

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

FIFTH SECTION

CASE OF AVRAMYCH v. UKRAINE

(Application no. 51682/17)

JUDGMENT

STRASBOURG

28 May 2026

This judgment is final but it may be subject to editorial revision.



In the case of Avramych v. Ukraine,

The European Court of Human Rights (Fifth Section), sitting as a Committee composed of:

Gilberto Felici*, President*,
Mykola Gnatovskyy,
Vahe Grigoryan*, judges*,

and Martina Keller, *Deputy Section Registrar,*

Having regard to:

the application (no. 51682/17) against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 4 July 2017 by a Ukrainian national, Mr Andriy Stanislavovych Avramych ("the applicant"), who was born in 1975 and lives in Stepanivka;

the decision to give notice of the complaint concerning the alleged violation of the applicant's right to have adequate time and facilities for the preparation of his defence to the Ukrainian Government ("the Government"), represented by their Agent, Ms M. Sokorenko, and to declare the remainder of the application inadmissible;

the decision to grant the applicant leave to present his own case under Rule 36 § 2 *in fine* of the Rules of Court,

the parties' observations;

Having deliberated in private on 7 May 2026,

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

SUBJECT MATTER OF THE CASE

1. The case concerns the applicant's complaint under Article 6 §§ 1 and 3 (b) of the Convention that he did not have adequate time and facilities for the preparation of his defence in administrative-offence proceedings.

2. On 7 February 2017 the applicant arrived on the premises of the Tyvriv Town Court and requested access to a case file in unrelated civil proceedings. On receiving a response in the negative, he became frustrated. As subsequently established, the applicant shouted obscenities, slammed doors and disrupted court hearings. At 4 p.m. on that day, the police drew up an administrative-offence report stating that he had committed petty hooliganism. The applicant was placed in administrative detention. At about 7 p.m. on the same day a judge delivered a decision finding the applicant guilty as charged and sentencing him to six days' administrative arrest (enforceable immediately).

3. After serving that penalty, the applicant lodged an appeal.

4. On 3 July 2017 the Vinnytsya Regional Court of Appel rejected his appeal as unfounded.

THE COURT'S ASSESSMENT

ALLEGED VIOLATION OF ARTICLE 6 §§ 1 AND 3 (b) OF THE CONVENTION

5. The applicant argued, in particular, that the period between the alleged offence and the trial had been too short to enable him to prepare his defence properly.

6. The Government submitted that there had been no violation of the applicant's procedural rights.

7. The Court notes that this complaint is not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention or inadmissible on any other grounds. It must therefore be declared admissible.

8. A summary of the relevant general principles of the Court's case-law can be found in, for example, *Kornev and Karpenko v. Ukraine* (no. 17444/04, § 66, 21 October 2010).

9. The Court has already found violations of applicants' rights under Article 6 §§ 1 and 3 (b) in administrative-offence cases where, as in the present case, the period between the drawing-up of the administrative-offence reports and the examination of the applicants' administrative cases was not longer than a few hours (see *Kornev and Karpenko*, cited above, §§ 67 and 68; *Vyerentsov v. Ukraine*, no. 20372/11, §§ 76 and 77, 11 April 2013; and *Mikhaylova v. Ukraine*, no. 10644/08, §§ 69 and 70, 6 March 2018). Having examined all the material before it, the Court has not found any argument capable of persuading it to reach a different conclusion in the present case. Even accepting that the applicant's case was not a particularly complex one, the Court is not convinced that the circumstances in which his trial was conducted were such as to enable him to familiarise himself properly with and to assess adequately the charge and evidence against him and to develop a viable defence strategy. The further appeal proceedings could not remedy the situation, given that, by the time the appellate court examined the case, the applicant had already served his administrative detention.

10. There has, accordingly, been a violation of Article 6 §§ 1 and 3 (b) of the Convention.

APPLICATION OF ARTICLE 41 OF THE CONVENTION

11. The applicant claimed 10,000 euros (EUR) in respect of non-pecuniary damage.

12. The Government contested that claim.

13. The Court considers, in the circumstances of the present case, that the finding of a violation constitutes in itself sufficient just satisfaction for any non-pecuniary damage sustained by the applicant.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;

2. *Holds* that there has been a violation of Article 6 §§ 1 and 3 (b) of the Convention;

3. *Holds* that the finding of a violation constitutes in itself sufficient just satisfaction for any non-pecuniary damage sustained by the applicant;

4. *Dismisses* the remainder of the applicant's claim for just satisfaction.

Done in English, and notified in writing on 28 May 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Martina Keller Deputy Registrar	Gilberto Felici President