

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

FIFTH SECTION

DECISION

Application no. 23549/20
Pavlo Ivanovych KRYUK against Ukraine
and 7 other applications
(see appended table)

The European Court of Human Rights (Fifth Section), sitting on 7 May 2026 as a Committee composed of:

Andreas Zünd*, President*,
Vahe Grigoryan,
Sébastien Biancheri*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above applications against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on the various dates indicated in the appended table,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicants,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicants' complaints under Articles 3 and 13 of the Convention concerning the inadequate conditions of detention and the lack of any effective remedy in domestic law were communicated to the Ukrainian Government ("the Government"). In application no. 4210/22 the applicant's complaint of the excessive length of pre-trial detention was also communicated under Articles 5 § 3 of the Convention.

THE LAW

A. Joinder of the applications

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

B. Complaints under Articles 3 and 13 of the Convention

The applicants lodged their applications with the Court, complaining of inadequate conditions of detention in the facilities concerned during the periods set out in the appended table. Notably, they indicated their continuing detention in those facilities.

In their observations, the Government provided records from the respective detention facilities indicating that the periods of the applicants' detention differed from those specified in their application forms. In particular, all the applicants had left those facilities between six days and four months before lodging their applications with the Court (see the appended table for the relevant dates).

When invited to comment, the applicants' representatives provided no explanation in this regard; however, some of them amended their statements of facts to reflect the dates of detention submitted by the Government. Only in application no. 4210/22 did the applicant's representative address this issue, submitting that he had had no intention to mislead the Court, but he did not provide any further explanation of the discrepancy at issue.

The Court notes that in the recent case of *Volozhanin and Znakovan v. Ukraine* ((dec.), nos. 19951/21 and 31160/21, 3 March 2026) it found similar issues to those in the present case to amount to an abuse of the right of individual application. In particular, it rejected as abusive applications containing untrue facts regarding the duration of the applicants' detention. The Court further observed that such facts played a key role in determining whether the conditions of detention satisfied the guarantees of Article 3 of the Convention and had a significant impact on any award in respect of non-pecuniary damage. Lastly, it drew strong unfavourable inferences from the applicants' failure to provide any explanation, notwithstanding that they were represented by professional lawyers throughout the proceedings (ibid., §§ 29, 34-35).

In the present case, the applicants' allegations of their continued detention had no basis in any supporting documents or evidence, apart from their bare statements. While the Court is mindful of the objective difficulties experienced by detained persons in gathering evidence to substantiate their claims, it notes that the applicants were represented by professional lawyers from the outset of the proceedings. There was no allegation of any undue restriction on communication between the applicants and their

representatives. Nevertheless, the applicants signed the authority and application forms on the same day outside the detention facilities and subsequently lodged their applications claiming their continuing detention therein.

Accordingly, these complaints must be rejected as an abuse of the right of individual application, pursuant to Article 35 §§ 3 (a) and 4 of the Convention.

C. Remaining complaints

In application no. 4210/22, the applicant also raised a complaint under Article 5 § 3 of the Convention concerning the excessive length of his pre-trial detention.

Although this applicant's conduct which constituted abuse directly concerned only his complaints under Articles 3 and 13 of the Convention, the Court considers that such behaviour should have implications for the admissibility of the entire application (see *Safaryan v. Armenia* (dec.), no. 16346/10, §§ 20-21 and 30, 14 January 2020, and *Mamić and Others v. Croatia* (dec.), nos. 21714/22 and 2 others, §§ 144-45, 9 July 2024).

It follows that the applications as a whole must be rejected as an abuse of the right of individual application, pursuant to Article 35 §§ 3 (a) and 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 28 May 2026.

Viktoriya Maradudina	Andreas Zünd
Acting Deputy Registrar	President

APPENDIX

No.	Application no.	Applicant's name Year of birth	Representative's name and location	Detention facility concerned	Date of signature (authority and application forms)	Date of introduction	Claimed detention period (start and end dates)	Actual most recent detention period (start and end dates)
1.	23549/20	**Pavlo Ivanovych KRYUK** 1990	Ignatov Oleksandr Anatoliyovych Dnipro	Zaporizhzhya Pre-Trial Detention Facility	12/05/2020	12/05/2020	10/06/2017 – pending	16/11/2017 – 23/04/2020
2.	4210/22	**Rustam Narkuliyevych ACHILOV** 1978	Kushnir Valeriy Volodymyrovych Dnipro	Kyiv Pre-Trial Detention Facility	09/12/2021	31/12/2021	06/12/2018 – pending	06/12/2018 – 22/11/2021
3.	33965/22	**Oleksiy Rudolfovych SHULYATYEV** 1975	Rybiy Sergiy Mykolayovych Dnipro	Dnipro Detention Facility no. 4	23/06/2022	26/06/2022	19/04/2021 – pending	19/04/2021 – 14/02/2022
4.	22575/23	**Oleksandr Oleksandrovych MELNYCHENKO** 1988	Pustyntsev Andriy Vitaliyovych Dnipro	Zhytomyr Detention Facility no. 8	15/05/2023	16/05/2023	10/08/2020 – pending	10/08/2020 – 26/04/2023
5.	35061/23	**Oleksandr Vitaliyovych GUDALOV** 1983	Rybiy Sergiy Mykolayovych Dnipro	Poltava Detention Facility no. 23	25/08/2023	31/08/2023	20/04/2022 – 25/08/2023	20/04/2022 – 25/04/2023
6.	35711/23	**Sergiy Mykolayovych MELNYK** 1984	Kulbach Sergiy Oleksandrovych Limoges	Kyiv Pre-Trial Detention Facility	28/06/2023	17/09/2023	03/08/2022 – pending	03/08/2022 – 27/06/2023
7.	5044/24	**Sergiy Mykolayovych SHAKHOV** 1979	Rybiy Sergiy Mykolayovych Dnipro	Romny Detention Facility no. 56	27/01/2024	27/01/2024	03/07/2019 – pending	03/07/2019 – 26/12/2023
8.	12682/24	**Sergiy Fedorovych DOMINOV** 1967	Rybiy Sergiy Mykolayovych Dnipro	Zamkova Detention Facility no. 58	10/04/2024	10/04/2024	13/01/2017 – 10/04/2024	14/04/2023 – 04/04/2024