



Judgments concerning Ireland and Ukraine

The European Court of Human Rights has today notified in writing the following four judgments, three, of which (in italics) are Committee judgments and are final. The judgment in the case of *Shulgin v. Ukraine* is a Chamber judgment and is not final¹.

Length-of-proceedings cases, with the Court's main finding indicated, can be found at the end of the press release. The judgments are available only in English.

Shulgin v. Ukraine (application no. 29912/05)

The applicant, Ruslan Shulgin, is a Ukrainian national who was born in 1978 and lives in Vinnytsya (Ukraine). In 1999 he was found guilty of theft, burglary, fraud and extortion. He served his seven-year prison sentence in full and was released in December 2003. He alleged that the State had failed to compensate him for the fact that two of the years he spent serving that sentence were unlawful as his conviction – for extortion – was subsequently recognised as unfounded, in breach of Article 5 § 5 (right to liberty and security).

Violation of Article 5 § 5 (enforceable right to compensation)

Just satisfaction: 16,000 euros (EUR) (non-pecuniary damage)

Length-of-proceedings cases

In the following cases, the applicants complained in particular under Article 6 § 1 (right to a fair trial within a reasonable time) about the excessive length of judicial proceedings.

Petrov and Others v. Ukraine (nos. 44654/06, 32525/08 and 35537/08)

This case concerned the length of civil proceedings which the applicants had brought against their employers claiming disability allowances.

Violation of Article 6 § 1

T.H. v. Ireland (no. 37868/06)

Kovalenko v. Ukraine (no. 61404/08)

These two cases concerned the length of criminal proceedings brought against the applicants for sexual assault (first case) and bribery (second case).

Violation of Article 6 § 1 (in both cases)

Violation of Article 13 (right to an effective remedy) **in conjunction with Article 6 § 1** (in the case of *T.H. v. Ireland*)

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

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on www.echr.coe.int. To receive the Court's press releases, please subscribe to the [Court's RSS feeds](#).

Press contacts

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

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)

Nina Salomon (tel: + 33 3 90 21 49 79)

Denis Lambert (tel: + 33 3 90 21 41 09)

Petra Leppee Fraize (tel: + 33 3 90 21 29 07)

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.