

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

FIFTH SECTION

DECISION

Application no. 52925/20
Andriy Oleksandrovych GONCHARENKO
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 20 January 2022 as a Committee composed of:

Lətif Hüseynov, *President,*
Lado Chanturia,
Arnfinn Bårdsen, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 25 November 2020,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table. He was represented by Mr S.O. Kulbach, a lawyer practising in Limoges.

The applicant's complaints under Article 6 § 1 and Article 13 of the Convention concerning the excessive length of civil proceedings and the lack of any effective remedy in domestic law were communicated to the Ukrainian Government ("the Government").

THE LAW

The Court, having examined all the materials submitted to it and having regard to its case-law on the subject, considers that the applicant's complaint about the excessive length of the civil proceedings is inadmissible, in particular, taking into account his conduct which led to significant delays.

In view of the above, the Court finds that this complaint is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

As regards the applicant's complaint under Article 13 of the Convention, the Court reiterates that that Convention provision requires domestic remedies only with regard to complaints arguable in terms of the Convention (see *Boyle and Rice v. the United Kingdom*, 27 April 1988, § 52, Series A no. 131). Since the Court has found above that the applicant's complaint about the length of the domestic proceedings is manifestly ill-founded, no issue under Article 13 of the Convention arises in his case.

It follows that this complaint is also manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 10 February 2022.

Viktoriya Maradudina Acting Deputy Registrar	Lətif Hüseynov President

APPENDIX

Application raising complaints under Article 6 § 1 and Article 13 of the Convention (excessive length of civil proceedings and the lack of any effective remedy in domestic law)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start of proceedings	End of proceedings	Total length Levels of jurisdiction
52925/20 25/11/2020	**Andriy Oleksandrovych GONCHARENKO** 1980	Kulbach Sergiy Oleksandrovych Limoges	10/09/2014	pending	More than 7 years and 2 months and 7 days 3 levels of jurisdiction