

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

FIFTH SECTION

CASE OF VOROBYOVA v. UKRAINE

(Application no. 31683/22)

JUDGMENT

STRASBOURG

16 April 2026

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



In the case of Vorobyova 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 26 March 2026,

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 10 June 2022.

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. She 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, *Benderskiy v. Ukraine*, no. 22750/02, §§ 42-47, 15 November 2007; *Pronina v. Ukraine*,

no. 63566/00, § 25, 18 July 2006; 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 her 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 16 April 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina Acting Deputy Registrar	Andreas Zünd 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]
31683/22 10/06/2022	**Larysa Petrivna VOROBYOVA** 1968	The applicant brought a claim against V. seeking recovery of an unpaid debt under a promissory note that V. had issued to the applicant's late husband, S. Before the first-instance court, V. acknowledged signing the note but argued that he had repaid most of the loan prior to S.'s death. After holding hearings with the parties, the first-instance court allowed the claim. V. appealed, arguing in particular that the applicant had failed to submit the original note to the first-instance court. In reply, the applicant stated that at the hearing of 21/07/2021 she had presented the original note and that this had been recorded on pages 57–61 of the trial record. Sitting in camera without the parties on 23/02/2022, the Dnipro Court of Appeal stated that the applicant had not filed a reply to the appeal, quashed the first-instance judgment, and rejected her claim on the ground that she had failed to provide the original of the note. On 27/04/2022, the Supreme Court refused to examine the applicant's cassation appeal.	The Court of Appeal did not address the arguments set out in the applicant's reply to the appeal concerning the presentation of the original note to the first-instance court. Nor did it explain the relevance of the alleged absence of the original note, given the defendant's admission that he had issued it, a fact established by the first-instance court.	23/02/2022, Dnipro Court of Appeal	1,500

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