



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

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## FIFTH SECTION

Applications nos. 15008/24 and 34096/24  
Viktor Benedyktovych SHERMAN against Ukraine  
and Mykhaylo Oleksandrovych GRIBANOV against Ukraine  
lodged on 10 May 2024 and 12 November 2024 respectively  
communicated on 21 September 2026

## SUBJECT MATTER OF THE CASES

The applications concern economic restrictions (sanctions) imposed on the applicants under the Sanctions Act (see, for the context, *M.S.L., TOV v. Ukraine*, no. 18049/18, §§ 5-11, 16 October 2025).

In April 2021 the President of Ukraine put into effect two decisions of the National Security and Defence Council (“the NSDCU”) by which it applied in relation to the applicants, both Ukrainian nationals, among other individuals and legal entities, several sanctions under the Sanctions Act, including freezing of assets. Those measures were applied for a period of three years.

According to the applicants, although the impugned legal acts did not specify the grounds for the sanctions, their adoption was accompanied by public statements from the President of Ukraine and the Secretary of the NSDCU indicating that those restrictions targeted individuals involved in large-scale smuggling.

Seeking the invalidation of the presidential decrees, the applicants instituted administrative proceedings before the Supreme Court on various dates in 2021. They argued that the impugned decrees were contrary to domestic law as they contained no grounds for the sanctions and that, in any event, the Sanctions Act could not be applied to Ukrainian nationals unless they were engaged in terrorist activities. Both sets of administrative proceedings are currently pending.

In the meantime, in April 2024 the above presidential decrees expired, and the same sanctions were applied in relation to Mr Sherman (application no. 15008/24) again. Mr Gribanov (application no. 34096/24) has not been subject to sanctions since then.

Relying on Article 8 of the Convention, the applicants complain that their private and family lives were substantially affected by the imposed sanctions and that those measures were neither in accordance with the law, nor necessary. In particular, the applicants claim that they could not be subject to sanctions, as domestic law excluded Ukrainian nationals from the list of individuals in relation to whom such restrictions could be applied. They further complain under Article 6 § 1 and Article 13 of the Convention about the length of the pending administrative proceedings in their cases and the lack of effective domestic remedies in respect of their complaints. Further individual details are set out in the Appendix.

### QUESTIONS TO THE PARTIES

1. Is Article 6 of the Convention applicable to the administrative proceedings in the present case (see *Al-Dulimi and Montana Management Inc. v. Switzerland* [GC], no. 5809/08, §§ 97-101, 21 June 2016)? If so, has the length of those proceedings been in compliance with the “reasonable time” requirement of Article 6 § 1 of the Convention (see, for example, *Polyakh and Others v. Ukraine*, nos. 58812/15 and 4 others, § 171, 17 October 2019)?

2. Has there been an interference with the applicants’ right to respect for their private and family life within the meaning of Article 8 § 1 of the Convention?

3. If so, was that interference in accordance with the law and necessary in terms of Article 8 § 2 (see *Ivanyushchenko v. Switzerland*, no. 54708/20, §§ 100-07, 2 July 2026 (not final))?

3.1. In particular, was the domestic law defining the categories of persons against whom sanctions could be imposed, as applied in the applicants’ cases, sufficiently accessible, precise and foreseeable?

3.2. Having regard to the procedural obligations inherent in Article 8, have the authorities afforded the applicants a reasonable opportunity to effectively challenge the measures in question (see *Fernández Martínez v. Spain* [GC], no. 56030/07, § 147, ECHR 2014 (extracts); and, *mutatis mutandis*, *M.S.L., TOV v. Ukraine*, no. 18049/18, §§ 99-109, 16 October 2025)?

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4. Did the applicants have at their disposal an effective domestic remedy in respect of the above complaints, as required by Article 13 of the Convention (see, for example, *M.S.L.*, *TOV*, cited above, § 116)?

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APPENDIX

| No. | Application no.<br>Case name<br>Introduction date    | Applicant's name<br>Year of birth<br>Place of residence<br>Nationality                          | Date<br>of the President's<br>Decree | Date<br>of introduction<br>of administrative<br>proceedings |
|-----|------------------------------------------------------|-------------------------------------------------------------------------------------------------|--------------------------------------|-------------------------------------------------------------|
| 1.  | 15008/24<br><i>Sherman v. Ukraine</i><br>10/05/2024  | <b>Viktor Benedyktovych<br/>SHERMAN</b><br>1972<br>Villefranche-sur-Mer,<br>France<br>Ukrainian | 3 April 2021                         | 22 April 2021                                               |
| 2.  | 34096/24<br><i>Gribanov v. Ukraine</i><br>12/11/2024 | <b>Mykhaylo<br/>Oleksandrovych<br/>GRIBANOV</b><br>1981<br>Lisnyky, Ukraine<br>Ukrainian        | 21 April 2021                        | 13 October 2021                                             |