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

FIFTH SECTION

DECISION

Application no. 28212/22
Zenoviy Ivanovych KOPACH
against Ukraine
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 23 January 2025 as a Committee composed of:

Diana Sârcu*, President*,
Kateřina Šimáčková,
Mykola Gnatovskyy*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 18 May 2022,

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 applicant's details are set out in the appended table.

The applicant's complaints under Article 6 § 1 of the Convention concerning the lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings were communicated to the Ukrainian Government ("the Government").

THE LAW

Complaints under Article 6 § 1 of the Convention (lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings)

In the present application, having examined all the material before it, the Court considers that for the reasons stated below, the complaints are inadmissible.

In particular, the Court notes that the impartiality of the domestic courts was not called into question under either the subjective or the objective tests and that the applicant did not point to any specific circumstances which could cause the Court to doubt the domestic courts' impartiality (see *Figurka v. Ukraine*, no. 28232/22, § 30-44, 16 November 2023).

Consequently, it cannot be considered that the domestic courts took the role of a prosecuting party or were put in a position requiring them to take the role of a prosecuting party, thereby undermining their impartiality or the fairness of the proceedings.

In view of the above, the Court finds that these complaints are 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 13 February 2025.

Viktoriya Maradudina Acting Deputy Registrar	Diana Sârcu President

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention (lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings)

Application no. Date of introduction	Applicant's name Year of birth	Penalty	Date of final domestic decision Name of court
28212/22 18/05/2022	**Zenoviy Ivanovych KOPACH** 1996	administrative fine of 17,000 Ukrainian hryvnas, suspension of driving licence for 1 year	03/02/2022 Ternopil Court of Appeal