KEY THEME[1]
Article 2
Suicide

(Last updated: 31/08/2026)

Introduction

Persons deprived of their liberty, as well as individuals carrying out compulsory military service, are under the exclusive control of the authorities; therefore the latter are under a duty to protect them, including from self-harm (*Keenan v. the United Kingdom*, 2001, § 91 and *Mosendz v. Ukraine*, 2013, § 92).

Persons with mental disabilities are considered to constitute a particularly vulnerable group who require protection from self-harm (*Renolde v. France*, 2008, § 84).

State obligations in brief

Article 2 substantive limb:

The main obligation of States in suicide-related cases is:

- to take preventive operational measures to protect an individual from him/herself (*Renolde v. France*, 2008, § 81 and *Fernandes de Oliveira v. Portugal* [GC], 2018, § 103).

  The test: A positive obligation arises where the authorities knew or ought to have known that the person posed a real and immediate risk of committing suicide. Where the Court finds that the authorities knew or ought to have known of that risk, it proceeds to analyse whether the authorities did all that could reasonably have been expected of them to prevent that risk from materialising. Thus, the Court assesses whether, looking at all the circumstances of a given case, the risk in question was both real and immediate (*Fernandes de Oliveira v. Portugal* [GC], 2018, § 110).

In some circumstances, States may have a distinct, albeit related, positive obligation:

- to put in place an effective regulatory framework (see *Fernandes de Oliveira v. Portugal* [GC], 2018, § 103 in the context of psychiatric care).

Article 2 procedural limb:

- duty to investigate when death occurs in suspicious circumstances, such as suicide in the context of deprivation of liberty and in the military (*De Donder and De Clippel v. Belgium*, 2011, § 85 and *Malik Babayev v. Azerbaijan*, 2017, § 79);
- duty to provide an effective judicial system when suicide occurs in the context of psychiatric care (*Hiller v. Austria*, 2016, § 48).

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

Noteworthy Examples

The duty to take preventive operational measures to protect life in the context of self-harm, notably, suicide, has arisen in several contexts:

Suicide in the context of deprivation of liberty:

- *Keenan v. the United Kingdom*, 2001 – the first case where the Court examined the scope of the obligations of the State in the context of suicide (§ 90);
- *Renolde v. France*, 2008 – the first case where the Court found a substantive violation of Article 2 in the context of deprivation of liberty (§ 110);
- *Jeanty v. Belgium*, 2020 – where the Court considered that Article 2 applied even if the individual concerned had survived his suicide attempts and had not sustained life-threatening injuries (§§ 58-63);
- *Lapshin v. Azerbaijan*, 2021 – where the Court, having regard to the circumstances of the case, notably, the omissions and discrepancies in the investigation, dismissed the Government's assertion that the applicant had attempted suicide while in prison (§§ 110-119; see also *Vardanyan and Khalafyan v. Armenia*, 2022, § 96);
- *Haugen v. Norway*, 2024 – where the Court found serious deficiencies in the assessment of the direct victim's state of health (lack of risk assessment, deficient coordination for his medical care despite the previously diagnosed mental disorders and repeated suicidal thoughts) and mitigating the risk of suicide, especially after his transfer from a psychiatric hospital to an ordinary prison unit, where he no longer had the benefit of reinforced care and supervision and where he took his life only two days later (§§ 138-154);
- *Petrosyan v. Armenia*, 2025 – failure, on the part of the respondent State, to effectively account for the death of the applicant's son (suffering from mental health issues) in its custody, making it unnecessary to examine whether the authorities have fulfilled their positive obligation to protect the son's right to life (§§ 159-60).

Suicide in the context of military service:

- *Mustafa Tunç and Fecire Tunç v. Turkey* [GC], 2015 – the Court clarified the requirement of independence of an investigation (§§ 217-234);
- *Abdullah Yılmaz v. Turkey*, 2008 – the Court found that the suicide of the applicant's son had been triggered by ill-treatment (§§ 60-76); see also *Varyan v. Armenia*, 2024, §§ 101-119; in the context of hazing, *Perevedentsevy v. Russia*, 2014, §§ 99-100, *Filippovy v. Russia*, 2022, §§ 70-88 and, in the context of harassment, *Nana Muradyan v. Armenia*, 2022, §§ 132-139);
- *Beker v. Turkey*, 2009 – the Court, having regard to the serious failures in the investigation and the extraordinarily implausible conclusions reached by the investigating authorities, considered it implausible that the applicant's relative had committed suicide (§§ 51-54).
- *Intranuovo v. Italy*, 2025 – the Court found deficiencies in the domestic investigation, which impaired its effectiveness in terms of its ability to establish the facts surrounding the death of a contractual army corporal (§§ 106-16); thus the explanation of his death could not be regarded as sufficiently persuasive (§§ 119-25).

Suicide in the context of psychiatric care:

- *Fernandes de Oliveira v. Portugal* [GC], 2018 – the Court clarified the content of the positive obligations on the State as regards the care of psychiatric patients at risk of suicide in hospital (§§ 102-114);

- *Hiller v. Austria*, 2016 – the Court gave particular importance to developments in international law which favour the greatest possible personal freedom for persons with mental disabilities in order to facilitate their integration into society (§ 54).

Other:

- *Mikayil Mammadov v. Azerbaijan*, 2009 – the Court examined the extent of the obligation of the State in a situation where an individual threatens to take his/her own life in plain view of State agents (§ 115);
- *Edzgveradze v. Georgia*, 2022 – the Court considered the duty to investigate was triggered when a person committed suicide a day after he was questioned as a witness by the police in a police station where he was allegedly subjected to physical and verbal abuse (§ 38).

Recap of general principles

- For a recapitulation of general principles concerning suicide in the context of deprivation of liberty, see *S.F. v. Switzerland*, 2020, §§ 73-78 (substantive) and §§ 116-128 (procedural);
- For a recapitulation of general principles in the context of suicide in the army, see *Malik Babayev v. Azerbaijan*, 2017, §§ 64-68 and §§ 79-81, and *Mustafa Tunç and Fecire Tunç v. Turkey* [GC], 2015, §§ 169-182 (procedural); see also *Boychenko v. Russia*, 2021, §§ 76-80 (substantive) and §§ 81-84 (procedural), and *Varyan v. Armenia*, 2024, §§ 87-95 (substantive) and §§ 96-100 (procedural);
- For a recapitulation of general principles in the context of psychiatric care, see *Hiller v. Austria*, 2016, §§ 47-49 and *Fernandes de Oliveira v. Portugal* [GC], 2018, §§ 104-115 (substantive).

KEY CASE-LAW REFERENCES

Leading case(s):

- *Keenan v. the United Kingdom*, no. 27229/95, ECHR 2001-III (suicide in prison: no violation of Article 2, violation of Articles 3 and 13);
- *Mustafa Tunç and Fecire Tunç v. Turkey* [GC], no. 24014/05, 14 April 2015 (death during military service: no violation of Article 2 (procedural));
- *Fernandes de Oliveira v. Portugal* [GC], no. 78103/14, 31 January 2018 (suicide after escaping psychiatric hospital's premises: no violation of Article 2 (substantive), violation of Article 2 (procedural)).

Other cases under Article 2:

- *Younger v. the United Kingdom* (dec.), no. 57420/00, ECHR 2003-I (suicide in police custody: Articles 2 and 13: inadmissible - manifestly ill-founded);
- *Trubnikov v. Russia*, no. 49790/99, 5 July 2005 (suicide in punishment cell in prison: no violation of Article 2 (substantive), violation of Article 2 (procedural), Russia failed to fulfil their duty under Article 38 § 1);
- *Ataman v. Turkey*, no. 46252/99, 27 April 2006 (death during military service: violation of Articles 2 (substantive and procedural) and 13, no separate issue under Article 8);
- *Taïs v. France*, no. 39922/03, 1 June 2006 (suicide in police custody: violation of Article 2 (substantive and procedural), no separate issue under Article 3);
- *Kontrová v. Slovakia*, no. 7510/04, 31 May 2007 (suicide of father after shooting his two children: violation of Articles 2 and 13);
- *Renolde v. France*, no. 5608/05, ECHR 2008 (extracts) (suicide in prison: violation of Articles 2 and 3);
- *Abdullah Yılmaz v. Turkey*, no. 21899/02, 17 June 2008 (suicide during military service following abuse by a superior: violation of Article 2);
- *Beker v. Turkey*, no. 27866/03, 24 March 2009 (death during military service: violation of Article 2, no separate issue under Articles 6 and 13);
- *Mikayil Mammadov v. Azerbaijan*, no. 4762/05, 17 December 2009 (suicide during eviction from home: no violation of Article 2 (substantive), violation of Article 2 (procedural));
- *De Donder and De Clippel v. Belgium*, no. 8595/06, 6 December 2011 (suicide in ordinary prison cell: violation of Article 2 (substantive), no violation of Article 2 (procedural), no need to examine Article 3, violation of Article 5 § 1);
- *Eremiášová and Pechová v. the Czech Republic*, no. 23944/04, 16 February 2012 (death in police custody: violation of Article 2 (substantive and procedural), no separate issue under Article 13);
- *Reynolds v. the United Kingdom*, no. 2694/08, 13 March 2012 (suicide in psychiatric care: violation of Article 13 in conjunction with Article 2, no separate issue under Article 2);
- *Mosendz v. Ukraine*, no. 52013/08, 17 January 2013 (death during military service: violation of Articles 2 (substantive and procedural) and 13, no separate issue under Article 3);
- *Keller v. Russia*, no. 26824/04, 17 October 2013 (death in police custody: violation of Article 2 (substantive), no violation of Article 2 (procedural), violation of Article 3 (procedural), no violation of Article 3 (substantive), no separate issue under Article 13);

- *Perevedentsevy v. Russia*, no. 39583/05, 24 April 2014 (death during military service: violation of Article 2 (substantive and procedural), no separate issue under Article 13);
- *Hiller v. Austria*, no. 1967/14, 22 November 2016 (suicide after escaping psychiatric hospital's premises: no violation of Article 2);
- *Malik Babayev v. Azerbaijan*, no. 30500/11, 1 June 2017 (death during military service: no violation of Article 2 (substantive), violation of Article 2 (procedural));
- *Jeanty v. Belgium*, no. 82284/17, 31 March 2020 (several suicide attempts in prison: no violation of Article 2 (substantive));
- *S.F. v. Switzerland*, no. 23405/16, 30 June 2020 (suicide in police custody: violation of Article 2 (substantive and procedural));
- *Kotenok v. Russia*, no. 50636/11, 23 March 2021 (suicide in police custody: no violation of Article 2 (substantive and procedural));
- *Lapshin v. Azerbaijan*, no. 13527/18, 20 May 2021 (prison incident putting the applicant's life at risk: violation of Article 2 (substantive and procedural));
- *Khabirov v. Russia*, no. 69450/10, 12 October 2021 (death during military service: no violation of Article 2 (substantive), violation of Article 2 (procedural));
- *Boychenko v. Russia*, no. 8663/08, 12 October 2021 (suicide during military service: violation of Article 2 (substantive and procedural);
- *Edzgveradze v. Georgia*, no. 59333/16, 20 January 2022 (suicide the day after being questioned by police as a witness: violation of Article 2 (procedural));
- *Filippovy v. Russia*, no. 19355/09, 22 March 2022 (suicide during military service after bullying by fellow conscripts: violation of Article 2 (substantive and procedural), violation of Article 3 (substantive and procedural));
- *Nana Muradyan v. Armenia*, no. 69517/11, 5 April 2022 (suicide during military service after harassment, monetary disputes and discouragement of reporting misconduct: violation of Article 2 (substantive and procedural));
- *Vardanyan and Khalafyan v. Armenia*, no. 2265/12, 8 November 2022 (ill-treatment and death in police custody: violation of Article 2 (substantive and procedural), violation of Article 3 (substantive and procedural), no separate issue under Articles 5 § 1 and 13);
- *Hovhannisyan and Nazaryan v. Armenia*, nos. 2169/12 and 29887/14, 8 November 2022 (alleged suicide during military service after harassment and ill-treatment: violation of Article 2 (substantive and procedural), no separate issue under Article 13);
- *Pintus v. Italy*, no. 35943/18, 1 February 2024 (suicide in prison: no violation of Article 2 (substantive), no violation of Article 3 (substantive));
- *Varyan v. Armenia*, no. 48998/14, 4 June 2024 (suicide during compulsory military service: violation of Article 2 (substantive and procedural), violation of Article 13);
- *Haugen v. Norway*, no. 59476/21, 15 October 2024 (suicide in pre-trial detention in an ordinary prison unit by a person with known mental disorders: violation of Article 2 (substantive), violation of Article 13);
- *Petrosyan v. Armenia*, no. 51448/15, 9 January 2025 (death in detention of a person suffering from mental health issues, allegedly by suicide: violation of Article 2 (substantive and procedural), violation of Article 13);
- *Intranuovo v. Italy*, no. 46569/19, 11 December 2025 (death of a contractual army corporal following an alleged fall from a window in his army barracks: violation of Article 2 (substantive and procedural).