

Request for urgent measures concerning Ukrainian prisoners of war

Yesterday the European Court decided that a request for interim measures it had received from the Ukrainian Government with regard to Ukrainian prisoners of war – in particular those captured by Russian forces at the Azovstal plant in Mariupol – was already covered by a decision of 30 June 2022 taken in the case [Oliynichenko v. Russia and Ukraine](#) (application no. 31258/22).

In that decision, concerning a member of the Ukrainian military allegedly captured in Mariupol, the Court had held that any requests made on behalf of Ukrainian prisoners of war in Russian custody in which sufficient evidence had been provided to show a serious and imminent risk of irreparable harm would be covered by the measures in that case.

The current request was received in the context of the inter-State case [Ukraine v. Russia \(X\)](#) (no. 11055/22) which concerns the Ukrainian Government's allegations of mass and gross human-rights violations committed by the Russian Federation in its military operations on the territory of Ukraine since 24 February 2022.

For further information see the [Questions and Answers on Inter-State Applications](#) and the [table of Interstate Applications](#).

Yesterday the Court received a request for interim measures from the Ukrainian Government in the case of *Ukraine v. Russia (X)* (no. 11055/22). The Ukrainian Government asked the Court to indicate to the Russian Government the following measures:

“(1) to ensure the respect for rights of Ukrainian prisoners of war under Article 2 (right to life) and 3 (prohibition of inhuman and degrading treatment) of the European Convention on Human Rights, including, not to try any Ukrainian prisoners of war by any “court/tribunal” on 24 August 2022 or in the future;

(2) to provide information about Ukrainian prisoners of war, the conditions in which they are currently being held, including any medical examinations or treatment they require.”

The Ukrainian Government argue in particular that, among other prisoners of war, the Azov Special Purpose Unit of the National Guard of Ukraine, the 36th Separate Marine Brigade, and other military units, as well as the National Police and State Border Guard forces who were captured by the Russian forces at the Azovstal plant in Mariupol in May 2022 face a serious and imminent risk of irreparable harm, given the plans to hold a “show trial” of Ukrainian military captives and taking into account that there is no access to prisoners of war, the constant failure of the Russian Federation to provide information regarding their captivity and plans to sentence them to the death penalty.

The Court decided yesterday that the issues raised in the request were covered in its decision of 30 June 2022 *Oliynichenko v. Russia and Ukraine* concerning another prisoner of war being held by Russian forces. In that case the Court had 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 had also stated that those interim measures covered any requests made on behalf of Ukrainian prisoners of war in Russian custody in which sufficient evidence had been provided to show that they faced a serious and imminent risk of irreparable harm to their physical integrity and/or right to life.

Both parties and the Committee of Ministers have been informed that the Court has reaffirmed its decision of 30 June, without indicating further urgent measures.

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 here: www.echr.coe.int/RSS/en or follow us on Twitter [@ECHR_CEDH](https://twitter.com/ECHR_CEDH).

Press contacts

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

We would encourage journalists to send their enquiries via email.

Tracey Turner-Tretz (tel.: + 33 3 88 41 35 30)

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

Inci Ertekin (tel.: + 33 3 90 21 55 30)

Neil Connolly (tel.: + 33 3 90 21 48 05)

Jane Swift (tel.: + 33 3 88 41 29 04)

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.