

Resolution CM/ResDH(2026)23

Execution of the judgment of the European Court of Human Rights

Markettrans, PP v. Ukraine

(Adopted by the Committee of Ministers on 25 February 2026
at the 1551st meeting of the Ministers' Deputies)

| Application No. | Case | Judgment of | Final on |
|-----------------|-----------------|-------------|------------|
| 16989/15 | MARKETTRANS, PP | 26/06/2025 | 26/06/2025 |

The Committee of Ministers, under the terms of Article 46, paragraph 2, of the Convention for the Protection of Human Rights and Fundamental Freedoms, which provides that the Committee supervises the execution of final judgments of the European Court of Human Rights (hereinafter “the Convention” and “the Court”),

Having regard to the final judgment transmitted by the Court to the Committee in this case and to the violation established on account of the annulment of the applicant company's title to a property in court proceedings instituted against it by the prosecutor and the lack of compensation for deprivation of the property title of a *bona fide* owner (violation of Article 1 of Protocol No. 1);

Recalling the respondent State's obligation, under Article 46, paragraph 1, of the Convention, to abide by all final judgments in cases to which it has been a party and that this obligation entails, over and above the payment of any sums awarded by the Court, the adoption by the authorities of the respondent State, where required:

- of individual measures to put an end to violations established and erase their consequences so as to achieve as far as possible *restitutio in integrum*; and
- of general measures preventing similar violations;

Having invited the government of the respondent State to inform the Committee of the measures taken to comply with the above-mentioned obligation;

Having examined the action report provided by the government, indicating the individual measures adopted to execute the judgment, including the information provided regarding the payment of the just satisfaction awarded by the Court, and noting that the applicant did not avail itself of the possibility to request a reopening of domestic proceedings (see document DH-DD(2025)1304);

Recalling that the question of general measures required in response to the shortcomings found by the Court in this judgment continues to be examined within the framework of the *Maksymenko and Gerasymenko* group of cases also in the light of the Court's findings in this case, and that the closure of this case therefore in no way prejudices the Committee's evaluation of the general measures in relation to the annulment of the applicants' *bona fide* property titles without compensation ;

DECLARES that it has exercised its functions under Article 46, paragraph 2, of the Convention in this case;

CONCLUDES that the necessary individual measures have been adopted;

DECIDES to continue to supervise the adoption of the necessary general measures in the framework of the *Maksymenko and Gerasymenko* group of cases;

DECIDES to close the examination of this case.