



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

SECOND SECTION

DECISION

Application no. 16030/23
Vladislovas JUOZAPAVIČIUS
against Lithuania
(see appended table)

The European Court of Human Rights (Second Section), sitting on 3 September 2026 as a Committee composed of:

Stéphane Pisani, *President*,

Juha Lavapuro,

Hugh Mercer, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having regard to the above application against the Republic of Lithuania lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 6 April 2023,

Having regard to the declaration submitted by the respondent Government requesting the Court to strike the application out of the list of cases and the applicant’s reply to that declaration,

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 E. Dargvainė, a lawyer practising in Kaunas.

The applicant’s complaints under Article 6 § 1 of the Convention concerning the right of access to a court and under Article 1 of Protocol No. 1 to the Convention concerning restitution of property were communicated to the Lithuanian Government (“the Government”).

THE LAW

After unsuccessful friendly-settlement negotiations, on 28 July 2025 the Government informed the Court that they proposed to make a unilateral declaration with a view to resolving the issues raised by the applicant's complaints. They further requested the Court to strike out the application in accordance with Article 37 of the Convention.

The Government acknowledged that the applicant's rights under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 had been violated due to the State authorities' errors in the restitution process. They offered to pay the applicant the amount detailed in the appended table and invited the Court to strike the application out of the list of cases in accordance with Article 37 § 1 (c) of the Convention. The amount would be payable within three months from the date of notification of the Court's decision. In the event of failure to pay this amount within the above-mentioned three-month period, the Government undertook to pay simple interest on it, from the expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

The payment will constitute the final resolution of the case.

In his observations of 20 October 2025, the applicant indicated that he was not satisfied with the terms of the Government's declaration because the pecuniary and non-pecuniary damage that he had sustained was higher than the amount offered by the Government.

In their comments submitted on 20 November 2025, the Government undertook, in addition to the amounts indicated in the above-mentioned declaration, to pay the amount detailed in the appended table to cover the applicant's additionally incurred costs and expenses.

The Court observes that Article 37 § 1 (c) enables it to strike a case out of its list if:

“... for any other reason established by the Court, it is no longer justified to continue the examination of the application”.

Thus, it may strike out an application under Article 37 § 1 (c) on the basis of a unilateral declaration by a respondent Government even if the applicant wishes the examination of the case to be continued (see, in particular, the *Tahsin Acar v. Turkey* judgment (preliminary objections) [GC], no. 26307/95, §§ 75-77, ECHR 2003-VI).

The Court has established clear and extensive case-law concerning the right of access to a court (see *Zubac v. Croatia* [GC], no. 40160/12, §§ 76-79, 5 April 2018, and the cases cited therein). It has also established, including in a number of cases brought against Lithuania, its practice concerning complaints relating to the restitution of property (see, for example,

Beinarovič and Others v. Lithuania, nos. 70520/10 and 2 others, §§ 138-42, 12 June 2018, and the cases cited therein).

The Court notes that the amount of compensation proposed in the Government's declaration in respect of pecuniary damage was calculated in accordance with calculation methods established in relevant legislation (see, for a similar situation, *Nekvedavičius v. Lithuania* (just satisfaction), no. 1471/05, 17 November 2015; *Paukštis v. Lithuania*, no. 17467/07, § 81, 24 November 2015; and *Beinarovič and Others v. Lithuania* (just satisfaction), nos. 70520/10 and 2 others, 25 June 2019). It further notes that the amount of compensation proposed in respect of non-pecuniary damage is consistent with the amounts awarded in similar cases (see, for example, *Nekvedavičius v. Lithuania*, no. 1471/05, 10 December 2013, and *Beinarovič and Others*, cited above).

In the light of foregoing, the Court has no reasons to consider that the compensation offered by the Government constitutes inadequate or otherwise unreasonable redress for the violation of the applicant's Convention rights (see *Ryabkin and Volokitin v. Russia* (dec.), nos. 52166/08 and 8526/09, §§ 49-50, 28 June 2016, and *Igranov and Others v. Russia*, nos. 42399/13 and 8 others, § 24, 20 March 2018, and, for a similar approach, *Antovski and Others v. North Macedonia* (dec.) [Committee], no. 68160/17, 8 December 2022).

Accordingly, the Court considers that it is no longer justified to continue the examination of the application (Article 37 § 1 (c)).

In the light of the above considerations, the Court is satisfied that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue the examination of the application (Article 37 § 1 *in fine*).

Finally, the Court emphasises that, should the Government fail to comply with the terms of their unilateral declaration, the application may be restored to the list in accordance with Article 37 § 2 of the Convention (see *Josipović v. Serbia* (dec.), no. 18369/07, 4 March 2008).

In view of the above, it is appropriate to strike the case out of the list.

For these reasons, the Court, unanimously,

Takes note of the terms of the respondent Government's declaration and of the arrangements for ensuring compliance with the undertakings referred to therein;

Decides to strike the application out of its list of cases in accordance with Article 37 § 1 (c) of the Convention.

JUOZAPAVIČIUS v. LITHUANIA DECISION

Done in English and notified in writing on 24 September 2026.

Viktoriya Maradudina
Acting Deputy Registrar

Stéphane Pisani
President

JUOZAPAVIČIUS v. LITHUANIA DECISION

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 to the Convention

Application no. Date of introduction	Applicant's name Year of birth	Date of receipt of Government's declaration	Date of receipt of applicant's comments	Amount awarded for pecuniary damage per applicant (in euros) ¹	Amount awarded for non-pecuniary damage per applicant (in euros) ²	Amount awarded for costs and expenses (in euros) ³
16030/23 06/04/2023	Vladislovas JUOZAPAVIČIUS 1954	28/07/2025	20/10/2025	5,521.45	10,000	5,783.89 The Government undertook to pay 3,395.89 in the unilateral declaration and additional 2,388 in the submissions made on 20/11/2025.

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

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

³ Plus any tax that may be chargeable to the applicant.