



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

FIFTH SECTION

DECISION

Application no. 11053/23
Olga Yevgenivna PINCHUK
against Ukraine
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 17 September 2026 as a Committee composed of:

Andreas Zünd, *President*,

Vahe Grigoryan,

Sébastien Biancheri, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having regard to the above application against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 19 February 2023,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicants,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant’s details are set out in the appended table.

The applicant’s complaints under Article 6 § 1 of the Convention concerning the limitations on access to a court were communicated to the Ukrainian Government (“the Government”). Complaints based on the same facts were also communicated under other provisions of the Convention.

THE LAW

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

In the present application, having examined all the material before it, the Court considers that for the reasons stated below, the applicant’s complaints are inadmissible.

In particular, the Court notes that the applicant was given access to a judicial forum capable of determining her dispute over the right to property but failed to bring proceedings against the appropriate defendants.

In view of the above, the Court finds that these complaints are manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

B. Remaining complaints

The applicant also raised complaints under Article 1 of Protocol No. 1.

The Court has examined the remainder of the application and considers that, in the light of all the material in its possession and in so far as the matters complained of are within its competence, these complaints either do not meet the admissibility criteria set out in Articles 34 and 35 of the Convention or do not disclose any appearance of a violation of the rights and freedoms enshrined in the Convention or the Protocols thereto.

It follows that this part of the application must be rejected in accordance with Article 35 § 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 8 October 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	Alleged key issue impairing access to a court	Facts and relevant information
11053/23 19/02/2023	Olga Yevgenivna PINCHUK 1963	disproportionately rigid or excessively formalistic application of procedural requirements or limitations	In 2017 the Ministry of Justice cancelled the State registration of the applicant's title to a flat which she had bought in 2016 from a company, as the registration history indicated that the property had previously been registered in the name of other entities and an individual. Subsequently, the flat was sold to another individual, M., in whose name the ownership title was registered. In September 2017 the applicant challenged the Ministry's decision before the administrative courts. By a decision of 24/10/2019, the Supreme Court quashed the lower courts' decisions and closed the administrative proceedings, holding that the dispute was in substance a private-law dispute concerning the applicant's alleged property rights. It explained that the applicant could seek protection of those rights before the civil courts. In December 2019 the applicant lodged a similar claim against the Ministry of Justice under the rules of civil procedure. On 02/11/2022 the Supreme Court upheld the appellate court's decision dismissing the claim. The courts held that the substance and nature of the legal relationship indicated that the dispute was between the applicant and M. and concerned the rights in rem to the property. The Ministry of Justice was therefore an improper defendant. The Supreme Court noted that the applicant had brought her claim exclusively against the Ministry and had neither sought substitution of the defendant nor requested the joinder of other persons as co-defendants.