



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

SECOND SECTION

CASE OF STORIMANS-VERHULST AND OTHERS v. RUSSIA

(Application no. 26302/10)

JUDGMENT

Art 1 • Jurisdiction of Russia over South Ossetia • Application of findings in *Georgia v. Russia* (II) [GC] • Lack of jurisdiction during the five-day active phase of hostilities of the 2008 armed conflict between Georgia and Russia • Jurisdiction established after their cessation • “Effective control”
Art 2 (procedural) • Death of a photojournalist covering the events and the injury of his colleagues during the active phase of hostilities • Russian authorities’ failure to conduct an effective investigation

Prepared by the Registry. Does not bind the Court.

STRASBOURG

7 October 2025

This judgment will become final in the circumstances set out in Article 44 § 2 of the Convention. It may be subject to editorial revision.

In the case of Storimans-Verhulst and Others v. Russia,

The European Court of Human Rights (Second Section), sitting as a Chamber composed of:

Arnfinn Bårdsen, *President*,

Saadet Yüksel,

Tim Eicke,

Jovan Ilievski,

Oddný Mjöll Arnardóttir,

Gediminas Sagatys,

Stéphane Pisani, *judges*,

and Hasan Bakırcı, *Section Registrar*,

Having regard to:

the application (no. 26302/10) against the Russian Federation lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by four Dutch nationals and an Israeli national (“the applicants”), whose details are set out in the appended table, on 28 April 2010;

the decision to give notice to the Russian Government (“the Government”) of the application;

the observations submitted by the applicants;

the comments submitted by the Dutch Government, who were granted leave to intervene by the President of the Section;

the decision of the President of the Section to appoint one of the elected judges of the Court to sit as an *ad hoc* judge, applying by analogy Rule 29 § 2 of the Rules of Court (see *Kutayev v. Russia*, no. 17912/15, §§ 5-8, 24 January 2023);

Having deliberated in private on 9 September 2025,

Delivers the following judgment, which was adopted on that date:

INTRODUCTION

1. The present case relates to an international armed conflict that occurred between Georgia and the Russian Federation in August 2008, the chronology of which was described in the Court’s judgment in the inter-State case of *Georgia v. Russia (II)* ((merits) [GC], no. 38263/08, §§ 32-44, 21 January 2021). In particular, it concerns what appears to have been a missile strike on the town of Gori on 12 August 2008 which resulted in, *inter alia*, the death of Mr Stanislaus (Stan) Storimans, a photojournalist covering the events, and in the injury of his colleagues, Mr Jeroen Akkermans and Mr Tsadok Yecheskeli.

THE FACTS

2. The applicants were represented, most recently, by Ms K. Shubashvili of the Georgian Young Lawyer's Association, a non-governmental organisation based in Tbilisi, Georgia, and by Mr E. Wesselink of the Stichting Justice Initiative, a non-governmental organisation based in Utrecht, the Netherlands.

3. The facts of the case may be summarised as follows.

I. BACKGROUND

4. During the night of 7 to 8 August 2008, after an extended period of mounting tensions and incidents, heavy fighting erupted in and around Tskhinvali, the administrative capital of South Ossetia.¹ On 8 August 2008 Russian ground forces penetrated into Georgia by crossing through Abkhazia and South Ossetia before entering the neighbouring regions in undisputed Georgian territory. They were assisted by the Russian air force and the Black Sea fleet. Armed fighting between the enemy forces took place essentially in South Ossetia, as well as in the area of Gori, situated in the "buffer zone" in undisputed Georgian territory, to the south of South Ossetia. From 10 August 2008 Georgian armed forces withdrew first from Tskhinvali and then from the Gori area, while Russian armed forces progressively invaded all of Abkhazia and South Ossetia as well as the "buffer zone". A ceasefire agreement between the Russian Federation and Georgia was concluded on 12 August 2008. Part of the invaded areas of Georgia, notably the "buffer zone", was vacated by Russian troops by 10 October 2008 (see *Georgia v. Russia (II)*, cited above, §§ 32-44).

II. THE APPLICANTS' CIRCUMSTANCES

5. Mr Storimans, the husband of the first applicant and the father of the second and third applicants, was killed as a result of an apparent missile strike on the town of Gori at approximately 10.45 a.m. on 12 August 2008. Mr Akkermans and Mr Yecheskeli sustained serious injuries as a result of the same incident. All three were carrying out their professional duties in covering the armed conflict.

6. Later that day, a ceasefire agreement was concluded between the Russian Federation and Georgia under the auspices of the European Union. The agreement provided that the parties would refrain from the use of force, immediately end hostilities, allow access for humanitarian aid, and that Georgian military forces would withdraw to their usual bases and Russian military forces to the lines prior to the outbreak of hostilities.

¹ The terms "Abkhazia" and "South Ossetia" refer to the regions of Georgia which are currently outside the de facto control of the Georgian Government.

7. On 25 August 2008 the Dutch Minister of Foreign Affairs appointed an investigative mission to conduct an inquiry into the incident (see paragraph 5 above). The mission conducted its investigation, which included an on-site visit, between 31 August and 3 September 2008.

8. On 29 August 2008 the Georgian authorities replied to a query, submitted by the non-governmental organisation representing the applicants and concerning the incident, by stating that a criminal investigation into the incident was ongoing.

9. On 20 October 2008 the report of the Dutch investigative mission was published. It concluded, based on the photos provided to the mission by the Georgian authorities and media sources, that the strike in Gori had been carried out using a 92-cm Iskander missile (also known as SS-26 Stone) carrying cluster munitions. The report noted that the rocket in question was only found in the armoury of the Russian Federation.

10. On 23 October 2008 the Russian authorities announced that the information regarding the death of Mr Storimans provided to them by the Dutch authorities had been sent to the Russian Defence Ministry for expert analysis. They also stated that the data provided by the Dutch investigation were insufficient to determine the provenance of the fragments which had apparently caused Mr Storimans' death or to conclude that he had been killed as a result of the use of weapons by the Russian side. Expressing regret that their opinion was not shared by the Dutch investigative mission, the Russian Ministry of Foreign Affairs stated that the establishment of the true circumstances of the incident would require more careful work by military experts.

11. On 20 June 2009, during a joint press conference of the Prime Minister of the Netherlands and the President of the Russian Federation, the latter stated, as regards Mr Storimans' death, that the blame for the "tragic event" which took place during the conflict lay with the Georgian armed forces, on account of their confirmed use of cluster munitions. He stated that investigation into the matter should continue.

12. On 2 October 2009 the applicants inquired about the progress of the investigation by the Russian authorities.

13. On 28 October 2009 their inquiry was referred to the military-crimes investigation unit in the North Caucasus military district (apparently based in South Ossetia), which is an investigative branch of the Investigative Committee at the Office of the General Prosecutor of the Russian Federation.

14. No further investigative steps appear to have been undertaken with respect to the applicants' case.

RELEVANT INTERNATIONAL MATERIAL

I. EUROPEAN UNION

15. The Report of the Independent International Fact-Finding Mission on the Conflict in Georgia (Volume I) established in December 2008 by the Council of the European Union, stated, *inter alia* (p. 10):

“On the night of 7 to 8 August 2008, a sustained Georgian artillery attack struck the town of Tskhinvali. Other movements of the Georgian armed forces targeting Tskhinvali and the surrounding areas were under way, and soon the fighting involved Russian, South Ossetian and Abkhaz military units and armed elements. It did not take long, however, before the Georgian advance into South Ossetia was stopped. In a counter-movement, Russian armed forces, covered by air strikes and by elements of its Black Sea fleet, penetrated deep into Georgia, cutting across the country’s main east-west road, reaching the port of Poti and stopping short of Georgia’s capital city, Tbilisi. The confrontation developed into a combined inter-state and intra-state conflict, opposing Georgian and Russian forces at one level of confrontation as well as South Ossetians together with Abkhaz fighters and the Georgians at another. Such a combination of conflicts going on at different levels is particularly prone to violations of International Humanitarian Law and Human Rights Law. This is indeed what happened, and many of these instances were due to the action of irregular armed groups on the South Ossetian side that would not or could not be adequately controlled by regular Russian armed forces.”

II. HUMAN RIGHTS WATCH

16. According to the Human Rights Watch report “A Dying Practice: Use of Cluster Munitions by Russia and Georgia in August 2008”, 14 April 2009:

“According to an investigation initiated by the Dutch Ministry of Foreign Affairs, Russia attacked the city of Gori with cluster munitions on [12] August [2008]. The conclusions of the investigation support the findings of Human Rights Watch’s research. ...

The Dutch government investigation was an effort to clarify the circumstances that led to the death of ... cameraman Stan Storimans on that day. The team [analysed] the site, photographs and videos, physical evidence, and testimony from witnesses, government officials, and nongovernmental organization (NGO) researchers. It concluded that a Russian Iskander missile carrying submunitions landed on the main square in Gori at around 10:45 a.m., killing Storimans and killing and injuring others in the area.

...

The main command [centre] for the Georgian military operation in South Ossetia was located in Gori. Witnesses, however, reported no military forces on the square when it was attacked. The Dutch report corroborated this testimony and stated that the Georgian military had fled Gori by [12] August [2008].”

THE LAW

I. PRELIMINARY REMARKS

17. The Court notes that the facts giving rise to the alleged violations of the Convention occurred prior to 16 September 2022, the date on which the Russian Federation ceased to be a Party to the Convention. The Court therefore finds that it has temporal jurisdiction to deal with the applicants' complaints (see *Fedotova and Others v. Russia* [GC], nos. 40792/10 and 2 others, §§ 68-73, 17 January 2023, and *Ukraine and the Netherlands v. Russia* (dec.) [GC], nos. 8019/16 and 2 others, § 389, 30 November 2022).

18. The Court additionally notes that, even though the respondent Government did not argue that the applicants had failed to comply with the six-month rule applicable at the time when the application was submitted, that is a matter which goes to the Court's jurisdiction and which it is not prevented from examining of its own motion (see *Svinarenko and Slyadnev v. Russia* [GC], nos. 32541/08 and 43441/08, § 85, ECHR 2014 (extracts)).

19. In this respect, the Court takes note of the fact that soon after the incident took place the applicants enquired with the Georgian authorities about the investigation opened by the latter (see paragraph 8 above). Subsequently, an investigative mission was established by the Dutch authorities and the matter was brought to the attention of the respondent Government (see paragraphs 7 and 9-10 above). The Russian authorities' response suggested that they had started investigating the matter (see paragraphs 10-11 above). Having regard to such exceptional circumstances, the Court accepts, in the context of assessing compliance with the six-month rule, that it was not unreasonable for the applicants to wait and see how that investigation unfolded and if it could resolve crucial factual or legal issues relating to their case before submitting the present application to the Court (see paragraphs 12-14 above; see also, *mutatis mutandis*, *Mamasakhlisi and Others v. Georgia and Russia*, nos. 29999/04 and 41424/04, § 273, 7 March 2023). The application was not, therefore, lodged out of time.

II. ALLEGED VIOLATION OF ARTICLE 2 OF THE CONVENTION

20. The applicants complained under the substantive and procedural aspects of Article 2 of the Convention in respect of Mr Storimans' death and the injuries inflicted on Mr Akkermans and Mr Yecheskeli on 12 August 2008. Article 2 of the Convention reads as follows:

“1. Everyone's right to life shall be protected by law. No one shall be deprived of his life intentionally save in the execution of a sentence of a court following his conviction of a crime for which this penalty is provided by law.

2. Deprivation of life shall not be regarded as inflicted in contravention of this article when it results from the use of force which is no more than absolutely necessary:

- (a) in defence of any person from unlawful violence;
- (b) in order to effect a lawful arrest or to prevent the escape of a person lawfully detained;
- (c) in action lawfully taken for the purpose of quelling a riot or insurrection.”

A. Admissibility

1. The parties' submissions

21. The respondent Government did not make submissions.

22. The applicants contested the Court's finding in *Georgia v. Russia (II)* ((merits) [GC], no. 38263/08, §§ 125-44, 21 January 2021) that the events which occurred during the five-day active phase of the hostilities (8 to 12 August 2008) did not fall within the jurisdiction of the Russian Federation for the purposes of Article 1 of the Convention. Specifically, they argued that some cases involved aerial bombings in areas where there was no active fighting or “context of chaos” as defined in that judgment (*ibid.*, §§ 126 and 137). Referring to the Court's admissibility decision in the case of *Ukraine and the Netherlands v. Russia* (dec.) [GC] (cited above, § 558), the applicants argued that the *Georgia v. Russia (II)* judgment could not be seen as authority for excluding entirely from a State's Article 1 jurisdiction a specific temporal phase of an international armed conflict. The applicants contended that any approach which would exclude the respondent Government's jurisdiction without a detailed assessment of the specific facts of the present application would run counter to the spirit of the Convention and the guarantees enshrined therein.

23. In their third-party submissions the Government of the Netherlands also referred to the Grand Chamber's *Ukraine and the Netherlands v. Russia* admissibility decision (cited above, § 558). Relying on the report of the Dutch investigative mission (see paragraphs 7 and 9 above) they noted, in this regard, that according to all the information available to the Dutch Government, there was no situation of “chaos”, within the meaning of the *Georgia v. Russia (II)* judgment, either at the launch-site of the missile, which must have been in Russian territory, or at the site of impact, in Gori. Therefore, the incident could not be said to have taken place within an armed confrontation and fighting between enemy military forces seeking to establish control over an area in a context of chaos. Accordingly, the Government of the Netherlands submitted that the question of whether Russia exercised jurisdiction over the victims of the missile that detonated in Gori on 12 August 2008 should be investigated on the basis of the factual circumstances surrounding that incident, rather than the distinction between the active phase of hostilities and the subsequent occupation.

2. *The Court's assessment*

24. At the outset, the Court notes that the present case raises an issue under Article 1 of the Convention concerning the respondent State's jurisdiction in the context of the armed conflict that gave rise to the incident complained of.

25. The relevant general principles regarding extraterritorial jurisdiction were summarised in *Georgia v. Russia (II)* (cited above, §§ 116-24), the Court's admissibility decision in *Ukraine and the Netherlands v. Russia* ((dec.) [GC], cited above, §§ 552-75), and, subsequently, in the judgment of *Ukraine and the Netherlands v. Russia* ((merits) [GC], nos. 8019/16 and 3 others, §§ 350-55, 9 July 2025).

26. In this regard, the Court notes that on 21 January 2021 it delivered the judgment in the case of *Georgia v. Russia (II)* in which it was required to examine whether the conditions for the exercise of extraterritorial jurisdiction by a State under the Court's case-law could be regarded as fulfilled in the context of military operations carried out during the "five-day war" in Georgia of 8-12 August 2008. It found that Russia did not have Article 1 jurisdiction in respect of the military operations which it had conducted during that five-day period. The Court explained:

"126. ... [I]t can be considered from the outset that in the event of military operations – including, for example, armed attacks, bombing or shelling – carried out during an international armed conflict, one cannot generally speak of 'effective control' over an area. The very reality of armed confrontation and fighting between enemy military forces seeking to establish control over an area in a context of chaos means that there is no control over an area. This is also true in the present case, given that the majority of the fighting took place in areas which were previously under Georgian control ...

...

136. ... The obligation which Article 1 imposes on the Contracting States to secure to everyone within their jurisdiction the rights and freedoms guaranteed by the Convention is, as indicated above, closely linked to the notion of 'control', whether it be 'State agent authority and control' over individuals or 'effective control' by a State over a territory.

137. In this connection, the Court attaches decisive weight to the fact that the very reality of armed confrontation and fighting between enemy military forces seeking to establish control over an area in a context of chaos not only means that there is no 'effective control' over an area as indicated above (see paragraph 126), but also excludes any form of 'State agent authority and control' over individuals."

27. Subsequently, in its admissibility decision in *Ukraine and the Netherlands v. Russia*, referred to by the applicants and the Dutch Government, the Court joined to the merits the objection raised by the respondent Government in respect of the applicant Ukrainian Government's complaints concerning an administrative practice of bombing and shelling (see *Ukraine and the Netherlands v. Russia* (dec.) [GC], cited above, § 700). In doing so, it acknowledged the need for a careful examination, with reference to the specific facts of the incidents alleged, of how its findings in

the *Georgia v. Russia (II)* judgment might apply to the allegations before it (*Ukraine and the Netherlands v. Russia* (dec.) [GC], cited above, §§ 558 and 700).

28. The Court additionally notes that less than one month after the admissibility hearing in *Ukraine and the Netherlands v. Russia*, the Russian Federation invaded Ukraine. The full-scale invasion of Ukraine, a High Contracting Party, by Russia, another High Contracting Party, which commenced on 24 February 2022 therefore marked a clear watershed moment in the history of the Council of Europe and the Convention (see *Ukraine and the Netherlands v. Russia* (merits) [GC], cited above, §§ 343 and 349). In the face of such an unprecedented and flagrant attack on the fundamental values of the Council of Europe and the object and purpose of the Convention, the Court decided that it ought to reflect anew on the exercise of its own jurisdiction under Article 32 to interpret and apply the Convention and its Protocols with a view to contributing to the preservation of peace and security in Europe through the effective protection and enforcement of the human rights of those whom the Convention is intended to protect (*ibid.*).

29. In the *Ukraine and the Netherlands v. Russia* judgment, the Court reiterated that in applying the relevant general principles relating to extraterritorial jurisdiction to the facts in *Georgia v. Russia (II)*, it had attached decisive weight to the reality of the armed confrontation and fighting between enemy military forces seeking to establish control in a context of chaos over the areas concerned in that case, and found that Russia did not have jurisdiction in respect of the military operations in Georgia during the five-day active phase of the hostilities (see *Ukraine and the Netherlands v. Russia* (merits) [GC], cited above, § 355). In so far as the military attacks in 2014-2022 in *Ukraine and the Netherlands v. Russia* were concerned (*ibid.*, §§ 360-61), the Court, having examined a substantial body of evidence on the matter, concluded as follows:

“360. The start of the Russian invasion of Ukraine on 24 February 2022 represented the continuation and escalation of the strategy pursued by Russia since 2014. The lengthy preparation phase, involving the prior deployment of troops and military material, and the scale of the invasion are clearly indicative of the degree of planning on the part of the Russian Federation. The move from covert to overt operations brought transparency and clarity as to the views and intentions of the Russian leadership and, in consequence, the underlying, long-term objectives of the Russian operations in Ukraine. These objectives were no less than the destruction of Ukraine as an independent sovereign State through the annexation of Ukrainian territory and the subjugation of the rest of Ukraine to Russian influence and control ... These objectives, as already explained above, are wholly at odds with the Council of Europe peace project based on democracy, human rights and the rule of law ...

361. The reality of the extensive, strategically planned military attacks perpetrated by Russian forces across Ukrainian sovereign territory between 2014 and 2022, carried out with the deliberate intention and indisputable effect of assuming authority and control, falling short of effective control, over areas, infrastructure and people in Ukraine, is wholly at odds with any notion of chaos (compare *Georgia v. Russia (II)*, cited above,

§§ 137-38 ...). The Court concludes that in planning and in executing, directly or via the armed forces of the ‘DPR’ and ‘LPR’, its military attacks across Ukrainian territory with a view to acquiring and retaining effective control over areas of sovereign Ukrainian territory and thereby removing those areas from the effective control of Ukraine, the Russian Federation assumed a degree of responsibility over those individuals affected by its attacks ... In these circumstances, the Russian Federation exercised, through its *de jure* and *de facto* armed forces, authority and control over individuals affected by its military attacks up until 16 September 2022. ...”

30. Against this background, and turning to the circumstances of the present case, the Court reiterates that it has previously addressed, on more than one occasion, the specific circumstances relating to the armed conflict, and the five-day active phase of hostilities, giving rise to the applicants’ complaints, including as regards the difficulty in establishing the relevant circumstances. It has found that the events which took place during the armed confrontation and fighting between enemy military forces seeking to establish control over an area, in a context of chaos, in the period from the night of 7 to 8 August to 12 August 2008, that is during the active phase of the hostilities, did not fall within the jurisdiction of the Russian Federation for the purposes of Article 1 of the Convention (see *Georgia v. Russia (II)*, cited above, §§ 125-44; see also *Jioshvili and Others v. Russia* (dec.), nos. 8090/09 and 58 others, § 18, 19 October 2021; see also, *mutatis mutandis*, *Bekoyeva and Others v. Georgia* (dec.), nos. 48347/08 and 3 others, §§ 32-40, 5 October 2021; and *Shavlokhova and Others v. Georgia* (dec.), nos. 45431/08 and 4 others, §§ 27-35, 5 October 2021).

31. Importantly, the Court’s findings in *Georgia v. Russia (II)* were made in the light of the particular circumstances of the armed conflict from which the various issues arose, including the specific factual circumstances of the incident complained of in the present application and the related evidential material (see paragraphs 7 and 9 above, compare *Georgia v. Russia (II)*, cited above, § 74 and the annex to that judgment).

32. Accordingly, having regard to the fact that the Court’s conclusions in the case of *Ukraine and the Netherlands v. Russia* were based on a thorough examination of the specific circumstances and evidence relating to a distinct armed conflict (see *Ukraine and the Netherlands v. Russia* (merits) [GC], cited above, § 361), there is no basis for the Court to reach a different conclusion on the question of jurisdiction in the present application than that adopted in *Georgia v. Russia (II)* (cited above).

33. By contrast, and in so far as the applicants’ complaint relates to the alleged ineffectiveness of the investigation within the meaning of the procedural aspect of Article 2 of the Convention, the Court observes that it has already found that the Russian Federation’s jurisdiction within the meaning of Article 1 of the Convention was established in respect of complaints such as this one (see *Georgia v. Russia (II)*, cited above, §§ 330-32). The Court sees no reason to reach a different conclusion in the present case.

3. *Conclusion regarding admissibility*

34. In the light of the foregoing, the applicants' complaints regarding the substantive aspect of Article 2 of the Convention must be declared inadmissible in accordance with Article 35 §§ 3 (a) and 4 of the Convention.

35. As concerns the applicants' complaint under the procedural limb of Article 2 of the Convention, it is neither manifestly ill-founded nor inadmissible on any other grounds listed in Article 35 of the Convention. It must therefore be declared admissible.

B. Merits

36. Turning to the merits of the applicants' complaint under the procedural aspect of Article 2 of the Convention, the Court, in *Georgia v. Russia (II)*, took into account, among other things, the findings of various international bodies such as the Monitoring Committee of the Council of Europe and the United Nations Human Rights Committee, which pointed to the Russian Federation's failure to carry out appropriate investigations into the alleged violations, in particular with regard to Article 2 of the Convention (see *Georgia v. Russia (II)*, cited above, § 333). It also noted the respondent Government's acknowledgment that only one Russian serviceman had been convicted in relation to the events which occurred during or immediately after the armed conflict in Georgia in 2008 (*ibid.*, § 335).

37. Having regard to the circumstances of the present case (see paragraphs 9-14 above), the Court sees no reason to reach a conclusion that is different from its finding in *Georgia v. Russia (II)*. In particular, the death of Mr Storimans and the serious injuries sustained by Mr Akkermans and Mr Yecheskeli appear to have occurred in the context of an attack involving a sophisticated weapon system which, according to the findings of an investigation by the Dutch authorities, was in the exclusive possession of the Russian Federation (see paragraph 9 above). Despite the gravity of these allegations and the evidence provided by the Dutch investigation, the Russian authorities took no meaningful steps to clarify the circumstances of the incident, and limited their response to general denials and requests for further evidence. Even assuming that they did open an inquiry into the matter, as claimed, they failed to pursue a meaningful criminal investigation, and ultimately took no concrete investigative measures after transferring the matter to the military-crimes unit which, moreover, was based in the conflict zone, thereby limiting the applicants' access to any such investigation (see paragraphs 10-14 above). The foregoing considerations are sufficient for the Court to find that the investigation did not satisfy the requirements of Article 2 of the Convention (see *Georgia v. Russia (II)*, cited above, § 336).

38. There has accordingly been a violation of the procedural aspect of Article 2 of the Convention in the present case.

III. OTHER ALLEGED VIOLATIONS OF THE CONVENTION

39. The applicants also complained, under Articles 13 and 14 of the Convention, of a lack of effective remedies in respect of their complaints and of discrimination in the exercise of their rights under the Convention.

40. Having regard to its conclusion reached in paragraphs 37-38 above, the Court is of the opinion that there is no need to examine separately the applicants' complaints under Articles 13 and 14 of the Convention in conjunction with the procedural aspect of Article 2.

IV. APPLICATION OF ARTICLE 41 OF THE CONVENTION

41. Article 41 of the Convention provides:

“If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party.”

A. Damage

42. The applicants requested, without specifying an amount, to be awarded pecuniary damage for loss of earnings due to the death of Mr Storimans and for the medical and rehabilitation costs incurred by Mr Akkermans and Mr Yecheskeli. As regards non-pecuniary damage, the applicants requested that the award be made to each of them individually, and that the Court determine its amount in equity.

43. The Government did not comment.

44. The Court does not discern a causal link between the violation found and the pecuniary damage alleged; it therefore rejects this claim. However, having regard to the nature of the violation found, and ruling on an equitable basis, it awards 10,000 euros (EUR) jointly, plus any tax that may be chargeable, to the first three applicants, and EUR 10,000 each, plus any tax that may be chargeable, to Mr Akkermans and Mr Yecheskeli, in respect of non-pecuniary damage.

B. Costs and expenses

45. The applicants did not make any claim in respect of costs and expenses. The Court therefore makes no award under this head.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the complaint concerning the procedural aspect of Article 2 of the Convention admissible, and the complaint under the substantive aspect of that provision inadmissible;

2. *Holds* that there has been a violation of the procedural aspect of Article 2 of the Convention;
3. *Holds* that there is no need to examine the complaints under Article 13 and Article 14 of the Convention;
4. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the following amounts:
 - (i) EUR 10,000 (ten thousand euros) jointly, plus any tax that may be chargeable, to the first three applicants, in respect of non-pecuniary damage;
 - (ii) EUR 10,000 (ten thousand euros) each to Mr Akkermans and Mr Yecheskeli, plus any tax that may be chargeable, in respect of non-pecuniary damage;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;
5. *Dismisses* the remainder of the applicants' claim for just satisfaction.

Done in English, and notified in writing on 7 October 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Hasan Bakırcı
Registrar

Arnfinn Bårdsen
President

APPENDIX

List of applicants:

No.	Applicant's name	Year of birth	Nationality	Place of residence
1.	Maria Josephina Catharina Cornelia STORIMANS-VERHULST	1956	Dutch	Goirle, the Netherlands
2.	Tim Carolus Josephus Maria STORIMANS	2000	Dutch	Goirle, the Netherlands
3.	Amber Stanislaus Maria STORIMANS	1998	Dutch	Goirle, the Netherlands
4.	Jeroen AKKERMANS	1963	Dutch	Berlin, Germany
5.	Tsadok YECHESKELI	1956	Israeli	Ra'anana, Israel