

The International Courts & Tribunals Bulletin

Centre for International Law, National University of Singapore

Issue 4 | Reporting period (15 December 2025 – 27 February 2026)



Introduction

The *CIL International Courts & Tribunals Bulletin* is an e-publication prepared by the International Dispute Resolution (IDR) 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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This Bulletin is prepared by the International Dispute Resolution team at the Centre for International Law on the basis of publicly available information. While every effort has been made to ensure the accuracy and timeliness of the information presented, readers should not rely on this Bulletin as a substitute for legal advice or official sources. The views expressed herein do not necessarily reflect those of any affiliated institutions or editors. References to specific cases, proceedings, or decisions are for informational purposes only and do not constitute endorsement or commentary.

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I. INTER-STATE COURTS

1. International Court of Justice (ICJ)

Docket

Application of the Convention on the Prevention and Punishment of the Crime of Genocide in the Gaza Strip (South Africa v. Israel) - Declaration of Intervention from Belgium

On **23 December 2025**, the ICJ announced that Belgium filed a declaration of intervention under Article 63 of ICJ's Statute. Belgium bases its intervention on its status as a party to the Genocide Convention and argues that the construction of Articles I–VI appears to be in question in the case. Belgium indicates that its intervention will focus particularly on Article II, including the interpretation of the specific intent (*dolus specialis* or genocidal intent) requirement. The ICJ also noted that, pursuant to Article 83 of its Rules of Court, South Africa and Israel were invited to submit written observations on Belgium's declaration.

See [Press Release](#) and [Declaration of Intervention](#) (available in French).

Application of the Convention on the Prevention and Punishment of the Crime of Genocide (The Gambia v. Myanmar: 11 States intervening) - Conclusion of the public hearings on the merits

From **12 to 29 January 2026**, the ICJ held public hearings on the merits in this case. The hearings included two rounds of oral arguments, the examination of four witnesses, an expert called by Gambia, and concluded on 29 January 2026 with Myanmar's final oral submissions. Following the close of the hearings, the ICJ indicated that it would begin its deliberation, with the date of delivery of its decision to be announced in due course.

See [Press Release](#).

Alleged Breaches of Certain International Obligations in respect of the Occupied Palestinian Territory (Nicaragua v. Germany) - Procedural deadline

23 February 2026 was the time-limit for Nicaragua to file a written statement of its observations and submissions on Germany's preliminary objections. This deadline marks the next procedural step in the preliminary objections phase. See [Press Release](#).

2. Permanent Court of Arbitration (PCA)

Docket

Indus Waters Treaty Neutral Expert Proceedings (India v. Pakistan) - Developments since the issuance of the Decision on Certain Issues Pertaining to the Competence of the Neutral Expert on 7 January 2025

On **2 January 2026**, the PCA reported developments concerning India's Ratle and Kishenganga hydropower projects. The PCA recalled the Neutral Expert's Decision on Competence of [7 January 2025](#), a clerical correction on [31 March 2025](#), and noted that Pakistan sought directions to safeguard the effectiveness of the process.

On 11 April 2025 the Neutral Expert partly granted a limited request for an updated construction schedule (procurement timelines for spillway/intake gates) but denied other requested undertakings/pauses, while emphasising that construction may advance before a final decision.

The PCA further reported that India requested an indefinite suspension of the proceedings after stating it would keep the Treaty "in abeyance"; the Neutral Expert confirmed that the proceedings would continue despite India's stated non-participation.

A fourth meeting was held in Vienna on 17–21 November 2025 (without India). Pakistan sought bifurcation for an expedited partial decision, but the Neutral Expert denied bifurcation and issued a revised work programme setting the next key steps of the proceedings, with a final decision by the Neutral Expert envisaged around 29 January 2027.

See [Press Release](#).

Dispute Concerning the Detention of Ukrainian Naval Vessels and Servicemen (Ukraine v. the Russian Federation) - Postponement of hearing on the merits

On **5 January 2026**, the PCA announced the postponement of the merits hearing that had been scheduled for 8 and 9 January 2026, following the withdrawal (due to health reasons) of the arbitrator appointed by Russia (Professor Alexander N. Vylegzhanin). The tribunal indicated that new hearing dates would be fixed after completion of the replacement procedure.

See [Press Release](#).

[Arbitration pursuant to the Asylum Partnership Agreement \(The Republic of Rwanda v. The United Kingdom of Great Britain and Northern Ireland\) - Issuance of Procedural Order No. 1](#)

On **30 January 2026**, the PCA announced the commencement of arbitration proceedings initiated by Rwanda via a notice of arbitration dated 24 November 2025 under Article 22 of the Asylum Partnership Agreement and the PCA Arbitration Rules 2012.

The tribunal issued Procedural Order No. 1 on 19 January 2026, fixing the procedural calendar with a hearing in the case scheduled for 18-20 March 2026. The PCA confirmed it is acting as Registry in this case. The tribunal is composed by Judge Peter Tomka (Chair), Prof Dr Mohamed Abdel Wahab (appointed by Rwanda), and Judge Joan Donoghue (appointed by the UK).

See [Press Release](#) and [Procedural Order No. 1](#).

[Indus Waters Western Rivers Arbitration \(Pakistan v. India\) - Conclusion of hearing](#)

On **3 February 2026**, the PCA reported that the Court of Arbitration had concluded its hearing for the second phase on the merits. In this case, Pakistan requests the Court of Arbitration to address the interpretation and application of the Indus Waters Treaty to certain design elements of the run-of-river hydro-electric projects that India is permitted by the Treaty to construct on the Indus, Jhelum, and Chenab and their tributaries, before those rivers flow into Pakistan.

The PCA recalled that this phase, pursuant to Procedural Order No. 17 ([21 November 2025](#)), concerns issues around how India must determine installed capacity/anticipated load for certain proposed projects and how these feed into the calculation of maximum pondage. The PCA also noted that India did not participate in the two-day hearing.

See [Press Release](#).

[Dispute Concerning the Detention of Ukrainian Naval Vessels and Servicemen \(Ukraine v. the Russian Federation\) - Appointment of arbitrator by President Judge Tomas Heidar](#)

On **6 February 2026**, ITLOS President Judge Tomas Heidar appointed Mr Nguyen Hong Thao (Viet Nam) as arbitrator to fill a vacancy after Prof Vylegzhanin (Russia's appointee) withdrew for health reasons and Russia did not appoint a replacement within the timeframe determined by Annex VII of the UNCLOS Convention. The tribunal's updated composition is: Gudmundur Eiriksson (President), Christopher Greenwood, James Kateka, Kathy-Ann Brown, and Nguyen Hong Thao. See [Press Release](#).

Institutional updates

Botswana accession to the PCA Founding Convention

On **3 February 2026**, the PCA reported that the Republic of Botswana deposited its instrument of accession to the 1907 Hague Convention for the Pacific Settlement of International Disputes. Botswana will become a PCA Contracting Party with effect from 4 April 2026 and will be the 128th Contracting Party.

See [Press Release](#).

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

Appointing authority

Appointment of arbitrator in the *[Dispute Concerning the Detention of Ukrainian Naval Vessels and Servicemen \(Ukraine v. the Russian Federation\)](#)*

On **6 February 2026**, ITLOS President Judge Tomas Heidar [appointed](#) Mr Nguyen Hong Thao (Viet Nam) as arbitrator to fill a vacancy after Prof Vylegzhanin (Russia's appointee) withdrew for health reasons and Russia did not appoint a replacement within the timeframe determined by Annex VII of the UNCLOS Convention.

The UNCLOS Convention (Annex VII, article 3) requires the parties to mutually agree on the appointment of three of the five tribunal members. If the parties are unable to reach an agreement on the appointment, the President of the International Tribunal for the Law of the Sea shall make the necessary appointments and act as appointing authority.

For more information on Ukraine and the Russian Federation's disagreement on the appointment of tribunal members in this case, see [Procedural Order no. 9](#) and [Dissenting Opinion to Procedural Order no. 9](#).

Institutional Developments

Election of ITLOS members (nominations period)

ITLOS indicated that elections to fill seven seats expiring on **30 September 2026** will take place during the 36th Meeting of State Parties in June 2026 in New York. The nominations period was fixed from 6 January to 5 March 2026.

ITLOS is composed of a body of 21 tribunal members who are elected by the State Parties to the United Nations Convention on the Law of the Sea from a list of persons nominated by the State Parties.

See [Press Release](#).

Capacity-building and training programme: ITLOS-Nippon Foundation (2026-2027 intake)

In cooperation with the Nippon Foundation, ITLOS runs an annual capacity-building and training programme on dispute settlement under the UNCLOS Convention. The full-time programme, which runs for nine months and begins in July each year, takes place at the seat of the tribunal in Hamburg, Germany.

The programme is aimed at junior to mid-level government officials and researchers mainly from developing countries who are currently working on issues related to the law of the sea, maritime law or dispute settlement. ITLOS opened applications for the 2026–2027 training programme (July 2026 to March 2027), with an application deadline of **6 March 2026**.

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

II. ISDS INSTITUTIONS AND TRIBUNALS

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

Docket

From 15 December 2025 to 28 February 2026, ICSID added 17 [recent cases](#) to its docket: [Travizory Border Security SA v. Republic of Kenya \(ICSID Case No. ARB/25/54\)](#); [Noor Holdings Ltd. v. People’s Democratic Republic of Algeria \(ICSID Case No. ARB/25/55\)](#); [Nimba Investment LLC and others v. Republic of Guinea \(ICSID Case No. ARB/25/56\)](#); [Ntega Holding Burundi S.A. v. Republic of Burundi \(ICSID Case No. ARB\(AF\)/26/1\)](#); [Hiroshi Osumi v. Swiss Confederation \(ICSID Case No. ARB/26/1\)](#); [Shell PLC v. Kingdom of the Netherlands \(ICSID Case No. ARB/26/2\)](#); [Axis International Limited v. Republic of Guinea \(ICSID Case No. ARB/26/3\)](#); [S-Planning Co., Ltd. and others v. Swiss Confederation \(ICSID Case No. ARB/26/4\)](#); [Concesionaria Peruana de Vías– COVINCA, S.A. v. Republic of Peru \(ICSID Case No. ARB/21/45\)](#) – *Peru requested a rectification of the award rendered on 3 December 2025, on which the tribunal ruled on 6 February 2026*; [Upland Oil and Gas LLC and Upland Oil and Gas LLC, Sucursal del Perú v. PeruPetro, S.A.](#)

(ICSID Case No. ARB/26/5); Webuild S.p.A. (formerly Salini Impregilo S.p.A.) v. Argentine Republic (ICSID Case No. ARB/15/39) – *Application for annulment*; Igor Viktorovich Makarov v. Canada (ICSID Case No. ARB/26/6); Webuild S.p.A. v. Argentine Republic (ICSID Case No. ARB/26/7); Tanganyika Gold S.A. v. Republic of Burundi (ICSID Case No. ARB(AF)/26/2); Blue Water Worldwide LLC and others v. Republic of Peru (ICSID Case No. ARB/26/8); Al Oroba for Real Estate Investment Company and others v. Arab Republic of Egypt (ICSID Case No. ARB/26/9) and Eiser Infrastructure Limited and Energía Solar Luxembourg S.à r.l. v. Kingdom of Spain (ICSID Case No. ARB/13/36) – *Application for annulment*.

From 15 December 2025 to 28 February 2026, 19 tribunals have been constituted in the following cases: Buried Hill Serdar Limited v. Turkmenistan (ICSID Case No. ARB/25/40) – *On 11 February 2026 ICSID reported that the disqualification of Mr Philippe Sands was upheld by the co-arbitrators. The Secretary-General notified the parties of a vacancy on the tribunal and informed that the proceeding would remain suspended until the vacancy is filled*; Akfel Commodities Pte. Ltd. and I-Systems Global B.V. v. Republic of Türkiye (ICSID Case No. ARB/20/36) – *Annulment proceedings*; Alain Francois V. Goetz and Aldabra Limited v. Republic of Rwanda (ICSID Case No. ARB/24/48) – *Tribunal reconstituted on 6 January 2026: Abdulqawi Ahmed YUSUF appointed following the resignation of Stanimir A. ALEXANDROV*; Société Générale S.A. v. Republic of Croatia (ICSID Case No. ARB/19/33) – *Annulment proceedings*; Humans Mobile Ltd. v. Republic of Uzbekistan (ICSID Case No. ARB/25/24); Woodside Energy (Sénégal) B.V. v. Republic of Senegal (ICSID Case No. ARB/25/23); Eka Tjandranegara v. Malaysia (ICSID Case No. ARB/25/27); Addiko Bank AG and Addiko Bank d.d. v. Republic of Croatia (ICSID Case No. ARB/17/37) – *Tribunal reconstituted on 13 January 2026: Campbell Alan MC LACHLAN appointed following the resignation of Jean Engelmayer KALICKI*; Centauro Capital, S.L.U. and Natanor XXI, S.L.U. v. Republic of Colombia (ICSID Case No. ARB/25/5); AES Corporation v. Argentine Republic (ICSID Case No. ARB/02/17) – *Annulment proceedings*; Spentech Engineering Limited v. United Arab Emirates (ICSID Case No. ARB/24/16) – *Annulment proceedings*; Smart Energy B.V. and PJSC Ukgazvydobutok v. Ukraine (ICSID Case No. ARB/25/38); Overseas Real Estate LLC v. Republic of Honduras (ICSID Case No. ARB(AF)/25/4); Minerali Industriali SRL v. Republic of Tunisia (ICSID Case No. ARB/24/52); PanAfrican Energy Tanzania Limited v. United Republic of Tanzania and Tanzania Petroleum Development Corporation (ICSID Case No. ARB/25/43); PanAfrican Energy Corporation v. United Republic of Tanzania (ICSID Case No. ARB/25/42); Peteris Pildegovics and SIA North Star v. Kingdom of Norway (ICSID Case No. ARB/20/11) – *Ad hoc Committee reconstituted on 16 February 2026: Jacomijn J. VAN HAERSOLTE-VAN HOF appointed following the resignation of Andrea K. BJORKLUND*; ArcelorMittal S.A. v. Italian Republic (ICSID Case No. ARB/25/34) and Zaur Leshkasheli and Rosserlane Consultants Limited v. Republic of Azerbaijan (ICSID Case No. ARB/20/20) – *Annulment proceedings*.

From 15 December 2025 to 28 February 2026, 2 Awards and 2 Decisions on Rule 41 Application (Manifest Lack of Legal Merit) [have been published](#) in the following cases:

[Veolia Propreté SAS v. Italian Republic \(ICSID Case No. ARB/18/20\) - Award \(26 September 2025\)](#)

In its award of **26 September 2025**, an ICSID tribunal (chair by Eduardo Zuleta, with co-arbitrators Judith Gill KC and Laurence Boisson de Chazournes) held that it had jurisdiction over Veolia's intra-EU Energy Charter Treaty (ECT) claims and found Italy in breach of the ECT in relation to waste-to-energy concession contracts for projects in Calabria and Tuscany.

On the merits, the tribunal treated the concessions as involving sovereign state organs and held Italy liable under the ECT's umbrella clause for contractual breaches, including failures to make timely payments, meet guaranteed waste quantities, and adjust charges to reflect rising operating costs. The tribunal also found Italy in breach of the fair and equitable (FET) standard for frustrating Veolia's investments.

The tribunal awarded approximately €86 million (tax-adjusted historical losses), plus interest and costs, while rejecting Veolia's indirect expropriation claim on the basis that the loss of the plants followed insolvency/termination linked to contractual breaches rather than a state deprivation of the investment. The tribunal also ordered Italy to reimburse USD \$580,958.1 in arbitration costs to Veolia, while directing that each party bear its own legal fees and expenses, dismissing all other relief.

On 11 November 2025, Veolia (which had sought up to €438 million in damages) applied for a supplementary decision of the award.

See [Award](#).

[ENCORE Investment Group Limited v. Republic of Türkiye \(ICSID Case No. ARB/24/46\) - Decision on the respondent's Rule 41 Application \(7 October 2025\)](#)

In its decision of **7 October 2025**, an ICSID tribunal (chair by Prof Gabrielle Kaufmann-Kohler, with co-arbitrators Prof George A. Bermann and Ms Juliet Blanch) rejected Turkey's Rule 41 application of 27 June 2025.

Turkey sought dismissal of Encore's claims as manifestly without legal merit under ICSID Arbitration Rule 41, advancing objections based on *ratione temporis*, abuse of process (alleged restructuring to obtain treaty protection), and the asserted absence of treaty protection against impairment by arbitrary or discriminatory measures.

The tribunal rejected the Rule 41 Application in full, holding that none of Turkey’s objections met the “manifest” threshold at this preliminary stage. The tribunal noted in particular that the abuse of process allegations was fact-intensive and not suitable for summary disposal under Rule 41. The tribunal reserved other matters, including costs, for later determination.

See [Decision](#).

Hela Schwarz GmbH v. People's Republic of China (ICSID Case No. ARB/17/19) - Award (10 December 2025)

In its award of **10 December 2025**, an ICSID tribunal (chaired by Sir Daniel Bethlehem KC, with co-arbitrators Mr Rolan Ziadé and Prof Campbell Alan McLachlan KC) dismissed the investor’s claims against China under the 2003 Germany-China BIT, finding on the merits that China did not deny justice in the domestic court proceedings and also rejecting the investor’s allegation that China breached the arbitration’s procedural obligations.

The tribunal rejected most of China’s jurisdictional objections (including arguments on “investment” and pre-arbitration amicable settlement), and it rejected the protocol-based objection requiring prior administrative review, except as to claims relating to the cancellation of the subsidiary’s food production licence.

The dispute arose from the 2014 expropriation of state-owned industrial land used by the claimant’s Chinese subsidiary in Jinan as part of an urban renewal plan. The investor challenged the measures domestically and filed an ICSID arbitration in June 2017 after the offered compensation (about US\$5 million) was said to be inadequate.

All remaining claims were dismissed, and costs were dealt in a confidential codicil to the award.

See [Award](#).

Arbor Confections Inc., Mark Alan Ducorsky and Brad Ducorsky v. United Mexican States (ICSID Case No. ARB/23/25) - Decision on the respondent’s Rule 41 Application (19 December 2025)

In its decision of **19 December 2025**, an ICSID tribunal (chaired by Dr José Miguel Júdece, with co-arbitrators Dr David J.A. Cairns and Prof Brigitte Stern) dismissed Mexico’s preliminary objections under ICSID Arbitration Rule 41, holding that summary dismissal was not warranted at this stage.

The tribunal reiterated Rule 41's high threshold of putting forward an objection which is sufficiently clear and obvious, that can be dealt with relative ease and dispatch and assessed the objections against the five domestic proceedings invoked by the claimants.

The tribunal found that any NAFTA-based claims tied to three of those proceedings (including an eviction case and insolvency proceedings) were clearly time-barred under NAFTA's three-year limitation period but concluded that the core rescission action required a more detailed factual and legal assessment and therefore could not be disposed of summarily.

The tribunal directed that Mexico may pursue its objections in the next procedural phase under Rules 41(4), 42(6) and 43 of ICSID, invited the parties to propose a timetable, and reserved costs.

See [Decision](#).

Reported awards and new cases

Reported award in [ČEZ v Bulgaria \(ICSID Case No. ARB/16/24\)](#) (Award 29 January 2026)

It has been reported that an ICSID tribunal (chaired by Pierre Tercier, with co-arbitrators Julian D.M. Lew KC and Donal M. McRae) has rejected Czech utility ČEZ's approximately €967 million (plus interest) ECT claim against Bulgaria, arising from alleged adverse changes to Bulgaria's electricity market and regulatory framework.

In its award of **29 January 2026** (*which has not been published as of the date of this Bulletin*), the tribunal dismissed the claims on the merits, having previously upheld jurisdiction over the intra-EU dispute notwithstanding the Achmea objections.

The dispute filed in 2016 concerned, among other issues, alleged frustration of legitimate expectations linked to the privatisation of an electricity distribution/supply company, price-setting by the regulator (2004-2018), and alleged shifts in market liberalisation and renewables policy affecting investments (including thermal and biomass plants).

ČEZ's [Press Release](#) and Bulgaria Ministry of Finance's [Statement](#) (available in Bulgarian).

Reported award in ECT case over green tariffs - Stockholm Chamber of Commerce (SCC) tribunal

On **21 January 2026** Ukraine reported that it was successful in an SCC arbitration under the ECT brought by Dutch renewables investor Green Genius International (Modus

Group), with the tribunal rejecting the €22.7 million claim in full in a final award issued in December 2025.

The case challenged Ukraine's 2020 legislative reform of its green tariff regime, including a retroactive 15% reduction to feed-in tariffs for existing solar projects. Ukraine reported that the tribunal found that the state acted within its regulatory powers, pursued a legitimate public policy objective, and that the claimant had no protected expectation that the regime or profitability would remain unchanged.

Ukraine's [Statement](#) (available in Ukrainian).

Reported award in case brought by US mining investors - [Daniel W. Kappes and Kappes, Cassidy & Associates v. Republic of Guatemala \(ICSID Case No. ARB/18/43\)](#) Award (23 December 2025)

It has been reported that an ICSID tribunal (chaired by Jean Kalicki, with co-arbitrators John M. Townsend and Zachary Douglas) issued an award on **23 December 2025** (*which has not been published as of the date of this Bulletin*) largely dismissing a US \$499 million DR-CAFTA claim brought by Daniel Kappes and Kappes Cassidy & Associates concerning investments in Guatemala's Progreso VII and Santa Margarita mining projects. While most claims (including FET/denial of justice and indirect expropriation) were rejected, the tribunal reportedly found a breach of FET linked to Guatemala's five-year impoundment of approximately US \$1 million in gold concentrate but awarded no damages for lack of proven harm. The tribunal is reported to have awarded Guatemala US \$380,000 in costs.

[Agencia Guatemalteca de Noticias, Guatemala](#) (available in Spanish).

Reported award in UK technology company claim against Nigeria - International Centre for Arbitration and Mediation in Abuja

It has been reported by Nigeria's Bureau of Public Procurement (BPP) that Nigeria prevailed in an Abuja-seated arbitration against European Dynamics UK concerning a contract to design, install and maintain a national e-government procurement system in Nigeria. The investor, European Dynamics had claimed approximately US \$6.2 million including alleged milestone payments, general damages, and settlement-related claims. According to the reports, sole arbitrator Funmi Roberts accepted BPP's position that the system's functional deficiencies and errors were the vendor's responsibility to remedy at no additional cost and dismissed all claims in full. The arbitration was heard at the International Centre for Arbitration and Mediation in Abuja.

[Premium Times Nigeria's article.](#)

Reported new case - UNCITRAL claim against Switzerland over freezing on luxury assets

It has been reported that on **14 January 2026** Ms Gulnara Kerimova (daughter of a sanctioned Russian billionaire) filed a notice of arbitration against Switzerland under the 1990 USSR-Switzerland BIT, challenging Swiss measures taken since June 2024 that allegedly froze or restricted her luxury real-estate investments pursuant to Switzerland's Russia-sanctions regime.

It seems that the claim is the first treaty claim Switzerland has faced in connection with its Russia-sanctions framework involving claims approaching €16 billion.

It is reported that Kerimova alleges breaches of the treaty's expropriation and FET provisions, disputes Swiss authorities' reliance on sanctions against her father and brother and also challenges Swiss legislation (adopted in October 2025) said to restrict enforcement of investment treaty awards relating to the Russia-sanctions regime, which she characterises as an "egregious" denial of justice.

Eureporter's [article](#).

Reported new case - Dutch retailer takes Serbia to ICSID

It has been reported that Dutch retailer Ahold Delhaize has filed an ICSID claim against Serbia under the Netherlands-Serbia BIT, challenging a government decree that caps profit margins on food and consumer goods, as well as related restrictions on purchase prices and supplier fees. According to the company, these measures caused significant losses to its Serbian subsidiary, Delhaize Serbia.

The claim was reportedly filed on **6 February 2026** and, as of the date of this Bulletin, has not yet been registered by ICSID.

Ahold Delhaize's [Statement](#).

Potential new case - Panama port dispute

It has been reported that Hong Kong-based CK Hutchison has served Panama with a treaty notice concerning alleged steps to strip its subsidiary, Panama Ports Company (PPC), of its 1997 concession to operate the Balboa and Cristóbal ports at either end of the Panama Canal, days after PPC reportedly filed a US\$2 billion ICC arbitration under the concession contract.

The dispute follows a reported ruling by Panama's Supreme Court holding unconstitutional the legislation approving the concession, together with state measures including an announced plan for Maersk to operate the ports as a temporary administrator.

CK Hutchison's [Statement](#).

Potential new case - UAE Group seeks to proceed claim against Lebanon

It has been reported that Dubai-based Al Habtoor Group will proceed with a US \$1.7 billion investment treaty claim against Lebanon under the UAE-Lebanon BIT, following a notice of intent served in early 2024 and unsuccessful discussions with the Lebanese government.

The conglomerate reported that Lebanon's banking and central bank measures restricting access to and transfer of funds held in Lebanese banks have caused "severe and sustained harm" to its long-standing investments in the country, with claimed losses exceeding US \$1.7 billion.

Al Habtoor Group's [Statement](#).

Potential new case by Chinese chipmaker

It has been reported that Shanghai-listed Wingtech has threatened the Netherlands with a US \$8 billion claim under the China-Netherlands BIT, saying it served a notice of dispute in October 2025 after Dutch authorities intervened in the governance and operations of its Dutch semiconductor subsidiary Nexperia on national security grounds.

The dispute stems from a September 2025 emergency order restricting Nexperia's ability to relocate assets or make key management decisions without government permission, and related measures by the Dutch Enterprise Chamber affecting Nexperia's CEO and voting rights. The Dutch minister later suspended the emergency order in November 2025 following reported talks with Chinese authorities.

Reuters [report](#).

Institutional Developments

Gabriela Álvarez Ávila elected as ICSID's Deputy Secretary-General

On **6 February 2026**, ICSID [announced](#) that its Member States elected Ms Gabriela Álvarez Ávila as Deputy Secretary-General.

Her term begins on 6 April 2026 and links to her biography, which describes her as a Mexican national with over 25 years’ experience in investor–State dispute settlement and international commercial arbitration.

ICSID releases latest edition of its caseload statistics (Issue 2026-1)

On **17 February 2026**, ICSID released its latest *Caseload – Statistics (Issue 2026-1)*, an important biannual snapshot of ISDS activity at the Centre as of 31 December 2025.

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ICSID has now registered (as of 31 December 2025) 1,085 arbitration and conciliation cases in total, with 63 new cases in calendar year 2025 (including 56 ICSID Convention arbitrations, 6 Additional Facility arbitrations, and 1 conciliation). ICSID Convention arbitrations continue to account for the overwhelming majority of the historical caseload.

Among newly registered cases in 2025, Bilateral Investment Treaties remained the principal basis of consent (58%). Data indicate a significant concentration of cases in the Oil, Gas & Mining sectors (45%). ICSID reports that 15 of the new cases concerned mining, accounting for 24% of all cases registered in calendar year 2025. The ICSID Secretariat also administered 14 non-ICSID cases in 2025, including 10 UNCITRAL investor-State arbitrations.

On case outcomes, 33% of concluded ICSID arbitrations were settled or otherwise discontinued, while 67% were decided by tribunals. Among tribunal-decided cases, 53% upheld investors’ claims in part or in full. Regarding appointments data, ICSID reports representation of 49 nationalities in 2025 appointments, with 13% first-time appointees, and women accounting for 30% of appointments overall in the year.

Chart 19: ICSID Arbitrations Concluded in CY2025 – Disputes decided by tribunals

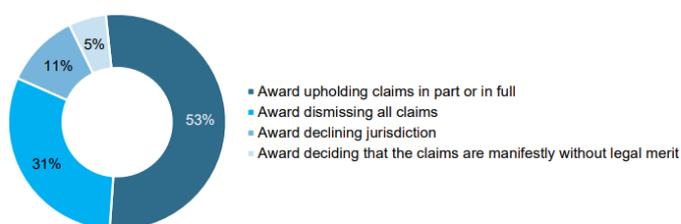


Chart 20: All Concluded ICSID Arbitrations – Disputes decided by tribunals



See [Press Release](#) and [Caseload – Statistics \(Issue 2026-1\)](#).

Special Issue of the ICSID Review on Energy Transition

On **22 January 2026**, ICSID announced that a special issue of the *ICSID Review—Foreign Investment Law Journal* dedicated to the energy transition and international investment law is now available. The issue brings together diverse perspectives on the implications of the energy transition for investment law and the potential role of investment law in supporting and responding to the transition.

See [Press Release](#).

2. Permanent Court of Arbitration (PCA)

Reported new UNCITRAL claim against Pakistan over tariffs

It has been reported that Saudi and Kuwaiti investors in K-Electric served a notice of UNCITRAL arbitration against Pakistan on **16 January 2026**, commencing a claimed US \$2 billion dispute concerning alleged interference with the utility.

The allegations reportedly include the blocking of a proposed US \$1.77 billion share sale to Shanghai Electric, as well as interference relating to tariff-setting and subsidies. The claim is said to be brought under the OIC Investment Agreement, with the investors

invoking most-favoured-nation (MFN) treatment to rely on protections contained in Pakistan's BITs with Bahrain and Switzerland. See [Profit, Pakistan](#).

Reported partial award in Kazakhstan oilfield dispute

It has been reported that a tribunal in a PCA-administered UNCITRAL arbitration seated in Stockholm issued a partial award upholding Kazakhstan's claim against the Karachaganak Petroleum Operating (KPO) consortium (Eni, Shell, Chevron, Lukoil and KazMunayGas) in relation to cost-recovery calculations under the Karachaganak production sharing agreement.

The amount to be repaid has reportedly not yet been determined, although media reports estimate it at US \$2-4 billion, to be implemented through an amended revenue distribution formula for the remainder of the contract term. The tribunal also reportedly rejected a statute of limitations defence. See [Upstream news](#).

III. HUMAN RIGHTS COURTS

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

Court

80th Ordinary Session of the Court

From 2 to 27 March 2026, the AfCHPR will hold its 80th Ordinary Session. The last Ordinary Session of the Court was held from 17 November to 5 December 2025.

Election of a new President of the Court

On 23 February 2026, the AfCHPR elected Honourable Justice Blaise Tchikaya of the Republic of Congo (Brazzaville) as the new President of the AfCHPR to replace Honourable Justice Modibo Sacko.

Honourable Justice Tchikaya will serve the remainder of the term of the outgoing President who was elected on 2 June 2025 for a term of two years. Hon. Justice Dr. Modibo Sacko will continue serving on the Bench as a Judge of the Court.



Justice Blaise Tchikaya

Institutional Developments

On 12 February 2026, the AfCHPR held a [press briefing](#) on the Court’s work and on its upcoming 20th anniversary commemorations (2006-2026), during which key achievements of the Court were highlighted, such as its contributions to setting up strong regional standards against criminal defamation and for open public debate, or reinforcing the protection for indigenous and marginalised communities, especially on issues of land, culture and natural resources.

The Court was established pursuant to Article 1 of the Protocol to the African Charter on Human and Peoples’ Rights on the Establishment of an African Court on Human and Peoples’ Rights, (the Protocol) which was adopted by Member States of the then Organization of African Unity (OAU) in Ouagadougou, Burkina Faso, in June 1998. The Protocol came into force on 25 January 2004. To date, **eight** (Burkina Faso, The Gambia, Ghana, Guinea-Bissau, Mali, Malawi, Niger and Tunisia) **of the 34 State Parties to the Protocol have deposited the declaration recognising the competence of the Court to receive cases directly from NGOs and individuals.**

[More](#) about the AfCHPR.

Since it started its operations, the Court **has handled 378 cases**, of which 273 are categorised as “finalised”. In 2025, the Court received 8 applications (seven less than in 2024) and delivered 22 judgments. **104 cases are currently pending, as well as one interpretation and two advisory opinions** (*Request for Advisory Opinion on the compatibility of the Death Penalty with the African Charter on Human and Peoples’ Rights* introduced in 2024 and *Request for Advisory Opinion No.001 of 2025: In the matter of a request by the Pan African Lawyers Union (PALU) for an Advisory Opinion on the obligations of States with respect to the climate change crisis* introduced in 2025). The Court has delivered 15 advisory opinions.



Source: [AfCHPR's webpage on statistics](#)

2. European Court of Human Rights (ECHR)

Decided cases

Inadmissibility Decision in *Macovei v. Romania* (17 Feb 2026) - Sanctions for minor offences imposed under Romanian election financing law on candidate in presidential elections

The [case](#) concerned proceedings brought by a politician, Ms Macovei, to challenge sanctions imposed on her for having violated the rules on election financing during her 2014 presidential campaign. The Court declared the application inadmissible *ratione materiae* on the grounds that the criminal aspect of Article 6 (right to a fair trial) – namely the procedural guarantees specific to a criminal trial – was not engaged and the sanctions for a minor offence and the confiscation measures that were imposed in the case did not constitute a “penalty” within the meaning of Article 7 (no punishment without law). The Court held, in particular, that Ms Macovei’s actions and the sanctions imposed on her related to electoral misconduct, not criminal charges.

Judgment in *Green Alliance v. Bulgaria* (17 Feb 2026) - Regulations on use of informers did not meet minimum Convention safeguards

The [case](#) concerned regulations issued in 2008 and amended in 2018, which allow Bulgaria’s State Agency for National Security to infiltrate informers (known as “agents on cover”), into private entities or as members of a “liberal profession”. Such agents

conceal that they are working for the Agency but are not allowed to use covert surveillance techniques or equipment and are considered different from undercover agents (known as “agents under cover”). Green Alliance argued before the Bulgarian courts that the regulations in question permitted abusive and disproportionate interferences with rights protected under Article 8 (right to respect for private and family life) of the Convention. The ECHR found that the regulations governing the use of “agents on cover” fell short of the minimum safeguards against arbitrariness and abuse required under Article 8. In particular, the grounds on which these agents could be deployed and the fields in which they could work were wide-ranging; there were no time-limits circumscribing their use; the procedure for deploying them did not ensure that they would only be used when “necessary in a democratic society”; no arrangements existed for their effective supervision; and there was no remedy in relation to their unlawful or unjustified use.

Judgment in *Medmoune v. France* (5 Feb 2026) - Medical decision to withdraw life-sustaining treatment from patient who had drawn up advance directives did not violate the Convention

In this [case](#), the applicants complained of an infringement of the right to life of A.M., their brother and husband, as a result of a medical decision to withdraw his life-sustaining treatment. The particularity of the case was that the patient had drawn up advance directives stating that he wished life-sustaining treatment to be continued even in the event that he permanently lost consciousness and was no longer able to communicate with his relatives. The Court found that the provisions of the French Public Health Code on these matters was compatible with the requirements of Article 2 (right to life) of the European Convention on Human rights, including as regards the right not to apply patients’ advance directives. The Court also found that the decision-making process had satisfied the requirements of Article 2 as the family had been involved in the collective procedure provided for by law. The Court finally found that the applicants had been afforded a judicial remedy satisfying the requirements of Article 2.

Judgment in *Salvador Coutinho dos Santos Amado v. Portugal* (3 Feb 2026) – no violation of a judge’s right to a fair hearing

The [case](#) concerned an appraisal of the applicant, a judge, by the High Council of the Judiciary (*Conselho Superior da Magistratura* – CSM), in which his performance was rated as “poor”. As a result, disciplinary proceedings were automatically opened against him, pending the completion of which he was temporarily suspended from his duties as a judge. The ECHR found that the Supreme Court’s assessment did not appear to have been arbitrary or manifestly unreasonable and had duly contained reasons. The applicant had thus been afforded a judicial review of sufficient scope, and the

proceedings before the Supreme Court had been conducted as a whole in compliance with his right to a fair hearing.

Judgment in *Ramishvili v. Georgia* (3 Feb 2026) - failure to protect defence lawyer's reputation against clergyman's accusations on live television

In the case of *Ramishvili v. Georgia*, the Court held that there had been [a violation of the right to respect for private and family life](#). The case concerned civil defamation proceedings brought by the applicant, a well-known defence lawyer, against a prominent clergyman of the Georgian Orthodox Church, for statements he had made during a televised interview accusing him of being a “snitch” and feeding information to the secret services. The Court considered that Georgian courts had failed to strike a fair balance between the applicant’s right to respect for his dignity and reputation, on the one hand, and the clergyman’s freedom of expression, on the other.

Judgment in *Morawiec v. Poland* (3 Feb 2026) - Decision suspending judge from duties discouraged judges from speaking out against judicial reforms

In this case, the Court [found](#) a violation of Article 6 § 1 (access to court), Article 8 (right to respect for private and family life) and Article 10 (freedom of expression) of the European Convention on Human Rights. The applicant is a judge, who, since 2018, has been the President of the Judges’ Association Themis, which has publicly criticised the Government’s reforms affecting the judiciary. The case concerns rulings by the Disciplinary Chamber of the Supreme Court (“the DCSC”) relating to Ms Morawiec’s immunity from prosecution and to her suspension from judicial duties, which she argued were taken in reaction to her public criticisms of the judicial reforms and a successful civil action she had brought against the Minister of Justice in 2017.

The Court held, as it had in previous cases, that the DCSC was not a “tribunal established by law”. It found that the measures taken by the authorities to lift the applicant’s immunity and to suspend her from judicial duties could be characterised as a strategy aimed at intimidating her and that those measures must have had a “chilling effect”, discouraging not only her, but also other judges from participating in public debate on legislative reforms.

Judgment in *Navalnyy v. Russia (no. 4)* (3 Feb 2026) - Unlawful imprisonment of Aleksey Navalnyy, failure to assess the risks to his health and life, and subjecting him to inhuman and degrading treatment

In the case of *Navalnyy v. Russia (no. 4)*, the Court [held](#) that there had been a violation of Mr Navalnyy's right to life, and violations of his right to liberty and security and the prohibition of inhuman or degrading treatment. The case concerned Aleksey Navalnyy's arrest and detention in January 2021 when he returned to Russia following his alleged poisoning in August 2020 and medical treatment abroad, followed by the activation of a suspended prison sentence previously imposed on him in 2014.

The Court found that Aleksey Navalnyy's imprisonment after 2 February 2021 had not been "lawful" and that the national courts had made no attempt to consider the fears he expressed for his health and life. The authorities had completely disregarded the Court's judgment in respect of his 2014 conviction and had failed to take into account the interim measure indicated by the Court for his release. Moreover, Mr Navalnyy had been simultaneously subjected to a combination of several forms of ill-treatment.

Judgment in a case against Slovakia concerning allegations of domestic violence (22 Jan 2026)

In the case of *J.S. v. Slovakia*, the Court [held](#) that there had been a violation of the prohibition of inhuman or degrading treatment (Article 3 of the European Convention on Human Rights).

The case concerned the alleged failure of the national authorities to effectively investigate and prosecute acts of domestic violence that the applicant had allegedly suffered. It also concerned the alleged discriminatory impact of gender-based violence on women in Slovakia. The Court found that the first-instance court had failed to analyse the circumstances of the case from a gender-based violence perspective and to make a context-sensitive assessment of the credibility of the various statements. That together with the slow pace of the criminal proceedings amounted to a failure on the part of the authorities. At the same time, concerning the complaint under Article 14 (prohibition of discrimination), the Court held that the deficiencies found in the case could not be considered in themselves to disclose a discriminatory attitude on the part of the authorities.

Judgment in a case concerning the death of the applicants' relative following law-enforcement officers using prone position immobilisation technique (15 Jan 2026)

In *Magherini and Others v. Italy*, the Court [held](#) that there had been two violations of the right to life/investigation. The applicants alleged that law-enforcement officers (*carabinieri*) had used excessive force in 2014 when dispatched to deal with their relative, who had been visibly agitated and distraught on a street in Florence. He died after the carabinieri had immobilised and handcuffed him and held him in the prone position for approximately 20 minutes.

Judgment concerning a judge's transfer between two divisions of the same court against his will (15 Jan 2026)

In the case of *Biliński v. Poland*, the Court [held](#) that there had been a violation of the right to access to court. The Court found that a judge's right to protection against arbitrary transfers between different courts also applied to arbitrary transfers between divisions of the same court dealing with different areas of law. Taking into account, among other things, the fact that the applicant had been criticised by politicians for his rulings in politically sensitive cases and that his transfer had been ordered by a judge who had previously served under the then Minister of Justice as a seconded judge and had been appointed to the post of president of the applicant's court by him, it was legitimate for the applicant to suspect that there had been an element of arbitrariness in his transfer. The decision to transfer the applicant had not been reviewed by a body exercising judicial functions or by an ordinary court and, as such, his right of access to a court had been impaired.

Two judgments in cases against Iceland (13 Jan 2026)

On 13 January 2026, the Court delivered its judgments in the cases of *Z v. Iceland* and *R.E. and Others v. Iceland* concerning investigations into the applicants' complaints of sexual assault and their allegations of structural and systemic gender-based discrimination in those investigations. [In neither case had the Court found evidence](#) of structural bias or discriminatory effect in the handling of sexual violence cases.

In the case of *R.E. and Others v. Iceland*, the Court found that the national legal framework had afforded adequate protection against sexual violence, with Iceland having maintained a consent-based approach to rape since 2007. In the case of *Z v. Iceland*, the Court found that, while the police investigation had been thorough, the prosecuting authorities had failed to apply a consent-centred standard when assessing

whether to prosecute the suspect. There had therefore been a violation of Z's right to respect for private and family life.

**Judgment in *SIC - Sociedade Independente de Comunicação, S.A v. Portugal (no. 2)*
(13 Jan 2026)**

The case concerned a judgment against the applicant company, SIC (Sociedade Independente de Comunicação, S.A), in proceedings brought against it by two individuals, who had claimed that a recording of them involved in a heated exchange with a comedian during a stand-up comedy show, which had been broadcast on television and made available on the internet without their express consent, had caused them damage. The domestic courts had found in favour of the individuals and had awarded them compensation. The ECHR [found](#) that the company's right to freedom of expression had not been breached by the order to pay compensation.

**Judgement in *Finanziaria D'Investimento Fininvest S.P.A. et Berlusconi v. Italy*
(8 Jan 2026)**

The case concerned civil proceedings brought in the Italian courts by the company CIR S.p.A. against the applicant company, which was chaired by Silvio Berlusconi at the relevant time. The civil action was aimed at securing compensation for damage sustained by CIR as a result of the bribing of a judge who had taken part in handing down a judicial decision in a previous dispute between the two companies. The Court held that there had been no violation of the right to a fair hearing / right of access to a court regarding respect for the *res judicata* principle and the right to a tribunal established by law.

Docket

Forthcoming Grand Chamber hearings in March 2026 in two cases against Türkiye

The European Court of Human Rights will be [holding a hearing](#) on 4 March 2026 in *Tergek v. Türkiye* concerning the prison authorities' withholding of photocopied or printed documents sent to the applicant by post, and, on 25 March 2026, in *Kavala v. Türkiye (No. 2)*.

Kavala v. Türkiye (No. 2) concerns the applicant's detention after the judgment delivered by the ECHR on 10 December 2019 (see [ECHR press release](#): "The Court finds a violation

of Articles 5 and 18 of the Convention and calls for the immediate release of Mr Kavala, a businessman and human-rights defender who is detained in prison”). In its [judgment of 11 July 2022](#) in the infringement proceedings, the Court found that Türkiye had failed to fulfil its obligation under Article 46 § 1 to abide by its Kavala judgment of 10 December 2019. On 16 December 2025, the Chamber of the European Court of Human Rights to which the case had been allocated [relinquished jurisdiction](#) in favour of the Grand Chamber of the Court.

Two requests for advisory opinions by Ukraine’s Supreme Court - on tax dispute about proportionality of tax penalty, and on whether a nun’s cell can qualify as her home

The ECHR announced on 17 February 2026 that it will deliver an advisory opinion in a Ukrainian case on 5 March 2026 and that it has accepted another request by Ukraine’s Supreme Court. [Protocol No. 16](#) to the European Convention on Human Rights allows the highest courts and tribunals of a State Party to request the Court to give advisory opinions on questions of principle relating to the interpretation or application of the rights and freedoms defined in the Convention or the protocols thereto. The Court has delivered [seven advisory opinions](#) since Protocol No. 16 came into force on 1 August 2018.

The Court will be **delivering its advisory opinion at a public hearing on 5 March 2026** in response to a request submitted by Ukraine’s Supreme Court on 21 August 2025, and accepted by the Court on [16 September 2025](#). Ukraine’s Supreme Court requested the ECHR to provide guidance on the Convention issues arising in a case pending before it concerning a dispute between a monastery of the Ukrainian Greek Catholic Church and a former nun over her right to live in a convent owned by the monastery. She left the convent in a context of conflict within the religious community. The request raises issues regarding the right to reside in a monastery of a person who used to belong to a religious order and whether the dispute should be resolved by the national courts.

On [17 February 2026](#), the ECHR has **accepted a request for an advisory opinion** submitted by Ukraine’s Supreme Court. In its request, the Supreme Court has asked the European Court to provide guidance on the Convention issues arising in a case pending before it, concerning a dispute between a private company and the tax authorities about the proportionality of a penalty calculated at a flat rate set by law.

Hearing on 21 January 2026 in *Kuijt v. the Netherlands*

On 21 January 2026, the Court held [a hearing in the case of *Kuijt v. the Netherlands*](#) concerning the practice in the Supreme Court of the Netherlands by which judges of the Criminal Law Division who do not form part of the formation to which the case has been assigned may participate in the deliberations. This is allowed in the interest of legal unity. These judges of the Supreme Court are called “reserve justices”.

Relying on Article 6 (right to a fair trial) of the European Convention of Human Rights, the applicant, who was convicted in 2016 for disrupting a municipal council meeting and given a two weeks’ suspended prison sentence by the Court of Appeal, complains that given that judges from outside the judicial panel may have taken part in the deliberations on her case, her appeal on points of law was not heard by an independent and impartial tribunal established by law.

[Video](#) of the public hearing.

Notification to the UK government of a case concerning the applicant’s deprivation of citizenship

The European Court of Human Rights has given notice to the government of the United Kingdom of the application *Begum v. the United Kingdom* concerning a complaint submitted by Shamima Begum about the 2019 decision to deprive her of her British citizenship. She had left the UK in 2015, then aged 15, to travel to Syria to align herself with the Islamic State of Iraq and the Levant.

Relying on Article 4 (prohibition of slavery and forced labour) of the European Convention of Human Rights, the applicant complains in particular that the decision to deprive her of her citizenship did not take into account a number of questions linked to the question of whether she had been a victim of trafficking.

The application was lodged on 5 December 2024, at a time when the applicant was living in a camp in Northern Syria. On 25 November 2025, the government of the United Kingdom were given notice of the application, with questions from the Court. On 15 December 2025, the [statement of facts](#) submitted to the government was made available on the Court’s website.

Interim measures

Between 15 December 2025 and 13 February 2026, the Court has granted interim requests in **8 cases** against Belgium (1); Germany (1); Poland (3); Türkiye (1) Ukraine (1); Switzerland (1) and rejected **402 requests**. [More](#) on interim measures.

Special measures out in place from 1 January 2026 for processing large influx of applications against Türkiye concerning dismissal of civil servants

The President of the Court has decided, in the interests of the proper administration of justice, that the Court's Registry should put in place [special administrative measures](#) for the processing of an anticipated influx of applications against Türkiye. Since mid-October 2025 the European Court has received a substantial number of applications against Türkiye concerning the dismissal of civil servants, members of the judiciary, military officials and other public officials after the 2016 attempted coup d'état in Türkiye. The Court anticipates a possible massive future influx of applications raising identical or similar issues under the European Convention of Human Rights.

Court

Solemn hearing for the opening of the Judicial Year 2026

On 30 January 2026, the ECHR held its solemn hearing for the opening of the judicial year. [Mattias Guyomar, President of the Court](#), and Prof. Dr. Stephan Harbarth, President of the German Federal Constitutional Court, addressed senior representatives of the Council of Europe and Presidents of the highest courts of the 46 member States of the Council of Europe. [Video of the Solemn hearing](#).

As a prelude to the solemn hearing, the Court holds an annual Judicial Seminar. The 2026 Judicial Seminar's theme was "Defending media pluralism and the democratic process in challenging times". [Speeches and video of the Seminar](#).

Elections of judges in respect of Cyprus and the Netherlands (27 Jan 2026)

The Parliamentary Assembly of the Council of Europe has elected Nicholas Emiliou as judge to the Court in respect of Cyprus and Corinna Wissels as judge to the Court in respect of the Netherlands. Judges are elected by the Parliamentary Assembly of the Council of Europe from a list of three candidates nominated by each State which has ratified the European Convention on Human Rights.

[More](#) on the election of judges.

Institutional Developments

The Court releases its 2025 Annual Report

On 29 January 2026, the Court published its [Annual Report](#).

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As of 31 December 2025, almost **70% of pending applications concerned five countries** (Türkiye with 18,464 cases, Russia, Ukraine, Poland, Italy) and the top three most frequent violations found by the Court concerned the **right to a fair trial, the right to liberty and security, and the prohibition of inhuman or regrading treatment**. Approximately **three quarters of all applications decided in 2025 were declared inadmissible** by the Court.

In 2025, the Court's backlog of applications dropped by 11%. At the end of the year, the number of **pending applications was 53,450**. This is the **lowest level in 20 years**, despite the Court's receiving 10% more applications in 2025 than in 2024. Registrar of the Court Marialena Tsirli, explained that this was achieved through reforms that reduced the average processing time for cases with the biggest impact, the use of IT tools, and stronger internal coordination across the Court (see [video](#) on the main elements of the Annual Report 2025).

Alongside the annual report, the Court also released an [overview of the Court's case law](#), presenting the most significant cases of 2025 and their relevance in terms of case-law development. This overview is also a practical resource for national courts, which bear

the primary responsibility for protecting the rights and freedoms defined in the European Convention on Human Rights.



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Upcoming meeting for Non-Governmental Organisations and litigators on bringing applications before the ECHR

The [meeting will take place on Friday 20 March 2026 from 9.30 a.m. to 12.30 p.m.](#) It will be held in person in Strasbourg and online. Judges of the Court and members of the Registry will join participating NGOs and litigators to discuss practical issues related to bringing a case and to share perspectives on the operation of the Convention system.

Interested parties are invited to register by sending an email to ECHRevents@echr.coe.int, outlining their relevant experience in bringing cases to the Court and indicating whether they wish to attend in person.

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

Decided cases

Judgment - [Leonela Zelaya et al. v. Honduras. Merits, Reparations and Costs](#) - Honduras is responsible for the arbitrary and discriminatory detention of Leonela Zelaya and the lack of due diligence in the investigation of her death

On **2 October 2025** (Series C No. 568), the IACtHR held that Honduras is internationally responsible for the illegal, arbitrary, and discriminatory detention of Leonela Zelaya (a trans woman) in 2004 and for serious investigative failures and unjustified delay in investigating her death later that year.

The IACtHR found violations linked to the state's failure to recognise her gender identity and expression (engaging rights including equality/non-discrimination, privacy, name, juridical personality, liberty and expression) and also held that the delay and lack of due diligence violated the judicial guarantees/protection owed to her partner, Thalía Rodríguez, and impaired Rodríguez's personal integrity.

The IACtHR ordered reparations including reopening and advancing the investigation, publication of the judgment, a public act of acknowledgment, and legal adjustments to clarify grounds for liberty-depriving sanctions under the Police and Social Coexistence law.

See [Press Release](#).

Judgment - [Guevara Rodríguez et al. v. Venezuela. Merits, Reparations and Costs](#) - The IACtHR orders the immediate release of Juan Bautista Guevara Rodríguez, Rolando Guevara Pérez and Otoniel Guevara Pérez, declaring Venezuela responsible for violations in the criminal proceedings against them

On **17 October 2025** (Series C No. 571), the IACtHR held Venezuela internationally responsible for violations committed against Juan Bautista Guevara Rodríguez, Rolando de Jesús Guevara Pérez, and Otoniel José Guevara Pérez in connection with their detention and prosecution following the 2004 killing of prosecutor Danilo Anderson.

The IACtHR found the men forcibly disappeared, tortured, subjected to arbitrary preventive detention contrary to the presumption of innocence, and convicted in proceedings tainted by serious due process violations (including alleged use of false witnesses). The Court found there was a fraudulent *res judicata*, which caused nullity of

the proceedings. As reparations, the IACtHR ordered their immediate release and measures to annul the effects of the criminal proceedings. See [Press Release](#).

Judgment - [Hernández Norambuena v. Brazil. Preliminary Objection, Merits, Reparations and Costs](#) - Brazil is responsible for the detention conditions and lack of access to adequate and effective remedies regarding the detention of Mauricio Hernández Norambuena under the Differentiated Disciplinary Regime (RDD)

On **17 October 2025** (Series C No. 570), the IACtHR held Brazil internationally responsible for the detention conditions imposed on Mauricio Hernández Norambuena under the Differentiated Disciplinary Regime (RDD), and for the lack of adequate reasons and effective judicial remedies to challenge the initial imposition and repeated extensions of that regime.

The IACtHR found that Hernández Norambuena was subjected to prolonged isolation (approximately 3 years and 7 months without meaningful human contact), amounting to violations of personal integrity and the aims of punishment, and it also declared a violation of the right to health due to insufficient medical attention and the impact of the RDD conditions on his physical and mental health.

See [Press Release](#).

Friendly settlement agreement approved in which Guatemala acknowledges its responsibility in a case of forced disappearance - [H.R.P. et al. v. Guatemala. Merits and Reparations](#)

On **24 November 2025** (Series C No. 577), the IACtHR recognised the friendly settlement agreement in which Guatemala acknowledged responsibility for the forced disappearance of Mr H.R.P. (5 September 2003) and for failing to conduct a diligent investigation to determine the victim's whereabouts and prosecute those responsible. The IACtHR endorsed agreed reparations, including continuing investigations, publication and a public act of acknowledgment, and medical/psychological care for relatives.

See [Press Release](#).

Friendly settlement approved in a case against Guatemala on restriction of political rights - [Augusto Jordán Rodas Andrade v. Guatemala](#)

On **19 December 2025** (Petition 1198-23), the Inter-American Commission on Human Rights approved the friendly settlement agreement concerning Petition 1198-23. This

case concerns the State's international responsibility for restricting Rodas' political rights, which prevented him from being a candidate to the position of Vice President of Guatemala in the 2023 election. Those restrictions were imposed by administrative authorities based on allegations that Rodas had committed crimes, but he was never notified of those allegations, which were never investigated and did not lead to a conviction. The remedies Rodas sought to counter those restrictions were dismissed by Guatemala's judicial authorities.

In June 2025, the parties signed a friendly settlement agreement where Guatemala acknowledged its international responsibility for violations of Rodas' political rights, his right to the presumption of innocence, and his rights to public judicial proceedings and to judicial protection. Guatemala committed to take reparation measures, including holding an event to publicly apologise and acknowledge its international responsibility, holding an academic event and two workshops (one about how these restrictions are incompatible with the American Convention and another about Guatemalan Supreme Electoral Court independence), and providing financial compensation for material and immaterial damage, as well as paying legal fees.

See [Press Release](#).

Judgment - [Cuadra Bravo v. Peru. Preliminary Objections, Merits, Reparations and Costs](#) - Peru is internationally responsible for the delay of more than two decades and the lack of certainty in the process of enforcing the judgment that recognised the pension rights of Mr. Eduardo Nicolás Cuadra Bravo

On **2 December 2025** (Series C No. 586), the IACtHR held Peru internationally responsible for the unjustified delay of more than two decades and the lack of certainty in enforcing a 24 July 2003 amparo judgment recognising Eduardo Nicolás Cuadra Bravo's pension rights (Decree Law No. 20,530).

The IACtHR found that, throughout enforcement, the pension amount was recalculated repeatedly (increasing and decreasing) ultimately leaving the victim with a debt to *Banco de la Nación* that is being repaid through deductions from his monthly pension, reflecting a structural problem in Peru of delayed execution of judicial decisions.

The IACtHR found violations of judicial guarantees and judicial protection, the right to social security, personal integrity, and ordered reparations.

See [Press Release](#).

Docket

Regular Sessions of the IACtHR

The IACtHR held its [185th Regular Session](#) from January 26 to February 4, 2026.

Schedule of IACtHR Regular Sessions for 2026

The Inter-American Court of Human Rights will hold hybrid sessions during 2026, including both in-person and virtual activities, on the following dates:

- Ordinary Period of Sessions – From January 26 to February 4.
- Ordinary Period of Sessions – From March 9 to March 13.
- Ordinary Period of Sessions – From March 16 to March 20.
- Ordinary Period of Sessions – From April 13 to April 24.
- Ordinary Period of Sessions – From May 4 to May 8.
- Ordinary Period of Sessions – From May 11 to May 15.
- Ordinary Period of Sessions – From June 3 to June 19.
- Ordinary Period of Sessions – From June 29 to July 3.
- Ordinary Period of Sessions – From August 17 to August 28.
- Ordinary Period of Sessions – From September 7 to September 11.
- Ordinary Period of Sessions – From September 21 to September 25.
- Ordinary Period of Sessions – From October 5 to October 16.
- Ordinary Period of Sessions – From November 2 to November 4.
- Ordinary Period of Sessions – From November 16 to December 4.

Precautionary measures & Cases referred to the IACtHR

From 15 December to 28 February 2026, the IACHR [granted precautionary measures](#) in the following cases: [263/25—precautionary measures in favour of Ana Amelí García Gámez, a young woman who is missing in Mexico](#); [264/25—precautionary measures in favour of nine individuals who are deprived of liberty in Nicaragua](#); [266/25—precautionary measures in favour of Kevin Rafael Pérez Mendoza in Venezuela](#); [281/25—precautionary measures in favour of Arnaldo Méndez Silva in Venezuela](#); [286/25—precautionary measures in favour of 26 missing persons and 6 women who are looking for missing persons in Ecuador](#); [3/26—precautionary measures in favour of individuals who are deprived of liberty at the Guayas 1 penitentiary in Ecuador](#); [8/26—precautionary measures in favour of Fernando Orozco, his family, and Carolina Briceño in Venezuela](#); [9/26—precautionary measures in favour of activist José Luis Subero Reyes in Venezuela](#); [10/26—precautionary measures in favour of Huascar](#)

González in Nicaragua; **14/26—precautionary measures in favour of Duannis Dabel León Taboada and Yenisey Taboada Ortiz in Cuba**; **15/26—precautionary measures in favour of Elmer Antonio Escobar González in El Salvador**; **16/26—precautionary measures in favour of Yosvany Rosell García Caso in Cuba**; **17/26—IACHR followed up on precautionary measures granted in favour of Andreina Baduel in Venezuela and extended them to Margareth Baduel**; **24/26—precautionary measures to four indigenous persons deprived of freedom in Nicaragua** and **29/26—precautionary measures in favour of three Mexican nationals deprived of their freedom in Venezuela**.

[The Inter-American Commission on Human Rights (IACHR) investigates human rights violations and issues merits reports with recommendations. It is composed of seven independent members who serve in a personal capacity. If violations are found by the Commission and not resolved, it can refer cases to the Inter-American Court of Human Rights (IACtHR). The Court delivers binding judgments on States that have accepted its jurisdiction.]

From 15 December 2025 to 28 February 2026 the IACHR referred the following cases to the IACtHR: **265/25—IACHR took to Inter-American Court of Human Rights case concerning Chile about violations of the rights of Afro-descendant tribal people**; **271/25—IACHR took to Inter-American Court case concerning Venezuela about unlawful and arbitrary detention and cruel treatment**; **276/25—IACHR took to Inter-American Court case concerning extrajudicial killings and forced disappearances in El Salvador**; **285/25—IACHR took to Inter-American Court case concerning Ecuador about the failure to investigate the disappearance and murder of a trade union leader**; **287/25—IACHR took to Inter-American Court case concerning violations of political rights and judicial guarantees in Guatemala**; **288/25—IACHR took to Inter-American Court case concerning Argentina about violations of the right to appeal a court decision**; **289/25—IACHR took to Inter-American Court case concerning Ecuador about extrajudicial killings and torture**; **290/25—IACHR took to Inter-American Court case concerning judicial guarantees and rights of the child in Argentina**; **291/25—IACHR took to Inter-American Court case concerning Nicaragua about the use of lethal force in social protests**; **2/26—IACHR took to Inter-American Court case concerning Ecuador about false imprisonment, extrajudicial killing, and torture**; and **22/26—IACHR took to Inter-American Court case concerning Argentina about discrimination that affected a police officer's career**.

Institutional Developments

The IACtHR celebrated the opening of Judicial Year 2026

The IACtHR marked the opening of its 2026 judicial year on 26 January 2026 in San José, Costa Rica, coinciding with the start of its 185th Regular Session.

The ceremony formally installed the IACtHR's new leadership for 2026-2027: Judge Rodrigo Mudrovitsch (Brazil) as President and Judge Patricia Pérez Goldberg (Chile) as Vice-President, alongside senior judicial and governmental representatives from across the region and other international courts.



Judge Rodrigo Mudrovitsch and Judge Patricia Pérez Goldberg

In his remarks, President Mudrovitsch emphasised independence, dialogue, and technical rigour, and argued that current global uncertainty calls for stronger multilateralism and international law, positioning the Court as a defender of that “normative heritage.”

See [Press Release](#) and [President's Speech](#) (available in Spanish).

Inter-American Commission on Human Rights

Schedule of public hearings

The Inter-American Commission on Human Rights (IACHR) has announced the [schedule of public hearings](#) for its 195th Period of Sessions. During this week, the IACHR will facilitate dialogue among States, victims, and civil society organizations through 29 hearings addressing urgent human rights situations.

Riyad Insanally elected as new IACHR commissioner

On 17 December 2025, the IACHR announced that the Permanent Council of the Organization of American States (OAS) has elected Riyad Insanally as Commissioner.

Commissioner Insanally's term will run through December 31, 2027. His candidacy was presented by the State of Guyana following the resignation of Dr. Arif Bulkan, who stepped down during his first term as commissioner after being appointed judge of the Caribbean Court of Justice.

According to the American Convention on Human Rights, the Commission shall be composed of seven members, elected in a personal capacity by the OAS General Assembly from a list of candidates proposed by the governments of the Member States. Each of those governments may propose up to three candidates, who may be nationals of the State proposing them or of any other OAS Member State. When a slate of three is proposed, at least one of the candidates shall be a national of a State other than the one proposing the slate. The members of the Commission are elected for a four-year term and may be re-elected only once.

See [IACHR Composition](#).

IV. OTHER INSTITUTIONS

1. International Organization for Mediation

Ghana signed the Convention on the IOMed

On **27 January 2026**, Ambassador of Ghana to China Kojo Bonsu signed the Convention on the Establishment of the IOMed.

To date, the total number of signatory states has reached 39. Togo, Myanmar, the Central African Republic, Angola, Morocco and Ghana signed the Convention in addition to the 33 countries who signed the Convention as founding members.

See [Press Release](#).

IOMed attended UNCITRAL Working Group III 53rd Session as Observer

From 12 to 16 January 2026, [IOMed attended](#) the 53rd Session of the UNCITRAL Working Group III (WGIII) as an Observer.

IOMed was granted observer status to participate in the sessions of WGIII in November 2025. From 1 to 3 December 2025, IOMed Secretary-General Prof Teresa Cheng had attended the third meeting on the operationalisation of the Advisory Centre on International Investment Dispute Resolution in Paris.

IOMed announced Job Openings

On 16 February 2026, the IOMed Secretariat announced that it had initiated its international staff recruitment process. More information available [here](#).

2. UNCITRAL Working Group III: Investor-State Dispute Settlement Reform

At its 53rd session in New York from 12 to 16 January 2026, UNCITRAL Working Group III (WGIII) advanced draft ISDS reform provisions on procedural and cross-cutting issues. It approved [Draft Provision 9 on allocation of costs](#), adopting a default “loser pays” approach (subject to circumstances), clarifying the reasonableness criteria, and excluding from recovery certain success-fee bonus amounts and third-party funding-related expenses.

The WGIII also approved [Draft Provision 10 on counterclaims](#), allowing counterclaims directly connected to the claim and grounded in the claimant’s obligations, and agreed to develop waiver rules to address parallel proceedings.

On implementation, the WGIII agreed to frame the texts as treaty provisions, while also developing a supplement to the UNCITRAL Arbitration Rules and an opt-in “one package” for a protocol to the planned Multilateral Instrument on ISDS Reform (MIIR), with the commission’s 59th session (June–July 2026) expected to allocate time to finalise some provisions.

See [Report of WGIII of 30 January 2026](#).

The 54th session of the WGIII will be held from 23 to 27 March 2026 in Vienna.

See [Provisional Agenda](#).

3. Special Tribunal for the Crime of Aggression against Ukraine & Claims Commission for Ukraine

Special Tribunal for the Crime of Aggression against Ukraine

On **23 January 2026**, the European Commission announced the EU and the Council of Europe signed an agreement to finance a “Special Tribunal Advance Team” (STAT) to lay the institutional, logistical, and organisational groundwork for the planned Special Tribunal for the Crime of Aggression against Ukraine.

The STAT is intended to support preparations such as setting up core administrative capacity, assisting work toward rules of procedure and evidence, developing a court management system, and supporting stakeholder engagement to build backing for the tribunal.

The EU will provide €10 million for the STAT through the Commission’s Service for Foreign Policy Instruments, and the project is planned to run for up to 24 months, or until longer-term funding is secured via the future enlarged partial agreement/management-committee framework.

See [Press Release](#).

Estonia’s support to the tribunal

Estonia’s Foreign Ministry reports that, on **11 February 2026**, the Riigikogu (parliament) approved the Council of Europe’s Enlarged Partial Agreement establishing the management committee for the planned Special Tribunal for the Crime of Aggression against Ukraine, making Estonia the first country whose parliament has formally confirmed readiness to support the tribunal’s administration and financing.

See [Press Release](#) and the [Parliamentary Assembly of the Council of Europe Press Release](#) (PACE).

Joint statement of European Council, European Commission, and European Parliament

On **24 February 2026**, the Presidents of the European Council, European Commission, and European Parliament issued a joint statement marking the fourth anniversary of Russia’s full-scale invasion of Ukraine. The statement confirms the EU’s commitment to supporting the operationalisation of the Special Tribunal for the Crime of Aggression

against Ukraine and an International Claims Commission for Ukraine, both within the Council of Europe framework, “as soon as possible.”

See [Joint Statement](#).

While the International Criminal Court (ICC) has the jurisdiction to investigate war crimes, crimes against humanity, and genocide in Ukraine, it cannot currently examine the crime of aggression in Ukraine due to jurisdictional limitations for the crime of aggression. The Special Tribunal for the Crime of Aggression against Ukraine will fill this gap. See Council of Europe’s [FAQ](#).

International Claims Commission for Ukraine

On **19 January 2026**, the Register of Damage for Ukraine received 100,000 claims submitted by individuals affected by Russia’s aggression against Ukraine.

The Register noted that the claims currently fall within the open categories (including death/personal injury, torture/sexual violence, displacement, and damage or destruction of residential property), and that many more claims are expected as awareness grows and additional categories open.

The Register emphasised its limited mandate (receiving and recording claims/evidence) and situated the next step as establishing the International Claims Commission for Ukraine, noting that the convention creating it has been signed by 35 states and the EU.

See [Press Release](#).

On **27 January 2026**, the Parliamentary Assembly of the Council of Europe (PACE) called for rapid operationalisation of the Claims Commission. In Resolution 2637 (2026), the PACE welcomed the 16 December 2025 adoption of the Convention establishing the International Claims Commission (CETS No. 229), noted its signature by 35 States and the EU, and urged swift establishment (including by rapid signature/ratification and progress on an eventual compensation fund).

See [Press Release](#).

On **17 February 2026**, the Council of Europe’s Secretary General Alain Berset, concluded a two-day visit to Ukraine, reaffirming that the Council of Europe will keep supporting Ukraine on three fronts: *i)* a just and lasting peace, by offering expertise relevant to any settlement (e.g., elections, reparations, minority rights, humanitarian issues, restoring

local institutions in de-occupied areas, and potential constitutional reform); *ii*) accountability and compensation mechanisms, including continued work on the Register of Damage, the future International Claims Commission, and the Special Tribunal for the Crime of Aggression; and *iii*) democratic and rule-of-law reforms tied to Ukraine’s EU accession path, delivered through the Council of Europe’s bodies and the Action Plan for Ukraine 2023–2026.

See [Press Release](#).

On 16 December 2025, thirty-four countries and the European Union have signed the convention establishing an International Claims Commission for Ukraine at a [diplomatic conference](#) co-hosted by the 46-nation Council of Europe and the Netherlands in the Hague.

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