ 42-48; *Larrañaga Arando and Others v. Spain* (dec.), 2019, § 40).

Similarly, when the impugned statements are made by private entities and are not a direct quotation from any official document provided by the authorities, an issue may arise under Article 8 (*Mityanin and Leonov v. Russia*, 2019, §§ 102 and 105).

One of the two aspects of the principle of the presumption of innocence concerns the protection of individuals who have been acquitted of a criminal charge, or in respect of whom criminal proceedings have been discontinued, from being treated by public officials and authorities as though they are in fact guilty of the offence charged (*Allen v. the United Kingdom* [GC], 2013, § 94). To a certain extent, the protection afforded under Article 6 § 2 in this connection may overlap with the protection afforded by Article 8 (*G.I.E.M. S.R.L. and Others v. Italy* [GC], 2018, § 314).

Under Article 10 of the Convention, the press has a right to exercise freedom of expression; thus, it is of paramount importance that, when imparting information with the public, consideration must be given to the accused's right to a fair hearing (*Bédât v. Switzerland* [GC], 2016, § 51).

Recap of general principles

- *Allen v. the United Kingdom* [GC], 2013, §§ 93-102 and 120-126;
- *Bikas v. Germany*, 2018, §§ 42-47;
- *Fleischner v. Germany*, 2019, §§ 64-65.

Related (but different) topics

A virulent media campaign may infringe the presumption of innocence and hinder the general fairness of a criminal trial. However, not only do the media have the task of imparting information and ideas, the public also has a right to receive them, as guaranteed by Article 10 of the Convention. A balancing of rights under Articles 6 and 10 of the Convention is necessary in order to guarantee both a fair hearing and freedom of expression (*Bédât v. Switzerland* [GC], 2016, § 51).

The right to remain silent and the privilege against self-incrimination, as implied aspects of a fair trial, are closely linked to the presumption of innocence. The prosecution in a criminal case must seek to prove their case against an accused without resort to evidence obtained through methods of coercion or oppression in defiance of the will of the accused (*Heaney and McGuinness v. Ireland*, 2000, § 40). However, compliance with Article 6 in this context will depend on the nature and degree of compulsion used to obtain the evidence, on the existence of any relevant safeguards in the procedure, and the use to which any material so obtained was put (*O'Halloran and Francis v. the United Kingdom* [GC], 2007, § 55).

The particular courtroom arrangements, such as holding the accused in a metal cage, bring into play the principle of the presumption of innocence. In this context, the Court laid emphasis on the confidence which the courts in a democratic society must inspire in the public and above all, as far as criminal proceedings are concerned, in the accused (*Svinarenko and Slyadnev v. Russia* [GC], 2014, § 131).

Further references

Other key themes:

- [Hearings via video link](#)
- [Waiver of the guarantees of a fair trial](#)

Press factsheets:

- [Independence of the justice system](#)
- [Police arrest and assistance of a lawyer](#)
- [Terrorism](#)

KEY CASE-LAW REFERENCES

Leading cases:

- *Barberà, Messegue and Jabardo v. Spain*, no. 10590/83, 6 December 1988, Series A no. 146 (no violation of Article 6 § 2);
- *Alenet de Ribemont v. France*, no. 15175/89, 10 February 1995, Series A no. 308 (violation of Article 6 § 2);
- *Allen v. the United Kingdom* [GC], no. 25429/05, ECHR 2013 (no violation of Article 6 § 2).

Other cases under Article 6 § 2:

- *Minelli v. Switzerland*, no. 8660/79, 25 March 1983, Series A no. 62 (violation of Article 6 § 2);
- *Salabiaku v. France*, no. 10519/83, 7 October 1988, Series A no. 141-A (no violation of Article 6 § 2);
- *Ninn-Hansen v. Denmark* (dec.), no. 28972/95, 18 May 1999, ECHR 1999-V (inadmissible);
- *Daktaras v. Lithuania*, no. 42095/98, ECHR 2000-X (no violation of Article 6 § 2);
- *Telfner v. Austria*, no. 33501/96, 20 March 2001 (violation of Article 6 § 2);
- *Butkevičius v. Lithuania*, no. 48297/99, ECHR 2002-II (extracts) (violation of Article 6 § 2);
- *Janosevic v. Sweden*, no. 34619/97, ECHR 2002-VII (no violation of Article 6 § 2);
- *Böhmer v. Germany*, no. 37568/97, 3 October 2002 (violation of Article 6 § 2);
- *Lavents v. Latvia*, no. 58442/00, 28 November 2002 (violation of Article 6 § 2);
- *Radio France and Others v. France*, no. 53984/00, ECHR 2004-II (no violation of Article 6 § 2);
- *Falk v. the Netherlands* (dec.), no. 66273/01, ECHR 2004-XI (inadmissible);
- *Diamantides v. Greece (no. 2)*, 2005, no. 71563/01, 19 May 2005 (violation of Article 6 § 2);
- *Matijašević v. Serbia*, no. 23037/04, ECHR 2006-X (violation of Article 6 § 2);
- *Garycki v. Poland*, no. 14348/02, 6 February 2007 (violation of Article 6 § 2);
- *Nešťák v. Slovakia*, no. 65559/01, 27 February 2007 (violation of Article 6 § 2);
- *Khuzhin and Others v. Russia*, no. 13470/02, 23 October 2008 (violation of Article 6 § 2);
- *Melich and Beck v. the Czech Republic*, no. 35450/04, 24 July 2008 (violation of Article 6 § 2);
- *Rupa v. Romania (no. 1)*, no. 58478/00, 16 December 2008 (violation of Article 6 § 2);
- *Peša v. Croatia*, no. 40523/08, 8 April 2010 (violation of Article 6 § 2);
- *Fatullayev v. Azerbaijan*, no. 40984/07, 22 April 2010 (violation of Article 6 § 2);
- *Konstas v. Greece*, no. 53466/07, 24 May 2011 (violation of Article 6 § 2 in respect of some statements; no violation in respect of other statements);
- *Ajdarić v. Croatia*, no. 20883/09, 13 December 2011 (complaint under Article 6 § 2 not necessary to examine following the finding of a violation of Article 6 § 1);
- *Mulosmani v. Albania*, no. 29864/03, 8 October 2013 (complaint under Article 6 § 2 inadmissible);
- *Gutsanovi v. Bulgaria*, no. 34529/10, ECHR 2013 (extracts) (violation of Article 6 § 2 in respect of certain statements and the reasons given for the decision ordering the applicant's continued detention; no violation in respect of other statements);

- *Karaman v. Germany*, no. 17103/10, 27 February 2014 (no violation of Article 6 § 2);
- *Eshonkulov v. Russia*, no. 68900/13, 15 January 2015 (violation of Article 6 § 2);
- *Kapetanios and Others v. Greece*, nos. 3453/12 and 2 others, 30 April 2015 (violation of Article 6 § 2);
- *Gogitidze and Others v. Georgia*, no. 36862/05, 12 May 2015 (Article 6 § 2 not applicable);
- *Caraian v. Romania*, no. 34456/07, 23 June 2015 (violation of Article 6 § 2);
- *El Kaada v. Germany*, no. 2130/10, 12 November 2015 (violation of Article 6 § 2);
- *Rywin v. Poland*, nos. 6091/06 and 2 others, 18 February 2016 (no violation of Article 6 § 2);
- *Poletan and Azirovik v. the former Yugoslav Republic of Macedonia*, nos. 26711/07 and 2 others, 12 May 2016 (no violation of Article 6 § 2);
- *Turyev v. Russia*, no. 20758/04, 11 October 2016 (violation of Article 6 § 2);
- *Béres and Others v. Hungary*, nos. 59588/12 and 2 others, 17 January 2017 (no violation of Article 6 § 2);
- *Kemal Coşkun v. Turkey*, no. 45028/07, 28 March 2017 (violation of Article 6 § 2);
- *Bikas v. Germany*, no. 67607/13, 25 January 2018 (no violation of Article 6 § 2);
- *G.I.E.M. S.R.L. and Others v. Italy* [GC], nos. 1828/06 and 2 others, 28 June 2018 (violation of Article 6 § 2);
- *Kangers v. Latvia*, no. 35726/10, 14 March 2019 (violation of Article 6 § 2);
- *Larrañaga Arando and Others v. Spain* (dec.), no. 73911/16 and 3 others, 25 June 2019 (Article 6 § 2 not applicable to the compensation proceedings);
- *Magnitskiy and Others v. Russia*, nos. 32631/09 and 53799/12, 27 August 2019 (violation of Article 6 § 2);
- *Fleischner v. Germany*, no. 61985/12, 3 October 2019 (no violation of Article 6 § 2);
- *Batiashvili v. Georgia*, no. 8284/07, 10 October 2019 (violation of Article 6 § 2);
- *Farzaliyev v. Azerbaijan*, no. 29620/07, 28 May 2020 (violation of Article 6 § 2);
- *Avaz Zeynalov v. Azerbaijan*, nos. 37816/12 and 25260/14, 22 April 2021 (violation of Article 6 § 2);
- *Busuttil v. Malta*, no. 48431/18, 3 June 2021 (no violation of Article 6 § 2);
- *Filat v. the Republic of Moldova*, no. 11657/16, 7 December 2021 (no violation of Article 6 § 2);
- *Benghezal v. France*, no. 48045/15, 24 March 2022 (no violation of Article 6 § 2);
- *McCann and Healy v. Portugal*, no. 57195/17, 20 September 2022 (inadmissible).

Presumption of innocence under other Articles:

- *Zollmann v. the United Kingdom* (dec.), no. 62902/00, ECHR 2003-XII (complaint under Article 6 § 1 inadmissible);
- *Mikolajová v. Slovakia*, no. 4479/03, 18 January 2011 (violation of Article 10);
- *Bédat v. Switzerland* [GC], no. 56925/08, ECHR 2016 (no violation of Article 10);
- *Mityanin and Leonov v. Russia*, nos. 11436/06 and 22912/06, 7 May 2019 (no violation of Article 8).