

# The International Courts & Tribunals Bulletin

Centre for International Law, National University of Singapore

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## INTRODUCTION

The *CIL International Courts & Tribunals Bulletin* is a bi-monthly e-publication prepared by the International Dispute Resolution Team at the Centre for International Law (CIL). It offers neutral, comprehensive, and timely updates on significant legal and institutional developments concerning major international courts and tribunals engaged in State-level dispute resolution. The *Bulletin* also tracks relevant aspects of State practice in relation to these bodies. Designed to serve policymakers, international legal practitioners, and scholars, the *Bulletin* provides valuable insights into the evolving landscape of international adjudication.

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## I. INTER-STATE COURTS

### 1. International Court of Justice (ICJ)

#### *Docket*

#### ***Request relating to the Return of Property Confiscated in Criminal Proceedings (Equatorial Guinea v. France)***

On **15 July 2025**, the ICJ [held public hearings](#) on Equatorial Guinea's request for provisional measures concerning the building confiscated by France at 42 avenue Foch in Paris, on the basis of the United Nations Convention against Corruption. Equatorial Guinea filed a request for provisional measures on 3 July 2025, citing France's failure to provide any guarantees to ensure the building would not be sold before the Court renders its decision.

The building in question was the subject of *Immunities and Criminal Proceedings (Equatorial Guinea v. France)*, an earlier case between these two countries. The Court [held](#) in 2020 that, contrary to Equatorial Guinea's assertion, the building had never acquired the status of "premises of the mission" within the meaning of Article 1(i) of the Vienna Convention on Diplomatic Relations, and that France had not violated that Convention by searching, attaching, and confiscating it on the basis of alleged corruption in the funds used for its purchase.

In 2022, Equatorial Guinea [initiated](#) another case at the ICJ, alleging that France breached the United Nations Convention against Corruption Convention by not returning certain confiscated assets as the proceeds of misappropriation of public funds committed against Equatorial Guinea, which include the building at 42 avenue Foch. Initially, Equatorial Guinea requested provisional measures but later [withdrew](#) the request "in order to focus on the proceedings on the merits, so that the Court may settle the dispute at the earliest opportunity".

On **12 September 2025**, the ICJ delivered its Order on the Request for the indication of provisional measures. The Court found that Equatorial Guinea had not demonstrated, in the course of the incidental proceedings concerning the indication of provisional measures, that it possessed a plausible right to the return of the building on the basis of the provision it invoked in that respect. The Court concluded that the circumstances were not such as to require the exercise of its power under Article 41 of the Statute to indicate provisional measures.

See [Press Release](#).

## ***Advisory Opinion: Obligations of States in respect of Climate Change***

On 23 July 2025, the ICJ gave its Advisory Opinion on the *Obligations of States in respect of Climate Change*, in response to the General Assembly’s request of 29 March 2023 to give an advisory opinion on the obligations of States in respect of climate change and the related legal consequences.

The Court adopted this Advisory Opinion unanimously. The Court is of the view that the climate change treaties and relevant environmental treaties set forth binding obligations for their respective States parties to ensure the protection of the climate system and other parts of the environment from anthropogenic greenhouse gas emissions. The Court further states that customary international law sets forth various relevant obligations for States to ensure the protection of the climate system and other parts of the environment from anthropogenic greenhouse gas emissions. The Court further considers a breach of any obligations identified above constitutes an internationally wrongful act entailing the responsibility of that State, and that the general international law on State responsibility applies.

The Court noted this proceeding has the “highest level of participation” in its history—91 written statements and 62 written comments were filed by States and international organizations, and 96 States and 11 international organizations made oral submissions in the two-week hearing in December 2024.

See [Summary](#) and [Press Release](#).

## ***Armenia and Azerbaijan to Terminate All the Interstate Proceedings***

On 8 August 2025, the leaders of Azerbaijan and Armenia initialled the “[Agreement on Establishment of Peace and Inter-State Relations](#)”, which is aimed at ending decades of conflict between the two countries. The Agreement commits both States to mutual recognition of sovereignty, territorial integrity, and existing borders and requires them to establish diplomatic relations and cooperate in various fields. The Agreement will enter into force after the Parties complete their internal procedures.

Notably, Article XV of the agreement requires the Parties to “withdraw, dismiss, or otherwise settle” all existing interstate proceedings between them within one month from the date of entry into force of the agreement”, and prohibits the Parties from initiating new proceedings or participating in proceedings initiated against the other Party by a third party.

To date, the Parties have two cases before the ICJ, both under the International Convention on the Elimination of All Forms of Racial Discrimination ([here](#) and [here](#)). Both cases were initiated in September 2024 and contained several requests for provisional measures as the conflict developed, and the Court affirmed its jurisdiction in two

judgments issued in November 2024. Counter-Memorials were expected to be filed in November 2025.

In addition, the conflict between the two countries also gave rise to the [first inter-State arbitration under the Energy Charter Treaty](#), the [first inter-State arbitration under the Bern Convention on the Conservation of European Wildlife and Natural Habitats](#) and several inter-State applications at the European Court of Human Rights.

### ***New State Decides to Intervene in South Africa v. Israel***

On 23 July 2025, Brazil [announced](#) that it is in the final stages of submitting a formal intervention in the ongoing *South Africa v. Israel* under the Convention on the Prevention and Punishment of the Crime of Genocide. According to Brazil, this decision is based on the duty of States to comply with their obligations under international law and international humanitarian law, given the plausibility that the rights of Palestinians to protection against acts of genocide are being irreversibly impaired.

It is unclear on what basis Brazil intends to seek intervention. So far, Nicaragua and Palestine sought to intervene pursuant to Article 62 of the [ICJ Statute](#), which provides that a State whose legal interest may be affected by the decision in the case may request to intervene. Colombia, Libya, Mexico, Spain, Türkiye, Chile, the Maldives, Bolivia, Ireland, and Cuba sought to intervene as contracting parties to the Genocide Convention, pursuant to Article 63 of the ICJ Statute. Belize sought to intervene under both Articles 62 and 63.

### ***Kohler and Paris (France v. Iran)***

Iran is [reported](#) to have charged Cécile Kohler and Jacques Paris, two French nationals, with spying for Israel, conspiracy to overthrow the regime, and corruption. These reports emerged after an Israeli strike on Evin Prison—where the French couple was held—which is alleged to have killed more than 70 individuals. In May 2025, France [initiated](#) proceedings against Iran before the ICJ concerning Iran’s detention and treatment of the two French nationals.

### ***New development: Sovereignty over the Sapodilla Cayes/Cayos Zapotillos (Belize v. Honduras)***

On 21 July 2025, the Ministry of Foreign Affairs and Foreign Trade of Belize [announced](#) that the ICJ has decided to hear Guatemala’s application for permission to intervene in its sovereignty dispute with Honduras. The oral proceedings are scheduled to begin on 24 November 2025.

Belize [brought this case](#) on 16 November 2022 pursuant to [Article XXXI of the Pact of Bogotá](#), to which both are parties. According to Belize, the dispute concerns the sovereignty over Sapodilla Cayes, which is “a group of cayes lying in the Gulf of Honduras

at the southern tip of the Belize Barrier Reef, approximately 75 kilometres east of the Belizean mainland town of Punta Gorda”. By Order of 2 February 2023, the Court fixed 4 December 2023 as the deadline for the Counter-Memorial of Honduras.

On 1 December 2023, Guatemala [filed](#) a request under Article 62 of the [ICJ Statute](#), which allows a State with “an interest of a legal nature” to seek permission to intervene. According to Guatemala, Belize’s submission in *Belize v. Honduras* overlaps with its submissions in the pending case concerning *Guatemala’s Territorial, Insular and Maritime Claim (Guatemala/Belize)*, where both Belize and Guatemala claim sovereignty over the Sapodillas. Guatemala contends that its longstanding claim of sovereignty over the Sapodillas may be affected by a decision of the Court in *Belize v. Honduras*. However, Guatemala is not a party to the Pact of Bogotá. According to [Belize](#), Honduras objected to Guatemala’s request to intervene. Therefore, the upcoming hearing in November 2025 will focus on whether Guatemala’s request may be granted.

### **Potential Case**

#### ***Cambodia Urges UN Security Council to Refer Border Dispute with Thailand to ICJ***

Amid the ongoing conflict between Thailand and Cambodia, the two nations are preparing legal actions despite a ceasefire agreement and ongoing negotiation attempts.

Following a meeting of the National Security Council on 18 August 2025, Thailand [announced](#) that it is preparing a domestic lawsuit against former Cambodian prime minister Hun Sen and his son, current Prime Minister Hun Manet, for using military force to violate Thai sovereignty and causing damage to Thai citizens and property.

On 25 July 2025, the United Nations Security Council convened a [private meeting](#) with representatives of Cambodia and Thailand to address their recent border dispute. According to reports, Cambodia [called for](#) the Council to refer the matter to the International Court of Justice (ICJ). Readers may recall that Cambodia has already filed an application with the ICJ in June, although the legal basis for the Court’s jurisdiction in the case has not been made public. Moreover, Cambodia [alleges](#) that Thailand’s shelling has [caused damaged](#) to the Preah Vihear Temple, which was the subject of an ICJ case in 1962 and a subsequent interpretation procedure in 2011. Cambodia indicates its intention to report to the UNESCO and pursue international legal actions.

### **Bench**

#### ***Security Council Fixed Election Date for Casual Vacancy***

The Security Council has [set 12 November 2025 as the date](#) for the election to fill the vacancy left by Judge Abdulqawi Ahmed Yusuf’s resignation. It appears that Professor [Charles Jalloh](#) and Professor [Phoebe Okowa](#), Sierra Leone’s and Kenya’s candidates for

the 2026 triennial election, have been nominated to run for this casual vacancy. On 12 August 2025, Nigeria announced the candidacy of Dr Taoheed Olufemi Elias, but it remains unclear whether it was meant for the casual vacancy.

In addition, The Gambia has [reportedly](#) withdrawn Mr Abubacarr M. Tambadou's nomination and instead supported Dr Elias's candidacy.

## 2. Permanent Court of Arbitration (PCA)

### *Docket*

#### ***Russia withdrew from the Naval Vessels arbitration***

On 21 August 2025, Russia [informed](#) the Arbitral Tribunal in [\*Dispute Concerning the Detention of Ukrainian Naval Vessels and Servicemen\*](#) that it withdraws from the case and will recognise all future decisions of the Tribunal as null and void, due to alleged "egregious procedural violations during the proceedings and the illegitimate composition of the arbitral tribunal". In response, Ukraine [considers](#) Russia's withdrawal "as yet another attempt to evade international legal responsibility for violations of international law", and emphasises that the proceedings will continue.

The withdrawal is made in retaliation to the Arbitral Tribunal's decision on 29 July 2025, in which the reconstituted full tribunal, by four to one, [rejected](#) Russia's objections to the constitution of the arbitral tribunal and [confirmed](#) that it was properly constituted in accordance with Article 3 of Annex VII to UNCLOS. We earlier [reported](#) that the three remaining arbitrators after Russia's successful challenges, by two to one, rejected Russia's challenges against Judge James Kateka as arbitrator and deferred Russia's remaining procedural objections to a later stage. This latest decision concerns the deferred Russian objections.

The arbitral proceedings were instituted on 1 April 2019 by Ukraine. It concerns the detention of Ukrainian naval vessels and servicemen by Russia. To recap, after two original arbitrators (Professor Donald McRae and Judge Rüdiger Wolfrum) were successfully challenged by Russia due to their support of an IDI declaration on the Ukraine/Russia conflict, both Parties were unable to agree on the procedure to select replacement arbitrators. Ukraine therefore requested the President of the International Tribunal for the Law of the Sea (ITLOS) to appoint two replacement arbitrators and designate a new presiding arbitrator. Russia however raised several objections, arguing that the procedure set out in Article 3 of Annex VII to UNCLOS does not apply to the selection of replacement arbitrators following a successful challenge, and that the ITLOS President failed to undertake "consultations" as required by Article 3(e) of Annex VII. The newly reconstituted tribunal, including the two replacement arbitrators, by four to one, found no fault in the ITLOS President's appointment processes. Judge Gudmundur



Eiriksson (President), Sir Christopher Greenwood, Judge James Kateka, and Judge Kathy-Ann Brown constituted the majority, and Professor Alexander N. Vylegzhanin [dissented](#).

The original tribunal issued its Award on Preliminary Objections on 27 June 2022. A hearing on the merits was [originally scheduled](#) in the week of 27 May 2024.

### ***Indus Waters Western Rivers Arbitration (Pakistan v. India)***

On 8 August 2025, the Court of Arbitration in this case issued an Award on [Issues of General Interpretation of the Indus Waters Treaty](#). This latest Award addresses certain questions concerning the overall interpretation and application of the Treaty and Paragraph 8 of Annexure D (which concerns new run-of-river hydro-electric plants that India may construct on the Western Rivers). The Award also addresses a related question on the legal effect of decisions issued by courts of arbitration and neutral experts.

On 14 August 2025, the spokesperson for the Indian Foreign Ministry [reiterated](#) India's rejection of the Court of Arbitration's authority, stating that the relevant awards "are therefore without jurisdiction, devoid of legal standing and have no bearing on India's rights of utilization of waters". Pakistan [welcomed](#) the Award, viewing the Award to be "in line with Pakistan's interpretation of the relevant provisions of the Treaty".

This arbitration concerns the interpretation and application of the Indus Waters Treaty to certain design elements of the run-of-river hydro-electric plants that India is permitted by the Treaty to construct on the tributaries of the Indus, Jhelum, and Chenab Rivers. India has not participated in the arbitration proceedings and has repeatedly objected to the competence of the Court. The Court has confirmed its competence in two earlier awards. On 23 July 2023, the Court of Arbitration [decided](#) to "conduct these proceedings in a phased manner, bearing in mind the status of, and developments concerning, the proceedings taking place before the Neutral Expert", and directed the Parties to focus on a series of issues in the next phase, which gave rise to the 8 August 2025 Award.

### ***Institutional***

On 31 July 2025, the Republic of Moldova deposited its instrument of accession to the 1907 Hague Convention for the Pacific Settlement of International Disputes with the Ministry of Foreign Affairs of the Netherlands, the depositary of the Convention. The Republic of Moldova will thereby become a Contracting Party of the PCA, with effect from 29 September 2025. The Republic of Moldova will be the 126<sup>th</sup> Contracting Party of the PCA.



### 3. International Tribunal for the Law of the Sea (ITLOS)

#### *Hearing dates set for the M/T “Heroic Idun” (No. 2) Case (Marshall Islands/Equatorial Guinea)*

Judge Albert Hoffmann, President of the Special Chamber constituted to deal with the case, [fixed](#) 6 October 2025 as the date for the opening of the hearing in the case.

This case [arose](#) from Equatorial Guinea’s detention of the M/T “Heroic Idun”, a crude carrier flying the flag of the Marshall Islands, and of its 26 crew members in August 2022. On 10 November 2022, the Marshall Islands brought a [prompt release case](#) against Equatorial Guinea at ITLOS. On 15 November 2022, the Marshall Islands applied to discontinue the case on the grounds that Equatorial Guinea had “caused the Vessel and her crew to be transferred into the jurisdiction, control and custody of Nigeria on 11 November 2022” and therefore rendered the request for prompt release moot. The Tribunal subsequently [removed](#) the prompt release case from its List of Cases.

It was [reported](#) that Heroic Idun and its crew were released on 27 May 2023 after pleading guilty to criminal charges (including oil theft), apologising for embarrassing the Nigerian Navy, and paying USD15 million.

On 18 April 2023, a special agreement was concluded to transfer the arbitral proceedings initiated by the Marshall Islands against Equatorial Guinea to an ITLOS special chamber, which consists of President Hoffmann (South Africa), Judges Infante Caffi (Chile) and Brown (Jamaica), and Judges ad hoc Gudmundur Eiriksson (Iceland) and Philippe Cuvreur (Belgium). Judge Hoffmann, then President of the ITLOS, serves as President of the Special Chamber. Although Judge Hoffmann’s term as an ITLOS judge has expired in September 2023, Articles 16 and 17 of [ITLOS Rules](#) provides that a presiding Judge in a case may continue to preside under certain circumstances until completion of the current phase of the case.

## II. ISDS INSTITUTIONS AND TRIBUNALS

### 1. International Centre for Settlement of Investment Disputes (ICSID)

#### *Institutional*

#### *ICSID to establish its first staffed overseas office*

On 25 August 2025, ICSID and the Singapore Government [signed a Letter of Intent](#) to formalise the establishment of the ICSID Singapore Office. The ICSID Singapore Office will serve as ICSID’s regional hub, and may administer cases and provide capacity-building and training in the region.

The office will be ICSID's first staffed office outside of its headquarters in Washington, D.C, and will be based at the World Bank Group Singapore Office at 10 Marina Boulevard, with "satellite premises" at Maxwell Chambers Suites.

### ***ICSID Seeks New Deputy Secretary-General After Gonzalo Flores' Retirement***

ICSID has [launched a global search](#) for a Deputy Secretary-General, following an earlier announcement that Gonzalo Flores will step down as Deputy Secretary-General and retire at the end of October 2025. Flores joined the Centre as Legal Counsel in 1998 and advanced through the ranks before being appointed Deputy Secretary-General.

According to ICSID, the Deputy Secretary-General supports the Secretary-General in developing ICSID's strategic vision, leads to ensure the ICSID Secretariat delivers on the organizational objectives, and oversees the operational management of ICSID. In addition, in accordance with the ICSID Convention, the Deputy Secretary-General acts for the Secretary-General during the Secretary-General's absence or inability to act.

### ***Docket***

In July-August 2025, ICSID added to its docket the following new cases: [Strabag SE, Erste Nordsee-Offshore Holding GmbH and Zweite Nordsee-Offshore Holding GmbH v. Federal Republic of Germany \(ICSID Case No. ARB/19/29\)](#); [PanAfrican Energy Tanzania Limited v. United Republic of Tanzania and Tanzania Petroleum Development Corporation \(ICSID Case No. ARB/25/44\)](#); [PanAfrican Energy Tanzania Limited v. United Republic of Tanzania and Tanzania Petroleum Development Corporation \(ICSID Case No. ARB/25/43\)](#); [Akfel Commodities Pte. Ltd. and I-Systems Global B.V. v. Republic of Türkiye \(ICSID Case No. ARB/20/36\)](#); [Enwell Energy plc v. Ukraine \(ICSID Case No. ARB/25/41\)](#), [Buried Hill Serdar Limited v. Turkmenistan \(ICSID Case No. ARB/25/40\)](#), [Smart Energy B.V. and PJSC Ukrgezvydobutok v. Ukraine \(ICSID Case No. ARB/25/38\)](#), [Juan Carlos Argüello and Ernesto Argüello v. Republic of Panama \(ICSID Case No. ARB/25/39\)](#), [Woodhouse Investment Pte Ltd and West Cumbria Mining \(Holdings\) Limited v. United Kingdom \(ICSID Case No. ARB/25/37\)](#), [Tara Resources AG v. Montenegro \(ICSID Case No. ARB/25/36\)](#), [Eco Oro Minerals Corp. v. Republic of Colombia \(ICSID Case No. ARB/16/41\)](#), [Asesores Financieros Andalucía Occidental, Sociedad Gestora de Patrimonios S.A. v. Oriental Republic of Uruguay \(ICSID Case No. ARB/25/35\)](#), [KS Invest GmbH and TLS Invest GmbH v. Kingdom of Spain \(ICSID Case No. ARB/15/25\)](#), [ArcelorMittal S.A. v. Italian Republic \(ICSID Case No. ARB/25/34\)](#), [Interconexión Eléctrica S.A. E.S.P. v. Republic of Chile \(ICSID Case No. ARB/21/27\)](#), [Gestion Bayonne Inc. and 9048-4957 Québec Inc. v. Republic of Costa Rica \(ICSID Case No. ARB/25/33\)](#), [Allianz SE v. United Mexican States \(ICSID Case No. ARB/25/32\)](#), and [Mota-Engil Engenharia e Construção, S.A. v. Republic of Paraguay \(ICSID Case No. ARB/25/31\)](#).

## 2. Permanent Court of Arbitration (PCA)

### ***New Case: Shefa Gold, S.L. (España) c. República de Guinea Ecuatorial (Case No. 2025-11)***

A new PCA-administered arbitration was recently made public, involving a Spanish mining and quarrying investor and Equatorial Guinea. The Switzerland-seated arbitral tribunal comprises Sr. Eduardo Siqueiros (presiding arbitrator), Dr. Franz X. Stirnimann Fuentes, and Prof. Marcelo Kohen.

### ***New Case: Volga-Dnepr Airlines LLC (Russian Federation) v. Canada (Case No. 2025-09)***

The PCA has recently disclosed the existence of a new arbitration [between Volga-Dnepr Airlines LLC, a Russian airline company, and Canada](#). The Singapore-seated Tribunal is chaired by Professor Lawrence Boo, with Professor Georges Affaki and Ms. Jean E. Kalicki serving as co-arbitrators. In this matter, the PCA's involvement is limited to acting as fundholder and repository.

## III. HUMAN RIGHTS COURTS

### 1. African Court on Human and Peoples' Rights (AfCHPR)

#### ***Docket***

#### ***5 August 2025: Re-openings of pleadings in Ado Shaibu and Others v. Tanzania***

The case concerns allegations by Tanzanian nationals, and members of the political party ACT Wazalendo, that their rights to participate in the 2020 general elections in Tanzania were violated before, during, and shortly after the electoral process. They allege that the conduct of Tanzania had the effect of curtailing their rights as candidates and registered voters to campaign and participate in the elections. Their application was filed in November 2020, with pleadings closing in October 2024. In February 2025, the applicants requested to reopen the pleadings to submit further arguments, and the Court granted this request.

After the Court closed the pleadings in April 2025, Tanzania requested the Court to adjourn proceedings, reopen pleadings, and allow more time to respond to the applicants' additional submissions and file further evidence. Tanzania argued that new election laws had been enacted, which could address the applicants' allegations. The applicants opposed this request, arguing that the additional evidence Tanzania sought to introduce had no bearing on the case and amounted to an abuse of process.

In its 5 August 2025 order, the Court noted that the case, involving elections in Tanzania, raised complex issues and that the outcome of the matter could have implications beyond the present case. The Court therefore ruled that, in the interest of justice, Tanzania should be allowed to respond to the applicants' additional submissions and submit further evidence. The Court consequently granted Tanzania's request to reopen the pleadings and ordered it to file its submissions within 15 days.

### ***Request for Advisory Opinion on the obligations of States with respect to the climate change crisis***

The Advisory Request, introduced by the Pan African Lawyers Union (PALU), is now [available on the Court's website](#), together with a summary.

## **Court**

### ***78th Ordinary Session of the Court***

The Court convenes its 78th Ordinary Session from 1 to 26 September 2025 and will consider applications pending before the Court and hold deliberations.

## **2. European Court of Human Rights (ECHR)**

### ***22 July 2025: judgment in a case concerning the UK's response to alleged interference by Russia in UK elections***

*Bradshaw and Others v. the United Kingdom* concerned the UK's response to reports of interference by Russia in the UK's democratic processes, including the 2019 general election. The applicants complained that, despite the existence of credible allegations that Russia had sought to interfere in the UK's democratic elections, the Government had failed to investigate those allegations and had not put in place an effective legal and institutional framework in order to protect against the risk of such interference.

The Court held that there had been no violation of Article 3 of Protocol No. 1 (right to free elections) to the European Convention on Human Rights. It found that, while States should not remain passive when faced with evidence that their democratic processes were under threat, they must be given considerable latitude in their choice of how to counter such threats. In the Court's view, while there were undoubtedly shortcomings in the UK's initial response to the reports of Russian election interference, there had been two thorough and independent investigations, and the Government had since taken a number of legislative and operational measures to counter disinformation efforts and protect the democratic integrity of the UK. Any failings were therefore not sufficiently grave as to have impaired the very essence of the applicants' right under Article 3 of Protocol No. 1 to benefit from elections held "under conditions which ensure the free expression of the opinion of the people."

See [Press Release](#).

### **22 July 2025: judgment in a case against Türkiye concerning convictions for membership of an armed terrorist organisation**

In the case of *Demirhan and Others v. Türkiye*, the Court found a violation of Article 7 (no punishment without law) and a violation of Article 6 § 1 (right to a fair trial) of the European Convention on Human Rights. The 239 applications making up this case are part of the thousands of applications on the Court’s docket that concern issues similar to those judged in the Court’s Grand Chamber case [Yüksel Yalçınkaya v. Türkiye](#). As in that judgment, the Court found that the Turkish courts’ categorical approach to the use of the encrypted messaging application called “ByLock” – notably that anyone who had used the application could, in principle, be convicted on that basis alone of membership of an armed terrorist organisation – had breached the applicants’ right to effective protection against arbitrary prosecution, conviction and punishment and their fair trial rights. The Court underlined the existence of a systemic problem that affected a large number of persons and required resolution at the national level. Following the *Yüksel Yalçınkaya* judgment, the Court had already given notice to the Turkish Government of 5,000 similar applications, and thousands were still accumulating on its docket.

See [Press Release](#).

### **10 July 2025: Grand Chamber judgment in a case concerning World Athletics regulations requiring an athlete to take hormone treatment**

The case *Semenya v. Switzerland* concerned an international-level South African athlete who complained about a set of regulations issued by World Athletics requiring her to decrease her natural testosterone level in order to be allowed to take part in international competitions in the female category, and about the rejection of her legal actions challenging those regulations before the Court of Arbitration for Sport (CAS) – which has its seat in Switzerland – and then the Swiss Federal Supreme Court.

In its Grand Chamber judgment, the Court held that there had been a violation of Article 6 § 1 (right to a fair hearing) of the European Convention on Human Rights. In the Court’s view, the specific characteristics of the sports arbitration to which the applicant had been subject – entailing the CAS’s mandatory and exclusive jurisdiction – had required a rigorous judicial review that was commensurate with the seriousness of the personal rights at issue, by the only domestic court with jurisdiction to carry out such a task. However, the Swiss Federal Supreme Court failed to meet this standard, especially due to its narrow interpretation of public policy.

The Court declared inadmissible Ms. Semenya’s complaints under Articles 8 (right to respect for private life),<sup>13</sup> (right to an effective remedy) and 14 (prohibition of

discrimination) of the European Convention on Human Rights, as she did not fall within Switzerland's jurisdiction regarding those complaints.

See [Press Release](#) and [video of the judgment delivery](#).

### **9 July 2025: Grand Chamber judgment in the inter-State case of *Ukraine and the Netherlands v. Russia***

The *Ukraine and the Netherlands v. Russia* case covers complaints concerning the Russian military operations in Ukraine since 24 February 2022 and the conflict in eastern Ukraine involving pro-Russian separatists which began in 2014, including the downing of Flight MH17. In its Grand Chamber judgment of 9 July 2025, the Court held as follows:

**-Concerning the conflict in Ukraine between 11 May 2014 (when the hostilities started) and 16 September 2022 (when Russia ceased to be a party to the European Convention on Human Rights) there had been patterns of violations of:** Articles 2 (right to life), 3 (prohibition of torture, inhuman or degrading treatment), 4 § 2 (prohibition of forced labour), 5 (right to liberty and security), 8 (right to respect for private and family life), 9, (freedom of thought, conscience and religion), 10 (freedom of expression), 11 (freedom of assembly and association), 13 (right to an effective remedy) and 14 (prohibition of discrimination) of the European Convention and Articles 1 (protection of property) and 2 (right to education) of Protocol No. 1 to the Convention.

The Court underlined that the nature and scale of the violence in Ukraine and the ominous statements from Russia concerning Ukraine's right to exist had threatened peace in Europe. It said that "In none of the conflicts previously before [it had] there been such near universal condemnation of the 'flagrant' disregard by the respondent State for the foundations of the international legal order established after the Second World War."

The Court held that Russia had jurisdiction - and thus obligations under the Convention - over the Ukrainian territories it occupied, as well as over individuals affected by its military actions. Russia was found responsible for both the actions of its own forces and those of separatist groups in eastern Ukraine.

The Court found that the vast volume of evidence before it presented a pattern of unlawful actions, including: indiscriminate military attacks, summary executions of civilians and Ukrainian military personnel hors de combat, torture, rape, forced labour, unlawful and arbitrary detention of civilians, invasive and abusive security checks, intimidation and violence against journalists, suppression of the Ukrainian language in schools and indoctrination of Ukrainian schoolchildren, transfer to Russia - and in many cases adoption there - of Ukrainian children, discrimination on grounds of political opinion and national origin.

**-Concerning the downing of flight MH17**, the Court held that there had been violations of Articles 2, 3 and 13. The Court found that Russia had failed to take any measures to

ensure accurate verification of the target of the missile or to safeguard the lives of those on board, showing a cavalier attitude to civilians at risk from its hostile activities. It had also failed to carry out an effective investigation into the downing and had failed to cooperate with the joint investigation team, disclosing inaccurate or fabricated information and adopting an obstructive approach to attempts to uncover the cause and circumstances of the crash.

The next of kin of the MH17 victims experienced profound grief and distress due to the loss of their loved ones and the traumatic aftermath. Russia's refusal to secure the crash site delayed body recovery for eight months, forcing some families to bury incomplete remains, while others never recovered their relatives' bodies. Russia's denial of involvement and failure to conduct an effective investigation prolonged the families' suffering, which the Court found severe enough to constitute inhuman treatment under the Convention.

**-Under Article 46 (binding force and implementation of judgments),** the Court held that Russia had to: release without delay all those deprived of their liberty before 16 September 2022 in occupied territory and still in the custody of the Russian authorities, and, without delay cooperate in the establishment of an international and independent mechanism to identify all children transferred from Ukraine to Russia or Russian-controlled territory before 16 September 2022, to restore contact between children and their families or legal guardians and ultimately reunite them.

See [Press Release](#) and [video of the judgment delivery](#).

### **3. Inter-American Court of Human Rights (IACtHR)**

#### ***Case on forced disappearance of five children in El Salvador before the IACtHR***

On August 7, 2025, the Inter-American Commission on Human Rights submitted a forced disappearance case concerning El Salvador to the Inter-American Court of Human Rights. The case relates to the forced disappearance of five children from the same family allegedly at the hands of Armed Forces personnel, as well as the El Salvador's failure to investigate and provide reparations.

The Inter-American Commission found that El Salvador was responsible for violating the rights to recognition as a person before the law, to life, to personal integrity, to personal liberty, to private and family life, protection of the family, and the rights of the child. The Commission also found El Salvador to be responsible for violations of the rights to judicial guarantees, judicial protection, and access to seek and receive information.



Consequently, the Commission asked the IACtHR to order full reparation for the above violations; offer voluntary psychological support; investigate the whereabouts of the children and, if applicable, identify and return their remains to their family; carry out a prompt, effective, and timely criminal investigation to clarify the facts, identify those responsible, and impose appropriate sanctions; and implement measures of non-repetition, including reforms and training programs aligned with the Guiding Principles for the Search for Missing Persons.

See [Press Release](#).

### ***Provisional measures requested in favour of opposition politician in Venezuela***

The Inter-American Commission on Human Rights asked the IACtHR to grant provisional measures in favour of Juan Pablo Guanipa Villalobos in Venezuela, in the belief that he faces an extremely serious and urgent risk of suffering irreparable harm to his rights. Following his arrest by officers of the State, his whereabouts remain unknown.

Guanipa is an opposition politician and has been since 2000 the coordinator of the political party Justice First in the state of Zulia. According to the information that has been provided to the Inter-American Commission, Guanipa has been subjected to State persecution for exercising his political activity for years, as well as in the run-up and wake of the July 2024 election. The Inter-American Commission found that Guanipa meets the criterion of facing an extremely serious and urgent risk of suffering irreparable harm to his rights.

See [Press Release](#).

## **IV. OTHER INSTITUTIONS**

### **1. International Organization for Mediation**

The Convention on the Establishment of the International Organization for Mediation (IOMed Convention, or Hong Kong Convention) has [entered into effect on 29 August 2025](#), following the domestic procedures of [Venezuela](#), [China](#), and [Nicaragua](#).

Pursuant to Article 29 of said Convention, China excludes disputes arising under the World Trade Organization agreements from the IOMed, and Venezuela excludes “disputes relating to the vital interests of the Bolivarian Republic of Venezuela, such as independence, territorial sovereignty, maritime delimitation, maritime interests, or other issues related to the territory of the Republic and the exercise of such sovereignty”.

The Hong Kong Government has also [announced](#) the completion of renovation works at the Old Wan Chai Police Station, which has been handed over to the Preparatory Office of the IOMed on 1 August as its headquarters.

On 18 August and 28 August 2025, [Togo](#) and [Myanmar](#) signed the IOMed Convention in Beijing, bringing the total number of signatories to 35.

## **2. UNCLOS List of Arbitrators and Conciliators**

Indonesia has [made new nominations](#) to the lists of conciliators and arbitrators under UNCLOS, including four conciliators under Annex V and four arbitrators under Article 2 of Annex VII. The newly nominated conciliators are Ambassador L. Amrih Jinangkung, S.H., LL.M.; Ambassador Dr. Bebeb A.K.N. Djundjunan, S.H., LL.M.; Ir. I Made Andi Arsana, S.T., ME., Ph.D.; Mr. A. Gusman Siswandi, S.H., LL.M., Ph.D. The newly nominated arbitrators are Ambassador Arif Havas Oegroseno, S.H., LL.M.; Ambassador Dr. Iur. Damos D. Agusman, S.H., M.A.; Prof. Dr. Eddy Pratomo, S.H., M.A.; Rear Admiral Kresno Buntoro, S.H., LL.M., Ph.D.

Indonesia nominated four arbitrators in [2001](#), but had not updated its nominations until recently. Notably, Ambassador Arif Havas Oegroseno, Vice Minister for Foreign Affairs, recently [signed](#) the Convention on the Establishment of the International Organization for Mediation, and stated that “Indonesia will remain proactive ... in advocating for the use of mediation in state-to-state dispute resolution”. Prof Eddy Pratomo was also [recently nominated as a candidate](#) for an ITLOS judgeship for 2026-2035.

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