

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

FIFTH SECTION

CASE OF MELNYK v. UKRAINE

(Application no. 25753/18)

JUDGMENT

STRASBOURG

24 September 2026

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



In the case of Melnyk v. Ukraine,

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

Andreas Zünd*, President*,
Mykola Gnatovskyy,
Vahe Grigoryan*, judges*,
and Martina Keller, *Deputy Section Registrar,*

Having regard to:

the application (no. 25753/18) against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 23 May 2018 by a Ukrainian national, Mr Mark Yuriyovych Melnyk ("the applicant"), who was born in 1990 and lives in Bila Tserkva;

the decision to give notice of the complaints under Article 3 and Article 11 of the Convention regarding the applicant's alleged ill-treatment by the police and the allegedly ineffective investigation into the matter to the Ukrainian Government ("the Government"), represented by their Agent, Ms M. Sokorenko, of the Ministry of Justice, and to declare the remainder of the application inadmissible;

the parties' observations;

Having deliberated in private on 3 September 2026,

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

SUBJECT MATTER OF THE CASE

1. In the context of public-order operations undertaken to deal with the series of mass protests in Ukraine between November 2013 and February 2014 commonly referred to as "Euromaidan" and/or "Maidan" (see *Shmorgunov and Others v. Ukraine*, nos. 15367/14 and 13 others, §§ 9-17, 21 January 2021), on 18 February 2014 the police used force against protestors, including the applicant, who suffered minor bodily injuries which were later recorded in a medical report. Official investigations into those events and the applicant's complaints of ill-treatment by the police, submitted within the investigations, are currently ongoing. The applicant alleged that his ill-treatment and the lack of an effective investigation into the matter had resulted in violations of Articles 3 and 11 of the Convention. According to the Government, not all of the police officers who used force against the applicant have been identified in the ongoing investigations. Several commanding officers have been charged with abuse of power and illegal interference with the Maidan protests.

THE COURT'S ASSESSMENT

2. The applicant complained under Articles 3 and 11 of the Convention that he had been ill-treated by the police while exercising his right to freedom of peaceful assembly and that there had been no effective official investigation into his ill-treatment.

I. ADMISSIBILITY

3. The Government argued that the applicant's complaints of ill-treatment were premature because the effective investigation into the matter was still ongoing.

4. The Court has already examined and dismissed similar objections by the Government in comparable cases concerning other Maidan protestors (see *Shmorgunov and Others*, cited above, §§ 283-86 and 300-02). Nothing in the parties' submissions persuades the Court to reach a different conclusion in the present case. Accordingly, the Government's objection should be rejected (compare *Krasnyanchuk and Kovalyov v. Ukraine* [Committee], nos. 40009/15 and 40118/15, §§ 8-14, 28 November 2024).

5. The Court further notes that the application is not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention or inadmissible on any other grounds. It must therefore be declared admissible.

II. MERITS

6. The Court notes that the relevant general principles have been summarised in the leading case of *Shmorgunov and Others* (cited above, §§ 327-36, 359-63 and 490-94).

7. In that case, the Court found violations of Articles 3 and 11 of the Convention regarding various instances of ill-treatment of Maidan protestors by the police; the ineffective official investigations conducted into their ill-treatment; and the disproportionate interferences with their right to freedom of assembly (ibid., §§ 337-58, 364-74, 377-91, 407-22, 425-33 and 495-521).

8. Having examined the material available in the present case and taking into consideration the complexity of the proceedings and the progress achieved at the domestic level (see paragraph 1 above), the Court discerns no fact or argument capable of persuading it to reach a different conclusion on the merits of the applicant's similar complaints, which are supported by the relevant medical documents and official information from the domestic proceedings (compare *Krasnyanchuk and Kovalyov*, cited above, §§ 15-19).

9. Accordingly, the Court finds that (i) the applicant was ill-treated by the police and consequently there has been a violation of the substantive limb of Article 3; and (ii) there were disproportionate interferences with his right to

freedom of peaceful assembly and there has therefore been a violation of Article 11.

10. The Court further finds that no effective official investigation has been conducted into the applicant's complaints of ill-treatment by the police and that there has been a violation of the procedural limb of Article 3 on that account.

APPLICATION OF ARTICLE 41 OF THE CONVENTION

11. The applicant did not submit a claim for just satisfaction. Accordingly, the Court considers that there is no call to award him any sum on that account.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;

2. *Holds* that there has been a violation of Article 3 of the Convention under its substantive and procedural limbs;

3. *Holds* that there has been a violation of Article 11 of the Convention in relation to the applicant's right to freedom of peaceful assembly.

Done in English, and notified in writing on 24 September 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Martina Keller Deputy Registrar	Andreas Zünd President