



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

FOURTH SECTION

CASE OF VOSKANYAN AND OTHERS v. ARMENIA

(Application no. 54225/22)

JUDGMENT

STRASBOURG

24 October 2024

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

In the case of Voskanyan and Others v. Armenia,

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

Anne Louise Bormann, *President*,

Sebastian Rădulețu,

Mateja Đurović, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 3 October 2024,

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

PROCEDURE

1. The case originated in an application against Armenia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 15 November 2022.

2. The Armenian Government (“the Government”) were given notice of the application.

THE FACTS

3. The list of applicants and the relevant details of the application are set out in the appended table.

4. The applicants complained of the excessive length of civil proceedings.

THE LAW

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

5. The applicants complained that the length of the civil proceedings in question had been incompatible with the “reasonable time” requirement. They relied on Article 6 § 1 of the Convention.

6. The Government argued that the applicants had failed to exhaust the domestic remedies. The Court has previously found that the Armenian domestic system did not provide an effective remedy in respect of excessive length of civil proceedings (see *Fil LLC v. Armenia*, no. 18526/13, §§ 49-50, 31 January 2019). The Court sees no reason to depart from that finding in the present case as, in its opinion, the Government failed to demonstrate that the remedy they referred to satisfied the criteria established in the Court’s case-law related to the effectiveness of domestic remedies in length-of-proceedings cases (see *Scordino v. Italy (no. 1)* [GC], no. 36813/97, §§ 182-207, ECHR 2006-V; for similar conclusions, see

Vassilyan and Others v. Armenia [Committee], nos. 20193/15 and 2 others, §§ 7-9, 23 June 2022; *Lmntsyán and Sloyan v. Armenia* [Committee] nos. 41973/19 and 51266/19, § 10, 9 February 2023; and *Nikoghosyan and Others v. Armenia* [Committee], nos. 4396/21 and 2 others, § 9, 14 December 2023). The Government's objection of non-exhaustion is therefore rejected.

7. The Court reiterates that the reasonableness of the length of proceedings must be assessed in the light of the circumstances of the case and with reference to the following criteria: the complexity of the case, the conduct of the applicants and the relevant authorities and what was at stake for the applicants in the dispute (see *Frydlender v. France* [GC], no. 30979/96, § 43, ECHR 2000-VII).

8. In the leading case of *Fil LLC* (cited above), the Court already found a violation in respect of issues similar to those in the present case.

9. Having examined all the material submitted to it, the Court has not found any fact or argument capable of justifying the overall length of the proceedings at the national level. Having regard to its case-law on the subject, the Court considers that in the instant case the length of the proceedings was excessive and failed to meet the "reasonable time" requirement.

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

II. APPLICATION OF ARTICLE 41 OF THE CONVENTION

11. Regard being had to the documents in its possession and to its case-law (see, in particular, *Fil LLC*, cited above, §§ 62 and 65), the Court considers it reasonable to award the sums indicated in the appended table.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;
2. *Holds* that this application discloses a breach of Article 6 § 1 of the Convention concerning the excessive length of civil proceedings;
3. *Holds*
 - (a) that the respondent State is to pay each applicant, within three months, the amount indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a

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rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 24 October 2024, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Anne Louise Bormann
President

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APPENDIX

Application raising complaints under Article 6 § 1 of the Convention
(excessive length of civil proceedings)

Application no. Date of introduction	Applicant's name Year of birth	Start of proceedings	End of proceedings	Total length Levels of jurisdiction	Amount awarded for non-pecuniary damage per applicant (in euros) ¹
54225/22 15/11/2022 (7 applicants)	Artur VOSKANYAN 1964 Boris ALAVERDYAN 1965 Gevorg AMIRZADYAN 1955 Zoya HAKOBYAN 1963 Nelli MANUKYAN 1950 Narine SIMONYAN 1981 Irina TAVRIZYAN 1963	29/07/2016	pending	More than 7 year(s) and 11 month(s) and 7 day(s) 3 level(s) of jurisdiction	1,600

¹ Plus any tax that may be chargeable to the applicants.