

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

FIFTH SECTION

DECISION

Applications nos. 4734/17 and 24890/24
Svyatoslav Oleksandrovych CHUMACHENKO
and Lyubov Oleksandrivna SHYLINA
against Ukraine
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 18 December 2025 as a Committee composed of:

Andreas Zünd*, President*,
Diana Sârcu,
Mykola Gnatovskyy*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicant,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants' complaints under Article 6 § 1 of the Convention concerning the limitations on access to a court were communicated to the Ukrainian Government ("the Government"). In application no. 4734/17, complaints based on the same facts were also communicated under other provisions of the Convention or the Protocols thereto.

THE LAW

A. Joinder of the applications

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

B. Complaints under Article 6 § 1 of the Convention (limitations on access to a court and length of proceedings)

In the present applications, having examined all the material before it, the Court considers that, for the reasons stated below, the applicants' complaints about the alleged limitation of the applicants' right of access to a court or the allegedly excessive length of the proceedings are inadmissible for the reasons laid down below.

In particular, as regards application no. 4734/17, the applicant's civil claim was not examined on the merits because he withdrew it approximately ten months after lodging it. Thus, he cannot claim to be a victim of the alleged failure of the Magdalynivka Court to determine the claim on the merits. Furthermore, the period during which the claim was pending before that court was not excessive.

Regarding application no. 24890/24, the applicant's access-to-court complaint based on the delayed delivery of the appellate decision is unsubstantiated: her appeal was decided on the merits, and she was provided with the full text of the appellate decision, albeit with a delay. The delay of around ten months raises no issue under the reasonable-time guarantee in Article 6 either, since the overall length of the proceedings before two instances was less than two years.

In view of the above, the Court finds that the applicants' complaints under Article 6 § 1 of the Convention are manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

C. Remaining complaints

In application no. 4734/17, the applicant also raised other complaints under Article 1 of Protocol No. 1.

The Court has examined these complaints and considers that, in the light of all the material in its possession and in so far as the matters complained of are within its competence, they either do not meet the admissibility criteria set out in Articles 34 and 35 of the Convention or do not disclose any appearance of a violation of the rights and freedoms enshrined in the Convention or the Protocols thereto.

It follows that this part of the application must be rejected in accordance with Article 35 § 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 22 January 2026.

Viktoriya Maradudina Acting Deputy Registrar	Andreas Zünd President

APPENDIX

List of applications raising complaints under Article 6 § 1 of the Convention (limitations on access to a court)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Key issue impairing access to a court	Case-law	Facts and relevant information
1.	4734/17 04/01/2016	**Svyatoslav Oleksandrovych CHUMACHENKO** 1991	Nits Anatoliy Sergiyovych Odesa	dispute not determined for a particularly lengthy period	*Sailing Club of Chalkidiki "I Kelyfos" v. Greece*, nos. 6978/18 and 8547/18, §§ 61-73, 21 November 2019	On 01/09/2016 the applicant initiated proceedings before the Magdalynivka Court for the recovery of a private debt owed to him. However, due to an ongoing judicial reform, the proceedings were not opened until 26/06/2017. On 20/07/2017 the applicant requested the court to dismiss the case without consideration, as the debt had been paid. On 21/07/2017 the court allowed the request.
2.	24890/24 09/08/2024	**Lyubov Oleksandrivna SHYLINA** 1967	Shylin Volodymyr Anatoliyovych Kyiv	dispute not determined for a particularly lengthy period	*Aćimović v. Croatia*, no. 61237/00, §§ 32-42, ECHR 2003-XI, *Balatskyy v. Ukraine*, no. 34786/03, §§ 32-33, 25 October 2007	On 18/07/2023 the Shevchenkivskyy Court of Kyiv dismissed the applicant's claim for the recovery of unpaid salary against her former employer. On 22/11/2023 the Kyiv Court of Appeal pronounced, at a hearing attended by the applicant's lawyer, the introductory and operative parts of its decision dismissing her appeal. On 05/10/2024, following her repeated requests, the applicant was provided with the full text of the appellate decision.