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

FIFTH SECTION

DECISION

Application no. 2966/24
Pavlo Yuriyovych OBORZHYTSKYY
against Ukraine
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 5 February 2026 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 application lodged on 11 January 2024,

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 was represented by Ms Y. Demyanova, a lawyer practising in Khmelnytskyy.

The applicant's complaint under Article 6 § 1 of the Convention concerning the limitation on access to a court, namely the refusal of the Netishyn City Court of the Khmelnytskyy Region to transfer the applicant's case to a commercial court, was communicated to the Ukrainian Government ("the Government").

THE LAW

Complaint under Article 6 § 1 of the Convention (limitations on access to a court)

Having examined all the material before it, the Court considers that the applicant was not prevented from enjoying access to a court.

In particular, the Court notes that once the applicant duly lodged his claim before the competent court – the Commercial Court of the Khmelnytskyy Region – it was examined and decided on its merits.

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.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 26 February 2026.

Viktoriya Maradudina Acting Deputy Registrar	Andreas Zünd President

APPENDIX

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

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
2966/24 11/01/2024	**Pavlo Yuriyovych OBORZHYTSKYY** 1970	Demyanova Yelena Viktorovna Khmelnytskyy	disagreement between different courts regarding jurisdiction	*Tserkva Sela Sosulivka v. Ukraine*, no. 37878/02, §§ 51-53, 28 February 2008	On 14/12/2018 the applicant lodged a property claim with a civil court against a private party. On 08/11/2022 the Netishyn City Court of the Khmelnytskyy Region ("the first-instance court") terminated the proceedings, holding that the claim had to be examined in the framework of commercial proceedings. On 20/12/2022 the Khmelnytskyy Court of Appeal ("the appellate court") and on 31/05/2023 the Supreme Court upheld that decision. On 26/12/2022 the applicant requested the appellate court to transfer the case to a commercial court, relying on Article 256-1 of the Code of Civil Procedure. On 16/11/2023 the first-instance court finally dismissed that request, referring to the interpretation of that provision by the Supreme Court and its relevant practice. In February 2024 the applicant lodged a claim before the Commercial Court of the Khmelnytskyy Region, which on 01/05/2024 examined the claim on the merits and rejected it.