

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

FIFTH SECTION

CASE OF POPOV v. UKRAINE

(Application no. 20817/24)

JUDGMENT

STRASBOURG

23 October 2025

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



In the case of Popov v. Ukraine,

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

Andreas Zünd*, President*,
Diana Sârcu,
Mykola Gnatovskyy*, judges*,
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having deliberated in private on 2 October 2025,

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

PROCEDURE

1. The case originated in an application against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 5 July 2024.

2. The Ukrainian Government ("the Government") were given notice of the application.

THE FACTS

3. The applicant's details and information relevant to the application are set out in the appended table.

THE LAW

I. ALLEGED VIOLATION OF ARTICLE 6 § 1 OF THE CONVENTION

4. The applicant complained of the lack of reasoning in court decision. He relied on Article 6 § 1 of the Convention.

5. The Court reiterates that according to its long-standing and established case-law, it should not act as a court of fourth instance and will not therefore question under Article 6 § 1 of the Convention the judgment of the national courts, unless their findings can be regarded as arbitrary or manifestly unreasonable (see *Bochan v. Ukraine (no. 2)* [GC], no. 22251/08, § 61, ECHR 2015, with further references).

6. Article 6 § 1 obliges domestic courts to give reasons for their judgments. This duty cannot be understood as requiring a detailed answer to every argument, and the question of compliance with that duty can only be determined in the light of the circumstances of the case (see *Ruiz Torija v. Spain*, 9 December 1994, § 29, Series A no. 303-A, and *García Ruiz v. Spain* [GC], no. 30544/96, § 26, ECHR 1999-I). Those principles were applied in a number of Ukrainian cases (see, for example, *Pronina v. Ukraine*, no. 63566/00, § 25, 18 July 2006; *Benderskiy v. Ukraine*, no. 22750/02,

§§ 42-47, 15 November 2007; and *Bogatova v. Ukraine*, no. 5231/04, §§ 18 and 19, 7 October 2010).

7. Reviewing the facts of the present case in the light of those principles, the Court considers that the domestic courts failed in their duty to provide reasons for their decisions and did not address pertinent and important arguments raised by the applicant. The specific procedural failings, indicated in the appended table, prompt the Court to conclude that the applicant was stripped of his right to a reasoned court decision.

8. These complaints are therefore admissible and disclose a breach of Article 6 § 1 of the Convention.

II. APPLICATION OF ARTICLE 41 OF THE CONVENTION

9. Regard being had to the documents in its possession and to its case-law (see, in particular, *Pronina,* cited above, § 29), the Court considers it reasonable to award the sum indicated in the appended table.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;

2. *Holds* that this application discloses a breach of Article 6 § 1 of the Convention concerning the lack of reasoning in court decision;

3. *Holds*
   (a) that the respondent State is to pay the applicant, within three months, the amount indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
   (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amount at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 23 October 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina	Andreas Zünd
Acting Deputy Registrar	President

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention (lack of reasoning or inadequate reasoning in court decision)

Application no. Date of introduction	Applicant's name Year of birth	Subject matter of the domestic proceedings	Key argument the court failed to address	Final domestic decision Date Name of the court	Amount awarded for non-pecuniary damage [per applicant (in euros)[1]
20817/24 05/07/2024	**Pavlo Oleksiyovych POPOV** 1979	Between 21/05/2020 and 14/05/2021 the applicant has been receiving unemployment benefits. In June 2023 the Zakarpatskyy Regional Employment Centre (the Employment Centre) instituted proceedings against the applicant seeking reimbursement of 104,943 Ukrainian hryvnias (approx. 2,500 euros) of the paid unemployment benefits arguing that since the applicant had provided false information to the Centre, he was not entitled to unemployment benefits. In particular, at the relevant time the applicant has been also receiving another type of social aid payments since he has been taking care of a child with disabilities. The applicant argued before the courts that financial assistance to a child with disabilities does not constitute his income and thus does not interfere with his eligibility for unemployment benefits. The applicant also stressed that the claim had been lodged outside of a limitation period, which was a separate ground for its dismissal. On 17/07/2023 the first-instance court dismissed the claim, reasoning that the Employment Centre did not prove that the applicant had been acting in bad faith, while the Centre had not duly checked compliance of the applicant with all the eligibility criteria for unemployment benefits. The court further reasoned that a limitation period could be applied only when there are grounds to allow the civil claim; since it is not the case, there is no need to examine the issue of a limitation period in detail. On 23/01/2024 the appellate court quashed the first-instance court decision and ruled against the applicant, reasoning that it was the applicant's duty to provide accurate information to the Employment Centre. The appellate court provided no comment on the applicant's arguments about expiration of a limitation period for lodging such a claim. The applicant appealed in cassation but on 05/03/2024 the Supreme Court refused to open the cassation proceedings as the case was insignificant *ratione valoris*.	The appellate court provided no comment on the applicant's argument about expiration of a limitation period for lodging a claim, which constitutes a separate ground for its dismissal.	23/01/2024, Zakarpatskyy Court of Appeal; 05/03/2024 Supreme Court	1,500

[1] Plus any tax that may be chargeable to the applicant.