

## Court Rules UK Acted Within Law in Response to Election Threats

July 23, 2025

— Categories: Human Rights



Download IPFS

The European Court of Human Rights (ECtHR) ruled that the United Kingdom did not breach human rights laws by choosing not to initiate an independent inquiry into alleged Russian election interference. The judgment affirms that the British government's actions were within the bounds of international law, even as the court acknowledged the seriousness of foreign influence campaigns.

The case was brought in 2022 by three former MPs who claimed that Boris Johnson's refusal to investigate potential Russian interference violated their right to free and fair elections under Article 3 of Protocol No. 1 of the European Convention on Human Rights. After domestic courts rejected their appeal, the matter was brought before the ECtHR, based in Strasbourg, France.

The ECtHR acknowledged a "significant and ongoing threat" to democratic systems from disinformation and foreign interference, especially by Russia, but did not find that the UK failed its legal obligations under the Convention. However, it concluded that the United Kingdom had taken sufficient steps to address these concerns without violating human rights protections. The court noted that while foreign interference remains a complex issue, governments must be given a wide degree of discretion in how they respond.

The court emphasised the need to balance efforts to secure democratic integrity with protecting freedom of expression. "There is a very fine line between addressing the dangers of disinformation and outright censorship," the judgment stated, warning against overreaction that could chill political discourse.

The court noted that although the UK response had gaps, subsequent investigations by parliamentary committees like the Intelligence and Security Committee and others addressed the concerns sufficiently. The Intelligence and Security Committee and Digital, Culture, Media and Sport Committee had investigated Russian disinformation, and their findings were considered part of the UK's response by the court. The judgment cited legislation including the Elections Act 2022, National Security Act 2023, and Online Safety Act 2023 as evidence of the UK's continued legislative response to foreign threats.

Tessa Gregory of Leigh Day, representing the applicants, said the ruling confirmed that governments may be required to investigate credible foreign interference to protect electoral rights. "The court has accepted that states may have a duty to investigate credible allegations of foreign interference to protect the right to free and fair elections," she said, while noting that her clients are still evaluating the judgment.

One of the claimants, former Green Party MP Caroline Lucas, called the ruling a mixed outcome. "It's hugely significant that the court recognises the threat of foreign interference," she said, adding that while the case did not result in a finding of violation, concerns about democratic security remain.

A UK government spokesperson welcomed the ruling and reiterated recent legal reforms, such as stricter rules on political donations, aimed at protecting electoral integrity. “We note today’s judgment, which found no violation. That’s why we’ve recently introduced tougher rules on political donations to guard against foreign influence,” the spokesperson said.

The case follows years of scrutiny into foreign interference, particularly surrounding the 2016 Brexit referendum. While the court refrained from evaluating specific outcomes, its judgment underscores the challenges democratic nations face in confronting information warfare while maintaining civil liberties.

In the end, the ECtHR’s decision reinforces a key principle: democratic governments must actively defend their institutions against external threats, but must do so without compromising fundamental freedoms.