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1. Introduction

The role of the European Court of Human Rights [hereinafter ECtHR or the Court] in expanding and strengthening human rights protection in Europe has been unprecedented. Not only have the ECtHR's judgments affected the protection standards in the respondent states, but they also have had an *erga omnes* effect. The ECtHR itself has argued that the scope of its influence exceeds the individual states as it strives to determine 'issues on public-policy grounds in the common interest, thereby extending human rights jurisprudence throughout the community of European Convention States' (Helfer & Voeten, 2014, p. 78). However, it has been increasingly argued that the ECtHR has, in some cases, shifted its jurisprudence in a regressive direction (Helfer & Voeten, 2020).

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