



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

FIFTH SECTION

CASE OF SHVEDOV AND OTHERS v. UKRAINE

*(Applications nos. 80617/17 and 3 others –
see appended list)*

JUDGMENT

STRASBOURG

8 October 2026

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

In the case of Shvedov and Others v. Ukraine,

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

Andreas Zünd, *President*,

Vahe Grigoryan,

Sébastien Biancheri, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 17 September 2026,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in applications against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on the various dates indicated in the appended table.

2. The Ukrainian Government (“the Government”) were given notice of the applications.

THE FACTS

3. The list of applicants and the relevant details of the applications are set out in the appended table.

THE LAW

I. JOINDER OF THE APPLICATIONS

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

II. ALLEGED VIOLATION OF ARTICLE 1 OF PROTOCOL NO. 1

5. Under various Convention provisions the applicants complained of the invalidation of their property titles without compensation. The Court, being the master of characterisation to be given in law to the facts of the case (see *Radomilja and Others v. Croatia* [GC], nos. 37685/10 and 22768/12, § 124, 20 March 2018), will examine those complaints solely under Article 1 of Protocol No. 1 to the Convention.

6. The Court reiterates that the relevant principles concerning the proportionality of interference with property rights under Article 1 of Protocol No. 1 to the Convention have been set out in the Court’s case-law (see, for example, *Kryvenkyy v. Ukraine*, no. 43768/07, § 42, 16 February 2017).

7. In the leading cases of *Drozdyk and Mikula v. Ukraine* (nos. 27849/15 and 33358/15, 24 October 2024) and *Kosmatska v. Ukraine* (no. 9953/16, 4 December 2025), the Court has already found a violation in respect of issues similar to those in the present case.

8. Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of the present complaints. In particular, the Court concludes that the interference with the applicants' property rights imposed a disproportionate burden on them, given the absence of or uncertainty in obtaining a monetary or any other form of compensation for any damage whatsoever (see *Drozdyk and Mikula*, § 49, and *Kosmatska*, §§ 47-48, both cited above). In this connection, the Court reiterates that the taking of property without payment of an amount reasonably related to its value will normally constitute a disproportionate interference, and a total lack of compensation can be considered justifiable under Article 1 of Protocol No. 1 only in exceptional circumstances (see *Kryvenkyy*, § 45, cited above).

9. The applicants' complaints are therefore admissible and disclose a breach of Article 1 of Protocol No. 1.

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

10. Having regard to its above finding of a violation of the applicants' property rights and the approach applied in *Drozdyk and Mikula* (cited above, §§ 60-62) and *Kosmatska* (cited above, §§ 58-59), the Court considers that the applicants would be put, as far as possible, in a situation equivalent to the one in which they would have been, had there not been a breach of Article 1 of Protocol No. 1 to the Convention, if the respondent State restored their titles to the property in issue and returned it to them (including by way of reopening the domestic proceedings, if applicable). In the alternative, the respondent State should provide monetary compensation to the applicants (calculated in accordance with the domestic requirements on the valuation of property and the Court's practice) or provide them with comparable property.

11. Regard being had to the documents in its possession and to its case-law (see, in particular, *Drozdyk and Mikula*, cited above, and *Kosmatska*, cited above, § 59), as well as to the fact that the applicant in application no. 80617/17 did not submit a claim in respect of non-pecuniary damage, the Court considers it reasonable to award the sums indicated in the appended table and dismisses the remainder of the applicants' claims for just satisfaction.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Declares* the applications admissible;
3. *Holds* that these applications disclose a breach of Article 1 of Protocol No. 1 concerning the invalidation of property title without compensation;
4. *Holds*
 - (a) that the respondent State shall ensure, by appropriate means and within a reasonable time, full restitution of the applicants' title to the reclaimed property (including by way of reopening the domestic proceedings, where applicable), or provision of monetary compensation (calculated in accordance with the domestic requirements on the valuation of property and the Court's practice), or of comparable property;
 - (b) that the respondent State is to pay the applicants, within three months, the amounts indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
 - (c) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts 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 8 October 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Andreas Zünd
President

SHVEDOV AND OTHERS v. UKRAINE JUDGMENT

APPENDIX

List of applications raising complaints under Article 1 of Protocol No. 1 to the Convention
(invalidation of property title without compensation)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Final domestic decision	Type of property and details of its acquisition by the applicant	Ground(s) for the State's decision to reclaim the property	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses (in euros) ²
1.	80617/17 07/11/2017	Oleg Valeriyovych SHVEDOV 1978	Yakymyak Oleg Volodymyrovych Kyiv	Supreme Court of Ukraine, 15/05/2017	Plot of land in/near the village of Hlevakha, Kyiv Region, bought by the applicant in 2012 from a private person.	Authority acting <i>ultra vires</i> .	-	250
2.	622/24 21/12/2023	Olga Vasylivna DEMCHUK 1960	Pshevlotskyy Yuriy Kyiv	Supreme Court, 26/07/2023. That decision became publicly available on 21/08/2023 and was sent to the applicants	2.1204 ha land plot located in Korchiv municipality in Lviv region, allocated for commercial agricultural production in 2009,	The land plot is located on defence land, forms part of the border strip and is situated between the State border of Ukraine and the line of	1,500	250, to be paid jointly to the applicants O. Demchuk and Y. Demchuk

SHVEDOV v. UKRAINE JUDGMENT

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Final domestic decision	Type of property and details of its acquisition by the applicant	Ground(s) for the State's decision to reclaim the property	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses (in euros) ²
				on 06/09/2023 and, accordingly, received by them in the end of September 2023.	title documents obtained in 2009.	engineering and technical fortifications.		
3.	1341/24 21/12/2023	Yaroslav Vasylyovych DEMCHUK 1958			2.1204 ha land plot located in Korchiv (Lviv Region), allocated for commercial agricultural production in 2009, title documents obtained in 2009.	The land plot is located on defence land, forms part of the border strip and is situated between the State border of Ukraine and the line of engineering and technical fortifications.	1,500	
4.	28089/25 26/08/2025	Alla Dmytrivna TELYATNYK 1975	Vysitska Iryna Volodymyrivna Kyiv	Supreme Court, 29/04/2025	2 ha land plot located near the village of Kamiany Bred (Kirovohrad Region) allocated for agricultural purposes in 2019, with	Reserve fund.	1,500	250

SHVEDOV AND OTHERS v. UKRAINE JUDGMENT

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					title documents obtained in 2020.			

¹ Plus any tax that may be chargeable to the applicants.

² Plus any tax that may be chargeable to the applicants.