



Judgments¹ concerning Slovenia and Ukraine

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

K. v. Slovenia (no. 41293/05)

The applicant, F.K., is a Slovenian national who was born in 1971 and lives in Šentjur (Slovenia). He complained about delays in proceedings concerning child custody and contact arrangements with his daughter, born in 2001, and about delays in criminal proceedings brought against him for abusing her. He notably alleged that as a result of the ineffectiveness of the proceedings, his contact rights were severely restricted from April 2005 until his final acquittal in March 2008. He relied on Article 6 § 1 (right to a fair hearing/trial) and Article 8 (right to respect for private and family life and the home).

Violation of Article 8; remainder of the complaint inadmissible

Just satisfaction: EUR 6 000 (non-pecuniary damage) and EUR 1 500 (costs and expenses)

Serkov v. Ukraine (no. 39766/05)

The applicant, Sergey Serkov, is a Ukrainian national who was born in 1961 and lives in Kharkiv (Ukraine). A private entrepreneur, he complained that the customs authorities had refused to exempt him from paying value-added tax on goods he had imported into Ukraine in 2004 and that domestic legislation on the matter was inconsistent. He relied in particular on Article 1 of Protocol No. 1 (protection of property).

Violation of Article 1 of Protocol No. 1

Just satisfaction: EUR 23 000 (pecuniary damage), EUR 4 000 (non-pecuniary damage)

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Press contacts

echrpress@echr.coe.int | tel: +33 3 90 21 42 08

¹ 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

Emma Hellyer (tel: + 33 3 90 21 42 15)
Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)
Kristina Pencheva-Malinowski (tel: + 33 3 88 41 35 70)
Frédéric Dolt (tel: + 33 3 90 21 53 39)
Nina Salomon (tel: + 33 3 90 21 49 79)

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.