



EXTRATERRITORIAL JURISDICTION AND RIGHT TO TAKE PART IN CULTURAL LIFE AT THE ECtHR: A CRITICAL EXAMINATION OF DIFFERENT APPROACHES TO RECURRING ISSUES

This article takes as its starting point the 2024 judgment of the European Court of Human Rights in *J. Paul Getty Trust and Others v. Italy*, and critically examines the Court's reasoning on two pivotal issues: the extraterritorial jurisdiction of ECHR Contracting States, on the one hand, and their general interest in protecting the national cultural heritage, on the other. While it discusses the introduction of a new exception to the principle that a State's jurisdictional competence under Article 1 ECHR is primarily territorial, this article also highlights the restrictive stance of the ECtHR with respect to the protection of cultural heritage. Specifically, it notes the Court's reluctance to include the right to take part in cultural life within the scope of the general interest in cultural heritage protection that Contracting States may legitimately pursue.