



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

FIFTH SECTION

DECISION

Application no. 40455/18
Ganna Petrivna ASLANOVA
against Ukraine

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

Andreas Zünd, *President*,
Mykola Gnatovskyy,
Vahe Grigoryan, *judges*,
and Martina Keller, *Deputy Section Registrar*,

Having regard to:

the application (no. 40455/18) against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 21 August 2018 by a Ukrainian national, Ms Ganna Petrivna Aslanova (“the applicant”), who was born in 1975 and lives in Kyiv, and was represented by Ms K.O. Chuyeva, a lawyer practising in Odesa;

the decision to give notice of the complaint concerning a ban on leaving the country, raised under Article 2 of Protocol No. 4 to the Convention, to the Ukrainian Government (“the Government”), represented by their Agent, Ms M. Sokorenko, and to declare the remainder of the application inadmissible;

the parties’ observations;

Having deliberated, decides as follows:

SUBJECT MATTER OF THE CASE

1. The case concerns a complaint under Article 2 of Protocol No. 4 to the Convention about temporary restrictions imposed on the applicant’s right to leave Ukraine in the context of enforcement proceedings related to substantial debts owed to a private company and banks.

2. The applicant, who was the director of a limited liability company, was a debtor under several enforceable court decisions. In 2014 and 2015 the

domestic courts ordered the recovery from her, either individually or jointly with corporate debtors and other persons, of substantial sums arising from loan, settlement and guarantee obligations. The debts were subsequently enforced in consolidated enforcement proceedings.

3. In the course of those proceedings, the State Bailiffs' Service took a number of enforcement measures, including seizure of the applicant's property and deductions from her salary. In November 2017 a State bailiff applied to a court for a temporary restriction on the applicant's right to leave Ukraine, without confiscating her passport, until she fulfilled her obligations under the consolidated enforcement proceedings. The Pecherskyi District Court of Kyiv ("the District Court") refused the application. On 27 February 2018 the Kyiv Court of Appeal ("the Court of Appeal") allowed an appeal lodged by the bailiff and imposed the restriction as requested. The appellate court found, in particular, that the applicant had been aware of the enforcement proceedings, had failed to provide reliable information about her income and property, had not disclosed the location of a registered vehicle sought in the enforcement proceedings, and had not appeared in response to the bailiff's summons. It considered that she was evading the obligations imposed on her by enforceable court decisions.

4. In her application to the Court, the applicant complained under Article 2 of Protocol No. 4 that the restriction on her right to leave Ukraine had been imposed automatically on the sole basis of the existence of unpaid debts, and that it had disproportionately interfered with her right to freedom of movement. She alleged, *inter alia*, that the restriction had limited her ability to go to the city of Donetsk, located in the temporarily occupied territory of Ukraine.

5. On 26 November 2024 the Court sent a letter to the applicant's representative, requesting her to inform it whether the applicant wished to pursue the application and whether there had been any new developments in the case at the domestic level. On 21 January 2025 the applicant's representative replied, confirming the applicant's intention to pursue the application and stating that there had been no developments in the case.

6. According to the information provided by the Government in their observations of 28 November 2025, the restriction imposed on 27 February 2018 had been lifted by the District Court on 8 October 2019 at the applicant's request, and that decision had been upheld on appeal on 12 December 2019. The Government further informed the Court that, on 20 March 2024, the State Bailiffs' Service had lodged a fresh application for a temporary restriction on the applicant's right to leave Ukraine. On 27 March 2024 the District Court granted that application. On 27 January 2025 the Court of Appeal dismissed an appeal lodged by the applicant. On 15 May 2025 the District Court lifted the restriction imposed on 27 March 2024. The Government submitted that, at the time of submission of their observations, appeal proceedings against that decision were still

pending. It appears from the Unified State Register of Court Decisions that on 8 April 2026 the Court of Appeal dismissed the appeal lodged by the Ministry of Justice and upheld the District Court's ruling of 15 May 2025. That decision was final.

7. The Government also submitted information concerning the applicant's movements between 27 February 2018, when the Court of Appeal imposed the restriction on her right to leave Ukraine, and 21 October 2025, the date up until which the extract from the State Border Guard Service's register provided the available information. According to that information, the applicant had travelled through entry-exit checkpoints to the temporarily occupied territory of Ukraine 13 times, including nine times between 28 February 2018 and 2 October 2019, that is, before the restriction imposed on 27 February 2018 was lifted. The extract further showed that the applicant had travelled outside Ukraine on 4 March 2018, departing from Boryspil Airport to Doha, and had subsequently made further inter-State border crossings in each year from 2020 to 2025.

THE COURT'S ASSESSMENT

8. The Government argued that the application should be declared inadmissible on the grounds that the applicant had abused her right of individual application by failing to inform the Court of important developments at the domestic level concerning the very subject matter of the case and by failing to disclose information concerning her movements across the State border and through entry-exit checkpoints to temporarily occupied territory. They further argued that the applicant had lost her victim status and that, in any event, her complaint under Article 2 of Protocol No. 4 was manifestly ill-founded.

9. The applicant contested the Government's objections. As regards the allegation of abuse of the right of application, she submitted that it was unfounded and based on a selective reading of the case. She argued that the Government had mischaracterised her conduct, in particular as regards the alleged evasion of her payment obligations and the relevance of her income and assets. She further submitted that she had not lost victim status, as the restrictions had been imposed, lifted and re-imposed over time and the domestic authorities had neither acknowledged a breach of the Convention nor afforded her redress.

10. The Court reiterates that an application may be rejected as an abuse of the right of individual application within the meaning of Article 35 § 3 (a) of the Convention if, among other reasons, it was knowingly based on false information or if significant information and documents were deliberately omitted, either where they were known about from the outset or where new significant developments occurred during the proceedings. Incomplete and therefore misleading information may amount to an abuse of the right of

application, especially if the information in question concerns the very core of the case and no sufficient explanation is given for the failure to disclose that information (see *Gross v. Switzerland* [GC], no. 67810/10, § 28, ECHR 2014; *S.A.S. v. France* [GC], no. 43835/11, § 67, ECHR 2014 (extracts); and *Čaluk and Others v. Bosnia and Herzegovina* (dec.) [Committee], nos. 3927/15 and 63 others, §§ 18-19, 25 September 2018).

11. In the present case, the applicant failed to inform the Court in a timely manner of important developments which directly related to the complaint raised in her application form. In particular, she did not inform the Court that the restriction imposed in 2018, which was the measure complained of in her application, had been lifted in 2019. Nor did she inform the Court that fresh proceedings concerning a renewed restriction had been initiated in March 2024 and had resulted in a new restriction imposed on 27 March 2024. The subsequent lifting of that restriction in May 2025 and the final appellate decision of April 2026 upholding that lifting likewise concerned the same subject matter.

12. Those developments concerned the very core of the applicant's complaint. They affected the existence, duration, scope and continuity of the alleged interference with the applicant's right to freedom of movement and were capable of affecting the Court's assessment of the alleged interference and the applicant's victim status. They were therefore circumstances relevant to the application within the meaning of Rule 47 § 7 of the Rules of Court, and the applicant was required to bring them to the Court's attention. This was all the more so after the Court had sent to the applicant's representative the letter of 26 November 2024 asking whether there had been any new developments in the case at the domestic level. Instead, in the reply of 21 January 2025, the applicant's representative stated that there had been no such developments (see paragraph 5 above), whereas by that date, the 2018 restriction had already been lifted and the renewed restriction had already been imposed in 2024 (see paragraph 6 above).

13. In addition, the Court observes that the applicant also failed to disclose information concerning her movements, as set out in paragraph 7 above. That information was directly relevant to the practical effect of the impugned restriction in the light of her complaint that the 2018 restriction had prevented her from leaving Ukraine and had limited her ability to go to Donetsk.

14. The Court notes that the applicant, who was represented by legal counsel, has not furnished any plausible explanation for her failure to inform the Court of the above important developments and facts. Although she contested the allegation of abuse of the right of application, her response did not engage with the Government's specific points concerning those omissions.

15. Having regard to the importance of the information in issue for the proper determination of the present case, the Court finds that the applicant's

conduct was contrary to the purpose of the right of individual petition, as provided for in Article 34 of the Convention.

16. In view of the above, the application must accordingly be rejected as an abuse of the right of application, pursuant to Article 35 §§ 3 (a) and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

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

Martina Keller
Deputy Registrar

Andreas Zünd
President