



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

FIFTH SECTION

CASE OF UZDEMYR v. UKRAINE

(Application no. 26622/18)

JUDGMENT

STRASBOURG

22 October 2026

This judgment is final but it may be subject to editorial revision.

In the case of Uzdemyr v. Ukraine,

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

Andreas Zünd, *President*,

Vahe Grigoryan,

Sébastien Biancheri, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 1 October 2026,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in an 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 29 May 2018.

2. The applicant was represented by Mr A.E. Uzdemyr, a lawyer practising in Kyiv.

3. The Ukrainian Government (“the Government”) were given notice of the application.

THE FACTS

4. The applicant’s details and information relevant to the application are set out in the appended table.

THE LAW

I. ALLEGED VIOLATION OF ARTICLE 6 § 1 OF THE CONVENTION

5. The applicant complained principally of the lack of reasoning in the decision of the Supreme Court. He relied on Article 6 § 1 of the Convention.

6. The Court reiterates that according to its long-standing and established case-law, it should not act as a court of fourth instance and will not therefore question under Article 6 § 1 of the Convention the judgment of the national courts, unless their findings can be regarded as arbitrary or manifestly unreasonable (see *Bochan v. Ukraine (no. 2)* [GC], no. 22251/08, § 61, ECHR 2015, with further references).

7. Article 6 § 1 of the Convention obliges domestic courts to give reasons for their judgments. This duty cannot be understood as requiring a detailed answer to every argument, and the question of compliance with that duty can only be determined in the light of the circumstances of the case (see *Ruiz Torija v. Spain*, 9 December 1994, § 29, Series A no. 303-A, and *García Ruiz v. Spain* [GC], no. 30544/96, § 26, ECHR 1999-I). Those principles were applied in a number of Ukrainian cases (see, for example,

Benderskiy v. Ukraine, no. 22750/02, §§ 42-47, 15 November 2007; *Pronina v. Ukraine*, no. 63566/00, § 25, 18 July 2006; and *Bogatova v. Ukraine*, no. 5231/04, §§ 18 and 19, 7 October 2010).

8. Reviewing the facts of the present case in the light of those principles, the Court considers that the domestic court failed in its duty to provide reasons for its decision and did not address pertinent and important arguments raised by the applicant. The specific procedural failings, indicated in the appended table, prompt the Court to conclude that the applicant was stripped of his right to a reasoned court decision.

9. These complaints are therefore admissible and disclose a breach of Article 6 § 1 of the Convention.

II. REMAINING COMPLAINTS

10. The applicant also raised other complaints under various Articles of the Convention.

11. The Court has examined 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.

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

12. Regard being had to the fact that the applicant, having been invited to submit his just satisfaction claims, failed to do so in accordance with Rule 60 of the Rules of Court, the Court makes no award.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the complaints concerning the lack of reasoning in court decision admissible, and the remainder of the application inadmissible;
2. *Holds* that these complaints disclose a breach of Article 6 § 1 of the Convention concerning the lack of reasoning in court decision.

UZDEMYR v. UKRAINE JUDGMENT

Done in English, and notified in writing on 22 October 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Andreas Zünd
President

UZDEMYR v. UKRAINE JUDGMENT

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention
(lack of reasoning or inadequate reasoning in court decision)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Subject matter of the domestic proceedings	Key argument the court failed to address	Final domestic decision Date Name of the court
26622/18 29/05/2018	Andriy Arkadiyovych UZDEMYR 1990	Uzdemyr Arkadiy Eduardovych Kyiv	In September 2014 the applicant was dismissed from his position in a prosecutor's office for having unlawfully prosecuted two participants of mass protests in Kyiv, commonly referred to as "Euromaidan". The applicant then challenged his dismissal before administrative courts. On 06/08/2015 the Kyiv Administrative Court of Appeal upheld the ruling of the first-instance court, which had granted the applicant's claim and found his dismissal unlawful. In addition to holding that the applicant's guilt in parallel criminal proceedings concerning the same allegations had not yet been established and that the internal investigation had been carried out in breach of relevant regulations, the appeal court found that the disciplinary proceedings against the applicant were time-barred, as they had been concluded outside the one-month statutory time-limit prescribed by Article 12 of the Disciplinary Statute of the Prosecutor's Office, which is calculated from the moment when the alleged offence was discovered. The appeal court disagreed with the prosecutor's office as to the date considered as the starting point for the time-limit in question. On 31/01/ 2018 the Supreme Court overturned the lower courts' judgments and dismissed the applicant's claim, holding that there had been sufficient grounds for dismissing the applicant from the prosecutor's office, that his disciplinary liability was independent of the outcome of the parallel criminal proceedings, and that the internal investigation had not been flawed.	The Supreme Court did not expressly address the issue of expiration of the statutory time-limit for imposing disciplinary liability on the applicant, which had been one of the grounds relied on by the Kyiv Administrative Court of Appeal in finding his dismissal unlawful. In particular, it did not examine whether Article 12 of the Disciplinary Statute of the Prosecutor's Office was applicable to the applicant's case or, if so, from which date the relevant time-limit was to be calculated.	31/01/2018, Supreme Court