



Interim measures concerning Ukrainian prisoners of war

The European Court of Human Rights on 30 June 2022 decided to apply interim measures in the case of **Oliynichenko v. Russia and Ukraine** (application no. 31258/22).

The applicant's husband, Yaroslav Anatoliyovych Oliynichenko, is allegedly a prisoner of war being held by Russian forces. The Court indicated that the Russian Government should ensure respect for Mr Oliynichenko's Convention rights and provide him with medical assistance should he need it.

Following on from this, the Court also stated that these interim measures cover any requests made on behalf of **Ukrainian prisoners of war in Russian custody** in which sufficient evidence has been provided to show that they face a serious and imminent risk of irreparable harm to their physical integrity and/or right to life.

Measures under Rule 39 of the [Rules of Court](#) are decided in connection with proceedings before the Court, without prejudging any subsequent decisions on the admissibility or merits of the case. The Court grants such requests only on an exceptional basis, when the applicants would otherwise face a real risk of irreversible harm. For further information, see [the factsheet on interim measures](#)

The applicant, Karyna Pavlivna Oliynichenko, is a Ukrainian national who was born in 1994 and lives in Mykolaiv (Ukraine). She is the spouse of Yaroslav Anatoliyovych Oliynichenko, who is allegedly a prisoner of war being held by Russian forces.

Mr Oliynichenko, who is deputy commander of his unit, was allegedly captured in Mariupol, and has been registered as such by the Ukrainian authorities. Ms Oliynichenko provided eyewitness accounts of alleged torture inflicted on Ukrainian service personnel while being held by Russian forces in one of the POW camps where Mr Oliynichenko is allegedly captive. She thus asked for the Court to indicate to the Governments of the Russian Federation and of Ukraine to establish her husband's whereabouts, to ensure his safety and to release him.

The Court (the President of the Court) on 30 June 2022 decided to issue an interim measure in this case under Rule 39 of the Rules of Court, indicating that the Government of the Russian Federation should ensure respect for Mr Oliynichenko's Convention rights and provide him with medical assistance should he need it. It indicated that the Government of Ukraine should also, in so far as possible, ensure respect for the Convention rights of Mr Oliynichenko.

Furthermore, the Court decided to extend this measure to cover any requests made on behalf of Ukrainian prisoners of war in Russian custody in which sufficient evidence has been provided to show that they face a serious and imminent risk of irreparable harm to their physical integrity and/or right to life.

The Court has also invited the Government of the Russian Federation to provide, within one week, the following information:

- i. whether Mr Oliynichenko has been captured by Russia; and
- ii. if so, under which conditions is he currently being held, including any medical examinations or treatment he has undergone (supported by medical certificates, if available).

The Government of Ukraine have been asked to submit any relevant information within one week.

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Court grants such requests only on an exceptional basis, when the applicants would otherwise face a real risk of irreversible harm. For further information, see [the factsheet on interim measures](#).

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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.