KEY THEME[1]
Article 1 of Protocol No. 1
Bona fide / Good faith purchasers of property

(Last updated: 31/08/2024)

Introduction

This Key Theme provides a detailed overview focused on the case law concerning good faith buyers.

The term "good faith buyer" (or *bona fide* buyer[2]) is commonly used in real property laws without a standard definition. Drawing on the Member States' relevant domestic provisions[3], this Key Theme uses it in relation to applicants dispossessed of property acquired through a lawful transaction while being unaware – without a lack of diligence on their part – of a defect in the title existing at the moment of acquisition (for example, if the property was purchased from a person who had no right to sell it, or because of an error on the part of the State authority).

This document sets out the case-law principles concerning disputes between the alleged good faith buyers and the lawful owners (public entities or private persons), claiming the return of the property. It also includes case-law developed in relation to the recipients of social and employment benefits whose payments exceeded the amounts due to them because of calculation errors they were unable to identify, where similar principles are applied.

Principles drawn from the current case-law

Applicability of Article 1 of Protocol No. 1:

Article 1 of Protocol No. 1 is applicable to the annulment of title of good faith buyers by a judicial decision whether resulting from claims by public entities or private parties, and irrespective of whether the defect of the title originated from an administrative error of a State body or from a third-party fraud. The scope of the Court's review will, however, be different in these situations (see below: Scope of review: Public-law and Private-party context).

The existence of "possessions":

The mere fact that a property right is subject to revocation in certain circumstances does not prevent it from being a "possession" within the meaning of Article 1 of Protocol No. 1, at least until it is revoked (*Beyeler v. Italy* [GC], 2000, § 105).

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[1] Prepared by the Registry. It does not bind the Court.

[2] *Velikovi and Others v. Bulgaria*, 2007, §§ 116 and 244; other terms used include "bona fide acquirer" (*Gladysheva v. Russia*, 2011, § 35), "bona fide purchaser" (*Alentseva v. Russia*, 2016, § 26), "bona fide owner" (*Pyrantienė v. Lithuania*, 2013, § 69), "bona fide holder" (*Dzirnis v. Latvia*, 2017, § 80).

[3] *Velikovi and Others v. Bulgaria*, 2007, § 116; *Gladysheva v. Russia*, 2011, § 35.

Title to real estate, once formally recognised, is regarded as “possession”, in particular if it had been officially registered (*Belova v. Russia*, 2020, § 32). The Court considered that an applicant had a “possession” within the meaning of Article 1 of Protocol No. 1 even if his title was declared null and void *ab initio*, noting that he possessed the flat in question for about twenty years and was considered its owner for all legal purposes (*Vukušić v. Croatia*, 2016, § 38).

As regards a legal entitlement to an economic benefit, a decision to grant a benefit of a particular amount may constitute a “possession”. Thus, in *Moskal v. Poland*, 2009, in the context of a rectification of an error committed by the public authority, the Court found that a property right was generated by the favourable evaluation of the applicant’s dossier attached to the pension application which had been lodged in good faith and by the competent authority’s recognition of the right: it found that the applicant therefore had a “substantive interest” protected by Article 1 of Protocol No. 1 (§§ 45-46). Likewise, in *Casarin v. Italy*, 2021, the Court held that the applicant had a "legitimate expectation" of being able to keep the sums already received “in good faith” under a social security scheme and therefore could be regarded as the holder of a sufficiently recognised and important property interest to constitute a "possession" within the meaning of the rule expressed in the first sentence of Article 1 of Protocol No. 1 (§§ 38-42).

Interference and the applicable rule:

Declaring a title to property null and void constitutes an **interference** with the right to peaceful enjoyment of possessions, to be examined under the first paragraph, second sentence of Article 1 of Protocol No. 1, as it amounts to a **deprivation of possessions** (*Velikovi and Others v. Bulgaria*, 2007, §§ 159-160; *Vukušić v. Croatia*, 2016, § 50). The same applies to the retroactive annulment of a valid title to property vindicated by a lawful owner (*Seregin and Others v. Russia*, 2021, §§ 80 and 89).

On the other hand, on the question of interference, if the Court considers that the legal and factual complexity of the situation prevents it from being placed in a precise category, it may examine it under the general rule contained in the first sentence of the first paragraph of Article 1 of Protocol No. 1 (*Gladysheva v. Russia*, 2011, § 71; *Dzirnis v. Latvia*, 2017, § 74).

Bona fide *status:*

The Court usually accepts the findings of the domestic courts as to whether the title was acquired in good faith, except when they deny such *bona fide* status without proper justification (*Seregin and Others v. Russia*, 2021, §§ 108-109; *Beinarovič and Others v. Lithuania*, 2018, § 144).

In considering the question of good faith the Court stated that a buyer of property should carefully investigate its origin, in particular by verifying that the property in question is not subject to a dispute, especially if there had been multiple changes of ownership within a short period of time (*Belova v. Russia*, 2020, §§ 40-41).

- The Court rejected, or expressed doubts about, the applicant’s claim of having acquired possessions in good faith in:
  - *Vukušić v. Croatia*, 2016, § 66 (the applicant was aware of the existing dispute)
  - *Belova v. Russia*, 2020, § 41 (lack of due diligence on the part of the acquirer)
- The Court rejected the domestic authorities’ assessment as to the applicant’s bad faith in:
  - *Beinarovič and Others v. Lithuania*, 2018, § 144
  - *Seregin and Others v. Russia*, 2021, § 108

Scope of review:

The annulment of property rights is not, in itself, contrary to Article 1 of Protocol No. 1. However, it must, in addition to being lawful and having a legitimate aim, also satisfy the requirement of proportionality. A fair balance must be struck between the demands of the general interest of the community and the requirements of the protection of the individual's fundamental rights, the search for such a fair balance being inherent in the whole of the Convention. The requisite balance will not be struck where the person concerned bears an individual and excessive burden (*Beinarovič and Others v. Lithuania*, 2018, § 138).

The Court distinguishes between the State's obligations in relation to its repossession of property which it had alienated, and a private party claim to property lost as a result of a third person's unlawful acts. The scope of the State obligations in a purely private-party context is significantly narrower than in cases where a State authority is the recipient of the recovered property.

1. Public-law context

a. General principles

Obligations of a public-law nature arise in cases concerning repossession by the State or municipality of property allocated through privatisation programmes, by grant of social benefits or similar general schemes. Thus, the Court dismissed the Government's arguments that the litigation was of a purely civil nature where the applicant's dispossession was a direct consequence of the domestic courts' finding of a defect in the procedure by which the flat had been originally sold by the municipality (*Gladysheva v. Russia*, 2011, § 55), or where the title was revoked on the basis of the incorrect application of land reform legislation by the competent authorities (*Dzirnis v. Latvia*, 2017, §§ 16 and 55).

Restitution of previously nationalised property involving the dispossession of *bona fide* recipients to whom it had been allocated after nationalisation is also regarded as creating State obligations of a public-law nature (*Velikovi and Others v. Bulgaria*, 2007, §§ 160-161). In this context, the Court considers that the attenuation of past injustices should not create disproportionate new wrongs and "persons who acquired their possessions in good faith [should not be] made to bear the burden of responsibility which is rightfully that of the State" (*Pincová and Pinc v. the Czech Republic*, 2002, § 58).

It also held that the mistakes or errors of the State authorities should serve to the benefit of the persons affected, especially where no other conflicting private interest is at stake (*Gashi v. Croatia*, 2007, § 40), clarifying that this was consistent with the "good governance" principle (subsection "b" below).

In cases where the correction of errors caused by State authorities results in an interference with the right to the peaceful enjoyment of the property of a *bona fide* holder, the proportionality test requires an overall examination of the various interests at stake, which may call for an analysis of such elements as the terms of compensation and the conduct of the parties to the dispute, including the means employed by the State and their implementation (see *Dzirnis v. Latvia*, 2017, §§ 79-80).

In the context of restitution, the Court assessed the proportionality of the dispossession of *bona fide* buyers of formerly nationalised property with reference to: (i) whether the measure complies with domestic law; and (ii) the hardship suffered by the applicants and the adequacy of the compensation actually obtained/compensation which could be obtained through a normal use of the procedures and possibilities available to the applicants at the relevant time (*Velikovi and Others v. Bulgaria*, 2007, § 190). When annulment of the title to a dwelling is at stake, this may include the possibilities for the applicants to secure a new home for themselves (*ibid.*).

In addition, there exist procedural positive obligations under Article 1 of Protocol No. 1 in cases involving State authorities, just as in cases between private parties only (*Kotov v. Russia* [GC], 2012, §§ 113-114 and see section 2 below).

b. Obligations flowing from the principle of good governance

In examining whether a fair balance was struck between the public interest and that of the applicant, the Court has emphasised the particular importance of the principle of "good governance" which requires that, where an issue in the general interest is at stake in particular when the matter affects fundamental human rights such as those involving property, the public authorities must act in good time and in an appropriate and above all consistent manner (*Beinarovič and Others v. Lithuania*, 2018, § 139).

The "good governance" principle should not, as a general rule, prevent the authorities from correcting occasional mistakes, even those resulting from their own negligence. On the other hand, the need to correct an old "wrong" should not disproportionately interfere with a new right which has been acquired by an individual relying in good faith on the legitimacy of the actions of a public authority. In other words, State authorities which have failed to put in place or adhere to their own procedures should not be allowed to profit from their wrongdoing or to escape their obligations. The risk of a mistake made by the State authority must be borne by the State itself and any errors must not be remedied at the expense of the individuals concerned. In the context of the revocation of a title to property which has been granted erroneously, the "good governance" principle may not only impose on the authorities an obligation to **act promptly to correcting their mistake**, but may also necessitate the payment of **adequate compensation** or other appropriate reparation to its former good-faith holder (*Vukušić v. Croatia*, 2016, § 64; *Beinarovič and Others v. Lithuania*, 2018, § 140).

If an applicant's error was compounded by the authorities' negligent conduct in the process of attribution of property, the subsequent annulment of the title should reflect the parties' shared fault in the terms of compensation (*Demiray v. Türkiye*, 2023, §§ 68-70).

A *bona fide* applicant may be required to take separate proceedings to obtain compensation for the property lost as a result of the authorities' mistake, if such are the provisions of domestic law, or demonstrate that there was an obstacle preventing substantiated claims from being lodged or from succeeding (*Lidiya Nikitina v. Russia*, 2022, §§ 36-40; *Ibrahimbeyov and Others v. Azerbaijan*, 2023, §§ 55-59).

c. Compensation

Compensation conditions under the relevant legislation are material to the assessment of whether the contested measure respects the requisite fair balance and, notably, whether it imposes a disproportionate burden on the applicants. The Court has held that the taking of property without payment of an amount reasonably related to its value would normally constitute a disproportionate interference. At the same time, Article 1 of Protocol No. 1 does not guarantee a right to full compensation in all circumstances (*Scordino v. Italy (no. 1)* [GC], 2006, § 95; *Kozacıoğlu v. Turkey* [GC], 2009, § 64; and *Vistiņš and Perepjolkins v. Latvia* [GC], 2012, §§ 110 and 112).

In assessing whether adequate compensation was available to the applicant, the Court must have regard to the particular circumstances of each case, including the availability of compensation and the practical realities in which the applicant found himself (*Velikovi and Others v. Bulgaria*, 2007, § 231; *Vukušić v. Croatia*, 2016, § 68).

In this context, a person deprived of his or her property must in principle obtain compensation "reasonably related to its value" (*Velikovi and Others v. Bulgaria*, 2007, §§ 238 and 248), even though "legitimate objectives of 'public interest' may call for reimbursement of less than the full market value" (*Pincová and Pinc v. the Czech Republic*, 2002, § 53). The balance is generally achieved

where the compensation paid to the person whose property has been taken is reasonably related to its "market" value, as determined at the time of the expropriation (*ibid.*).

The Court has accepted that the principle of partial restitution to rectify old wrongs conformed to the Convention, and that, consequently, the amount of compensation for long-extinguished property rights could be assessed in accordance with calculation methods established in relevant legislation rather than with the full market value of such property. However, the Court has found that the requisite fair balance was not struck in cases where the disproportion between the market value of the property and the compensation awarded to the applicants was "extreme" or "too significant" (*Beinarovič and Others v. Lithuania*, 2018, § 142, with further references).

There is no general requirement that, after the applicants' property rights were annulled, the authorities should give them new property **in kind**, as long as they could have been compensated in any of the forms for which domestic law provides, in line with the principles established in the Court's case-law (*Beinarovič and Others v. Lithuania*, 2018, § 146). However, in certain circumstances the Court may indicate that the most appropriate form of redress would be to restore the applicant's title to the property, in particular in the absence of a competing third-party interest or other obstacle to the restitution of the applicant's ownership (*Gladysheva v. Russia*, 2011, § 106).

The principle that the individual concerned should not be required to bear an excessive burden was found applicable in a case concerning the annulment of a public procurement contract which the applicant had entered into in good faith. While noting a wider margin of appreciation when it came to general measures of economic or social strategy, the Court nevertheless considered that the fair balance required the return of his guarantee and reimbursement of some or all of his costs if the termination of the contract had been necessary and unavoidable (*Kurban v. Turkey*, 2020, §§ 80-87).

2. Private-party context

In cases concerning civil-law disputes between private parties, the Court considers whether the related domestic court decisions are arbitrary or otherwise manifestly unreasonable. Its review in the private-party context may also include the question of whether the domestic legal system ensures that property rights are sufficiently protected by law and that adequate remedies are provided. In this respect, the State obligations under Article 1 of Protocol No. 1 as regards disputes between private parties are those generally applicable when an interference with the right to peaceful enjoyment of possessions is perpetrated by a private individual, as formulated in *Kotov v. Russia* [GC], 2012, §§ 113-114, and reiterated in *Kanevska v. Ukraine* (dec.), 2020, § 45, specifically in relation to *bona fide* buyers (case references omitted):

> "The State has a positive obligation to take necessary measures to protect the right to property, particularly where there is a direct link between the measures an applicant might legitimately expect from the authorities and his or her effective enjoyment of possessions, even in cases involving litigation between private parties. This positive obligation aims at ensuring in its legal system that property rights are sufficiently protected by law and that adequate remedies are provided whereby the aggrieved party can seek to defend his or her rights, including, where appropriate, by claiming damages in respect of any loss sustained. The required measures can therefore be preventive or remedial. As to possible preventive measures, the margin of appreciation available to the legislature in implementing social and economic policies is a wide one, especially in a situation where the State has to have regard to competing private interests. As regards remedial measures, States are under an obligation to afford judicial procedures that offer the necessary procedural guarantees and therefore enable the domestic courts and tribunals to adjudicate effectively and fairly any disputes between private persons. The Court's task is then to assess whether the domestic courts' adjudication of a property dispute between private parties was in accordance with domestic law and to ascertain whether their decisions were not arbitrary or manifestly unreasonable."

Action for damages against a third party

1. Public-law context

In the context of correcting errors attributable to State authorities, the possibility of an action for damages against a third person – an intermediary from whom the applicant acquired the property - was considered by the Court in three contexts: (i) exhaustion of domestic remedies; (ii) proportionality of the interference; and (iii) pecuniary damage (just satisfaction) under Article 41.

In the case of *Gladysheva v. Russia*, 2011, where the applicant had been deprived of her housing as a result of its repossession by the State following a decision that its privatisation by a third party had been fraudulent, the Court addressed these three issues as follows:

(i) Having noted that the applicant complained about the revocation of her title to a flat (her only dwelling) by a final and enforceable judgment and having observed that no further recourse that could potentially lead to reinstatement of her title existed under Russian law, it concluded that a possibility to bring an action for damages, in those circumstances, could not deprive the applicant of victim status for the purposes of her complaint under Article 1 of Protocol No. 1 to the Convention. **Nor could it be regarded as necessary for compliance with the rule of exhaustion of domestic remedies**. However, any damages that the applicants might have been able to recover against the seller of the flat might be taken into account for the purposes of assessing the **proportionality** of the interference and the calculation of **pecuniary damage** (§§ 60-62).

(ii) Assessing the **proportionality** of the interference, the Court accepted that an opportunity to bring an action for damages against the seller of the flat (also a *bona fide* owner) was open to her. However, given that the payment of damages could not be pushed back as far as the fraudulent party, whose identity had not been established, an obligation for a victim to sue another *bona fide* individual might amount to a disproportionate burden. Accordingly, the Court did not consider that the State could avoid its responsibility by obliging the applicant to claim compensation for damages from an intermediary *bona fide* owner (§ 81).

(iii) If the applicant was to claim damages from the intermediary *bona fide* owner any award he/she would receive would be taken into account for the purposes of calculating pecuniary damage under Article 41. Conversely, the domestic courts were entitled to take into account the award made by the Court if any related claims came before them subsequently (§ 104).

In post-*Gladysheva* cases, the Court maintained that an action for damages against a third party was not necessary for compliance with the rule of exhaustion of domestic remedies (*Stolyarova v. Russia*, 2015, § 35; *Pchelintseva and Others v. Russia*, 2016, § 83), and it did not accept that the State could shift the possibility to recover damages from the perpetrators to the applicants (*Pchelintseva and Others v. Russia*, 2016, § 99). It followed the same principles in cases concerning other Member States (*Dzirnis v. Latvia*, 2017, § 65, *Atima Limited v. Ukraine*, 2021, § 32).

In a similar vein, the Court rejected the argument that the applicants were eligible to participate in the restitution process again, after they had already done so once and had lost the property through no fault of their own. Reiterating that the correction of the authorities' errors should not create disproportionate new wrongs, it agreed with the applicants that expecting them to undergo a lengthy additional process, without having regard to their particular situation and the reasons why they had lost the previously restored property, had been disproportionate (*Beinarovič and Others v. Lithuania*, 2018, § 145).

2. Private-party context

By contrast, the case of *Kanevska v. Ukraine* (dec.), 2020, concerned a purely **private-party context.** The applicant was a final *bona fide* purchaser of property who lost her property title in favour of the

initial owner of the property (a private party) on the grounds that the property transfer had been the result of fraudulent actions by another private party. The Court considered that the applicant should have lodged a compensation claim against the person (intermediary owner and also the *bona fide* purchaser) from whom she had bought the property in question. It declared the case manifestly ill-founded on that basis (*ibid.*, §§ 49-52).

Noteworthy examples

Restitution:

- *Velikovi and Others v. Bulgaria*, 2007 – deprivation of property pursuant to legislation aimed at compensating victims of arbitrary expropriations during the communist regime. Restitution legislation allowing the dispossession of *bona fide* buyers of formerly nationalised property without adequate compensation;
- *Dzirnis v. Latvia*, 2017 – annulment of the applicant's title to property purchased in good faith but, as it was later established, in breach of restitution law, without compensating him for the loss that he had sustained; and
- *Beinarovič and Others v. Lithuania*, 2018 – annulment of property rights to plots of land acquired in restitution proceedings, on the grounds that the plots were covered by forests of national importance.

Privatisation:

- *Gladysheva v. Russia*, 2011 – revocation of a *bona fide* purchaser's title to flat on account of a previous owner's fraudulent acquisition from State authority;
- *Maksymenko and Gerasymenko v. Ukraine*, 2013 – invalidation ten years after the relevant event (privatisation of a hostel) and all subsequent transfers of property without compensation. That the applicants, who were *bona fide* purchasers, were unable to obtain compensation for their losses inflicted on them by the inconsistent and erroneous decisions of the State authorities, constituted a disproportionate burden;
- *Pchelintseva and Others v. Russia*, 2016; *Ponyayeva and Others v. Russia*, 2016; and *Alentseva v. Russia*, 2016 – actions taken by city authorities to recover ownership of properties that had been purchased by the applicants in good faith, on the ground that the privatisation of the flats by third persons had been affected by various illegalities;
- *Atima Limited v. Ukraine*, 2021 – the applicant company was a *bona fide* purchaser of shares of a company whose privatisation was retrospectively found unlawful; this amounted to an interference with the applicant's title to the shares.

Administrative error:

- *Pyrantienė v. Lithuania*, 2013 – level of compensation the applicant received when the authorities had repossessed a plot of land she had owned in good faith. The sale of land was quashed because it was found that the State did not have the right to sell the property, and that the courts did not take into account the plot's market value in 2005 but had instead relied on its nominal value in 1996;
- *Vukušić v. Croatia*, 2016 – annulment of the title to the applicant's flat, a situation allegedly created by the authorities in which two families had conflicting titles to the same flat;
- *Kurban v. Turkey*, 2020 – annulment of a public procurement contract which the applicant had entered into in good faith;

- *Muharrem Güneş and Others v. Turkey*, 2020 – rejection of claims of ownership of property registered as property of the Treasury during land registry work in the presence of a title deed previously awarded to the *bona fide* claimants by court decision. The particularly long period of time, almost forty-six years, led the Court to establish a failure of the national authorities to react with the requisite speed and in accordance with the principle of good governance and legal certainty.
- *Seregin and Others v. Russia*, 2021 – the applicants' titles to land plots were annulled in favour of public entities who had lost ownership because of administrative errors;
- *Semenov v. Russia*, 2021 – annulment of the applicant's title to a plot of land that he had bought from a private individual for market gardening, and the return of that land to the municipality of Omsk, at the request of the public prosecutor;
- *Gavrilova and Others v. Russia*, 2021 – annulment of the applicants' title deeds to plots of land which they had purchased under a series of transactions, and the return of those plots to State ownership on the grounds that they were "forestry resources".

Welfare:

- *Moskal v. Poland*, 2009 – revocation of a welfare benefit which had been granted by mistake several months before and constituted the applicant's sole source of income. The fact that the applicant had not been required to return the pension which had been paid in error did not mitigate sufficiently the consequences of the abrupt discontinuance of payments;
- *Casarin v. Italy*, 2021 – order to reimburse an employee's benefits related to the implementation of a mobility scheme for public servants after being unduly paid for six years. The Court disagreed with the Government that the applicant should have known that the sums were being transferred to her erroneously.

Third-party fault:

- *Belova v. Russia*, 2020 – recovery of property that used to belong to the State for construction for the 2014 Winter Olympics. The applicant's title was annulled on the basis that the alienation of property had been flawed, and the applicant had not acquired the property in good faith;
- *Kanevska v. Ukraine* (dec.), 2020 – the applicant, a final *bona fide* purchaser of property, lost her property title in favour of the initial owner of the property (a private party) on the grounds that the property transfer had been the result of fraudulent actions by another private party;
- *Nikolay Kostadinov v. Bulgaria*, 2022 – conflicting private interests over the disputed property from the perspective of original owner: failure to protect shareholder from fraudulent takeover of his company, its shares, and assets, by a private party.

Recap of general principles

1. Public-law context

- *Beinarovič and Others v. Lithuania*, 2018, §§ 138-142.

2. Private-party context

- *Kanevska v. Ukraine* (dec.), 2020, § 45.

KEY CASE-LAW REFERENCES

Leading cases

- *Beyeler v. Italy* [GC], no. 33202/96, ECHR 2000-I (violation of Article 1 of Protocol No. 1);
- *Pincová and Pinc v. the Czech Republic*, no. 36548/97, ECHR 2002-VIII (violation of Article 1 of Protocol No. 1);
- *Scordino v. Italy (no. 1)* [GC], no. 36813/97, ECHR 2006-V (violation of Article 6 § 1 and Article 1 of Protocol No. 1);
- *Velikovi and Others v. Bulgaria*, nos. 43278/98 and 8 others, 15 March 2007 (no violation of Article 1 of Protocol No. 1 in five cases on account of abuse by the applicants in obtaining the property, or material violations of the relevant housing regulations, and/or adequate compensation paid to the applicants; violation of Article 1 of Protocol No. 1 in four cases where the State administration had been responsible for irregularities resulting in the applicants' titles having been annulled or the interpretation of the Restitution Law's scope of application had been excessive);
- *Gashi v. Croatia*, no. 32457/05, 13 December 2007 (violation of Article 1 of Protocol No. 1);
- *Kozacıoğlu v. Turkey* [GC], no. 2334/03, 19 February 2009 (violation of Article 1 of Protocol No. 1).

Other cases under Article 1 of Protocol No. 1

- *Moskal v. Poland*, no. 10373/05, 15 September 2009 (violation of Article 1 of Protocol No. 1);
- *Gladysheva v. Russia*, no. 7097/10, 6 December 2011 (violation of Article 8 and Article 1 of Protocol No. 1);
- *Kotov v. Russia* [GC], no. 54522/00, 3 April 2012 (no violation of Article 1 of Protocol No. 1);
- *Vistiņš and Perepjolkins v. Latvia* [GC], no. 71243/01, 25 October 2012 (violation of Article 1 of Protocol No. 1);
- *Maksymenko and Gerasymenko v. Ukraine*, no. 49317/07, 16 May 2013 (violation of Article 1 of Protocol No. 1);
- *Pyrantienė v. Lithuania*, no. 45092/07, 12 November 2013 (violation of Article 1 of Protocol No. 1);
- *Stolyarova v. Russia*, no. 15711/13, 29 January 2015 (violation of Article 8 and Article 1 of Protocol No. 1);
- *Vukušić v. Croatia*, no. 69735/11, 31 May 2016 (no violation of Article 1 of Protocol No. 1);
- *Alentseva v. Russia*, no. 31788/06, 17 November 2016 (violation of Article 1 of Protocol No. 1);
- *Pchelintseva and Others v. Russia*, nos. 47724/07 and 4 others, 17 November 2016 (inadmissible – incompatible *ratione materiae* for the owners' family members; violation of Article 1 of Protocol No. 1 in respect of the owners);
- *Ponyayeva and Others v. Russia*, no. 63508/11, 17 November 2016 (inadmissible – incompatible *ratione materiae* for the owner's family members; violation of Article 1 of Protocol No. 1 in respect of the owner);
- *Dzirnis v. Latvia*, no. 25082/05, 26 January 2017 (violation of Article 1 of Protocol No. 1);
- *Čakarević v. Croatia*, no. 48921/13, 26 April 2018 (violation of Article 1 of Protocol No. 1);

- *Beinarovič and Others v. Lithuania*, nos. 70520/10 and 2 others, 12 June 2018 (violation of Article 1 of Protocol No. 1);
- *Romeva v. North Macedonia*, no. 32141/10, 12 December 2019 (violation of Article 1 of Protocol No. 1);
- *Belova v. Russia*, no. 33955/08, 15 September 2020 (no violation of Article 1 of Protocol No. 1; violation of Article 6 § 1);
- *Kanevska v. Ukraine* (dec.), no. 73944/11, 17 November 2020 (Article 1 of Protocol No. 1 and Article 13: inadmissible – manifestly ill-founded);
- *Kurban v. Turkey*, no. 75414/10, 24 November 2020 (violation of Article 1 of Protocol No. 1; no violation of Article 6 § 2);
- *Muharrem Güneş and Others v. Turkey*, no. 23060/08, 24 November 2020 (Article 1 of Protocol No. 1: admissible in relation to possessions other than forest estate, violation);
- *Casarin v. Italy*, no. 4893/13, 11 February 2021 (violation of Article 1 of Protocol No. 1);
- *Gavrilova and Others v. Russia*, no. 2625/17, 16 March 2021 (violation of Article 1 of Protocol No. 1);
- *Semenov v. Russia*, no. 17254/15, 16 March 2021 (violation of Article 1 of Protocol No. 1);
- *Seregin and Others v. Russia*, nos. 31686/16 and 4 others, 16 March 2021 (violation of Article 1 of Protocol No. 1);
- *Atima Limited v. Ukraine*, no. 56714/11, 20 May 2021 (violation of Article 1 of Protocol No. 1);
- *Lidiya Nikitina v. Russia*, no. 8051/20, 15 March 2022 (violation of Article 1 of Protocol No. 1);
- *Nikolay Kostadinov v. Bulgaria*, no. 21743/15, 8 November 2022 (violation of Article 1 of Protocol No. 1);
- *Ibrahimbeyov and Others v. Azerbaijan*, no. 32380/13, 16 February 2023 (no violation of Article 1 of Protocol No. 1);
- *Demiray v. Türkiye*, no. 61380/15, 18 April 2023 (violation of Article 1 of Protocol No. 1).