



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

FIFTH SECTION

DECISION

Application no. 15347/25
Anatoliy Ivanovych GETMANCHUK against Ukraine
and 3 other applications
(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 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,

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

1. The list of applicants is set out in the appended table.
2. The applicants were represented by Mr Y. Boychenko, a lawyer practising in Strasbourg.
3. The applicants’ complaints under Article 1 of Protocol No. 1 to the Convention concerning the invalidation of their property titles without compensation were communicated to the Ukrainian Government (“the Government”).

THE LAW

A. 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 decision.

B. Complaints under Article 1 of Protocol No. 1 (invalidation of property title without compensation)

5. In the present applications, having examined all the material before it, the Court considers that the applicants' complaints are inadmissible for the reasons stated below.

6. The crux of the present case is directly related to the proportionality issue and the Court must determine whether a fair balance was struck between the demands of the general interest in that connection and the interest of the person concerned. The Court recognises that the State enjoys a wide margin of appreciation with regard to the means to be employed and to the question of whether the consequences are justified in the general interest for the purpose of achieving the objective pursued (see, for example, *G.I.E.M. S.R.L. and Others v. Italy* [GC], nos. 1828/06 and 2 others, § 293, 28 June 2018). The Court further reiterates that in assessing compliance with Article 1 of Protocol No. 1, it must make an overall examination of the various interests in issue, bearing in mind that the Convention is intended to safeguard rights that are "practical and effective". The Court has often reiterated that regional planning and environmental conservation policies, where the community's general interest is pre-eminent, confer on the State a margin of appreciation that is greater than when exclusively civil rights are at stake.

7. Furthermore, consideration must be given in particular to the question of whether the applicant, on acquiring the property, knew – or should have reasonably known – about the restrictions on the property or possible future restrictions, the existence of legitimate expectations with respect to the use of the property or acceptance of the risk on purchase, the extent to which the restriction prevented use of the property and the possibility of challenging the necessity of the restriction (see *Kristiana Ltd. v. Lithuania*, no. 36184/13, §§ 107-08, 6 February 2018, with further references).

8. In the present case, the plots of land in question had been, since as early as 1993, a subject of various disputes and proceedings. It also appears that the land is located in the immediate vicinity of a forest and the photographs available in the file show that it bore no signs of use for gardening. Furthermore, the applicants, having themselves been professionals in the domain of forestry, were - or should have been, - aware that the land belonged to protected lands and that there was a possibility that their entitlements to that land could be annulled (see, for demonstrative purposes and similar

findings, *Noga v. Ukraine* (dec.) [Committee], no. 45763/20, § 31, 19 March 2026, with further references; *Bratushka v. Ukraine* (dec.) [Committee], no. 67790/13, § 21, 26 January 2023, and *Shynkarenko v. Ukraine* (dec.) [Committee], no. 64661/11, § 26-28, 15 October 2019).

9. 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.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 8 October 2026.

Viktoriya Maradudina
Acting Deputy Registrar

Andreas Zünd
President

APPENDIX

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

No.	Application no. Date of introduction	Applicant's name Year of birth	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
1.	15347/25 03/12/2020	Anatoliy Ivanovych GETMANCHUK 1955	Supreme Court, 17/06/2020	0.1197 ha land plot located in Boholiuby village council (Lutsk district, Volyn region), allocated for gardening purposes in the "Dubok" gardening society on 30/12/2008, title documents obtained on 08/09/2010.	forestry land, authority acting ultra vires when approving the change of the land status
2.	15352/25 03/12/2020	Sergiy Oleksandrovych RUDYK 1964	Supreme Court, 17/06/2020	0.1197 ha land plot located outside the territory of the Boholiuby village (Volyn Region), allocated for individual gardening in 2008, title documents obtained in 2010.	
3.	15354/25 03/12/2020	Igor Vasylyovych SVYSHCH 1971	Supreme Court, 17/06/2020	0.1197 ha land plot located in Boholiuby village council (Lutsk district, Volyn region), allocated for gardening purposes in the "Dubok" gardening society on 30/12/2008, title documents obtained on 08/09/2010.	
4.	15356/25 03/12/2020	Sergiy Akyndynovych SHEREMETA 1962	Supreme Court, 17/06/2020	0.1197 ha land plot located outside the territory of the Boholiuby village (Volynsky Region), allocated for individual gardening in 2008, title documents obtained in 2010.	