



## Judgments<sup>1</sup> concerning Slovenia and Ukraine

The European Court of Human Rights has today notified in writing the following three judgments, none of which is final.

Repetitive cases<sup>2</sup>, with the Court's main finding indicated, can be found at the end of the press release. The judgments are available only in English.

### V. v. Slovenia (application no. 26971/07)

The applicants are, D. V., and her husband, J. V. They are Slovenian nationals. The case concerned their complaint about the taking into foster care of D.V.'s daughter, X, (from another partner) and their son, Y, in June 2003 following the suspicious death of their daughter (Y's twin sister) as well as about restrictions on their contact rights. Both parents were subsequently convicted in September 2009 for negligent manslaughter of their daughter; D.V was also found guilty of repeatedly causing the child severe injuries. They were sentenced to, respectively, eight-and-a-half years and three years in prison. They relied on Article 8 (right to respect for private and family life) of the European Convention on Human Rights.

#### **No violation of Article 8**

### Andriyevska v. Ukraine (no. 34036/06)

The applicant, Tamara Andriyevska, is a Ukrainian national who was born in 1957 and lives in Pavlograd (Ukraine). She complained that she had been denied access to a court in cassation proceedings which she had brought against her former employer, the local police department seeking to recover in particular retirement-related payments. She relied on Article 6 § 1 (right of access to a court) of the Convention.

#### **Violation of Article 6 § 1**

**Just satisfaction:** 2,000 euros (EUR) (non-pecuniary damage) and EUR 80 (costs and expenses)

### Repetitive case

The following case raised issues which had already been submitted to the Court.

### **Bazalt Impeks, Tov v. Ukraine** (no. 39051/07)

The case concerned the applicant company's complaint that the Supreme Court had overstepped the limits of its jurisdiction in a case brought against it by an IT company to

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<sup>1</sup> Under Articles 43 and 44 of the Convention, Chamber judgments are not final. During the three-month period following a judgment's delivery, any party may request that the case be referred to the Grand Chamber of the Court. If such a request is made, a panel of five judges considers whether the case deserves further examination. In that event, the Grand Chamber will hear the case and deliver a final judgment. If the referral request is refused, the Chamber judgment will become final on that day. Under Article 28 of the Convention, judgments delivered by a Committee are final.

Once a judgment becomes final, it is transmitted to the Committee of Ministers of the Council of Europe for supervision of its execution. Further information about the execution process can be found here: [www.coe.int/t/dghl/monitoring/execution](http://www.coe.int/t/dghl/monitoring/execution)

<sup>2</sup> In which the Court has reached the same findings as in similar cases raising the same issues under the Convention.

cancel a contract and have property returned. It relied on Article 6 § 1 (right to a fair trial).

**Violation of Article 6 § 1** (tribunal established by law)

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**The European Court of Human Rights** was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.