

SECRETARIAT / SECRÉTARIAT

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRÉTARIAT DU COMITÉ DES MINISTRES

COMMITTEE
OF MINISTERS
COMITÉ
DES MINISTRES



Contact: Zoe Bryanston-Cross
Tel: 03.90.21.59.62

Date: 07/07/2020

DH-DD(2020)612

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1383rd meeting (29 September - 1 October 2020) (DH)

Item reference: Action Plan (06/07/2020)

Communication from Ukraine concerning the case Svetlana Naumenko v. Ukraine (Application No 41984/98) and MERIT v. Ukraine (Application No. 66561/01)

* * * * *

Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1383^e réunion (29 septembre - 1 octobre 2020) (DH)

Référence du point : Plan d'action (06/07/2020)

Communication de l'Ukraine concernant l'affaire Svetlana Naumenko c. Ukraine (requête n° 41984/98) MERIT c. Ukraine (requête n° 66561/01) (**anglais uniquement**)



DGI

06 JUIL. 2020

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

**МІНІСТЕРСТВО
ЮСТИЦІЇ
УКРАЇНИ**

вул. Архітектора Городецького, 13,
м. Київ, 01001, Україна
тел.: (044) 364-23-93
факс: (044) 271-17-83
E-mail: callcentre@minjust.gov.ua,
themis@minjust.gov.ua,
Web: <http://www.minjust.gov.ua>
код згідно з ЄДРПОУ 00015622

**MINISTRY
OF JUSTICE
OF UKRAINE**

13, Horodetskogo Arkhitekтора St., Kyiv,
01001, Ukraine
tel.: (044) 364-23-93
fax: (044) 271-17-83
E-mail: callcentre@minjust.gov.ua,
themis@minjust.gov.ua,
Web: <http://www.minjust.gov.ua>
код згідно з ЄДРПОУ 00015622

Ms Clare Ovey

**Head of Department Ad Interim
Department for the execution of judgments
of the European Court of Human Rights
Directorate General 1 – Human Rights
and Rule of Law**

Council of Europe
F-67075 Strasbourg Cedex

*As to the execution of the Court's judgments in group of cases
"Merit/Svetlana Naumenko v. Ukraine"*

Dear Madam,

Herewith please find enclosed the Government of Ukraine Updated Action Plan for the execution of the European Court of Human Rights judgments in the group of cases "Merit/Svetlana Naumenko v. Ukraine" (application nos. 66561/01 and 41984/98, judgments final on 30 June 2004 and on 30 March 2005, respectively).

This information has been also sent by e-mail.

Encl: on 30 pages.

Yours faithfully,

**Ivan LISHCHYNA
Deputy Minister – Agent before
the European Court of Human Rights**



UB
Міністерство юстиції України
№5244/5.2.1/25-20 від 25.06.2020
Ліщина І.Ю. (Заступник Міністра юстиції
України - Уповноважений у справах
Європейського суду з прав людини)
25.06.2020 18:52

DGI

06 JUIL. 2020

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

Execution of Judgments of the European Court of Human Rights

Action Plan

**on measures to be taken for implementation of the Court's judgments
in Merit/Svetlana Naumenko groups of cases
(application nos. 66561/01 and 41984/98,
judgments final on 30/06/2004 and 30/03/2005, respectively)**

CASE SUMMARY

These groups of cases concern mainly the excessive length of civil (*Svetlana Naumenko* group) and criminal (*Merit* group) proceedings and the lack of effective remedies in this respect (violations of Article 6§1 and Article 13 of the Convention).

Other violations found by the Court concern:

- the failure to enforce domestic court decision (violation of Article 6§1 and Article 1 of Protocol No. 1 to the Convention);
- the lack of a fair trial due to the application of the supervisory review procedure (violation of Article 6§1 of the Convention);
- the lack of relevant and sufficient grounds for the continued detention on remand of the applicants (violation of Article 5§3 in the *Burov* and *Kolesnikov* cases);
- the excessive length of restriction on the applicant's freedom of movement (violation of Article 2 of Protocol No. 4 in the *Zarochentsev* case).

INDIVIDUAL MEASURES

The Government of Ukraine would like to refer to the Committee of Ministers' decision of 5 December 2019 regarding execution of the Court's judgments in *Merit/Svetlana Naumenko* groups of cases and provide the information on the outstanding issues in remaining cases, namely on the payment of just satisfaction, the state of proceedings in the cases pending at domestic level attached in *Annex I* and *Annex II*.

GENERAL MEASURES

I. Current legislative framework

Over the last six months, a new reform of the judiciary has led to developments either in legislation framework or in administration of justice.

The recent measures taken by the Government in response to the judicial reform are being examined within the context of the *Oleksandr Volkov* group of cases.

The Government are encouraged that new judicial reform may have some positive impact on the length of proceedings. In particular, on 11 March 2020 the Constitutional Court of Ukraine **declared unconstitutional** certain articles of the Law of Ukraine "On Judiciary and Status of Judges" and Some Laws of Ukraine on the Activity of Bodies of Judicial Governance" No. 193-IX¹, *inter alia*, which were

¹ See Decision No 4-r/2020 at the link <http://www.ccu.gov.ua/en/docs/2988>

criticised by the Committee of Ministers in December 2019 within the examination of the implementation of judgments in *Oleksandr Volkov* and *Merit/Svetlana Naumenko* groups of cases, namely reducing of the number and amount of remuneration of judges of the Supreme Court.

Moreover, the Government would like to reiterate that in 2016, during the judicial reform, the Supreme Court of Ukraine was liquidated. Instead, a new Supreme Court was formed, to which a separate competition was held. By the Decision No 2-r/2020 of 18 February 2020, the Constitutional Court of Ukraine declared that judges of the Supreme Court of Ukraine must continue to exercise their powers as judges of the Supreme Court. Therefore, the actual differentiation of the judges of the Supreme Court of Ukraine and those of the Supreme Court is not consistent with the principle of irremovability of judges, which is a part of the constitutional guarantee of the independence of judges. The right of a judge to resign is a constitutional guarantee of the independence of judges (Article 126.6.4 of the Constitution).

In order to resolve the problem with the two Supreme Courts existed, on 22 June 2020 the President of Ukraine submitted to the Parliament of Ukraine a Draft Law “On Amendments to the Law of Ukraine “On Judiciary and Status of Judges” and some Laws of Ukraine on the Activities of the Supreme Court and Judicial Governance” No 3711. The Draft Law proposes to determine that judges of the Supreme Court of Ukraine should be enrolled in the Cassation Courts within the Supreme Court and subjected to a new qualification assessment within one year.

It is to be noted that after the Law No 193-IX came into force the formation of a new High Qualification Commission of Judges of Ukraine (the “**HQCJ**”) the formation of a new composition of the HQCJ has begun. In this regard this body are temporary unable to perform its functions, in particular, in terms of submitting to the High Council of Justice requests to send judges to another courts of the same level and specialisation for the administration of justice.

Currently, 26 judges continue to administer justice on the basis of business trip decisions in 20 local and appellate courts. These judges have a large number of court cases. However, the term of business trips of the respective judges is coming to an end. Taking into account the above, there is a reasonable need to extend the term of secondment of judges to ensure access to justice for citizens in these courts.

In order to resolve the staff collapse in the judiciary, to improve the procedure for the secondment of judges, as well as to strengthen the independence of the judiciary in Ukraine and public confidence in it, the authorities prepared the relevant legislative amendments and on 4 June 2020 the Parliament of Ukraine adopted the Law of Ukraine “On Amendments to the Law of Ukraine “On Judiciary and Status of Judges” regarding business trips of judges and settlement of other issues on ensuring the functioning of the justice system during the absence of the authorised composition of the High Qualifications Commission of Judges of Ukraine” No 679-IX², which came into effect on 20 June 2020.

In addition, it is noteworthy to underline a legal response to a problem as the need to regulate the validity of the results of the qualifying examination of candidates for the position of judges, who are enrolled in the relevant reserve by the HQCJ to fill vacant positions of judges of local courts.

² <https://zakon.rada.gov.ua/laws/show/679-20?lang=en#Text>

The Law No 193-IX terminated the HQCJ powers; however, the issue of the validity of the results of the qualifying examination had not been resolved, although this directly affects the rights and interests of candidates for the position of judge.

It is worth noting that the procedure for selecting and appointing judges can be assessed as lengthy and rather complex, as it has several successive levels, involving a large number of bodies with different functions and powers. A significant amount of funds from the state budget of Ukraine and donor assistance was spent on the selection procedure according to European standards (including training for candidates for the position of a judge at the National School of Judges of Ukraine), as well as passing the qualifying exam.

The state cannot allow the loss of well-trained staff for the judiciary, especially given that one of the priorities in reforming the judiciary is to overcome the shortage of judges. Moreover, the European Commission for Democracy through Law in the Opinion “On Amendments to the legal framework governing the Supreme Court and Judicial Governance Bodies”, adopted at its 121st Plenary Session (6-7 December 2019) No 969/2019 noted that “48. ... *the source of problem of the backlog of cases is not the Supreme Court itself, but the courts of first and second instance, which have not yet been reformed. ... The approach must be to first reform the lower instances and to fill these vacancies before turning the Supreme Court into a court of cassation. Otherwise, the access to the court under Article 6 of the European Convention would be severely hampered*”.

Suspension of the results of the qualifying examination, and, consequently, the period of stay of candidates in the reserve, will contribute not only to a fair decision on the protection of candidates for the position of local court judge in terms of termination of powers of members of the HQCJ, but also, first of all, timely filling of vacant positions of judges at the expense of the current personnel reserve and ensuring the rights of citizens to access to justice.

It will also justify the state budget, which was spent on training candidates for the position of a judge of a local general court.

Therefore, the relevant amendments to the Laws of Ukraine “On Judiciary and Status of Judges” and “On the High Council of Justice” were prepared and submitted to the Parliament of Ukraine for consideration. As of today, the Draft Law “On Amendments to the Final and Transitional Provisions of the Law of Ukraine “On Judiciary and Status of Judges” regarding the Regulation of the Validity of the Qualification Exam for Candidates for the Position of a Judge” No 3575 of 2 June 2020 is operated by the Parliamentary Committees.

Moreover, the Parliament of Ukraine is considering a number of draft laws directly related to the judiciary, in particular:

- Draft Law “On Amendments to the Law of Ukraine “On Judiciary and Status of Judges” No 2742 of 15 January 2020;
- Draft Law “On Amendments to the Law of Ukraine “On Judiciary and Status of Judges” to limit the maximum amount of judicial remuneration during an emergency situation in Ukraine” No 3495 of 15 May 2020;
- Draft Law “On approval of the Concept of priority measures for further implementation of the judicial reform in Ukraine” No 3521 of 21 May 2020;
- Draft Law “On Amendments to the Law of Ukraine “On Judiciary and Status of Judges” to ensure the participation of the Public Council of Integrity in the assessment of compliance with the position of a judge” No 3534 of 25 May 2020.

The President of Ukraine by Decree No 203/2020³ approved the Annual National Program under the auspices of the NATO-Ukraine Commission for 2020, part of the measures of which concern the judiciary. Thus, one of the goals of the Annual Program for 2020 is to ensure an independent, efficient, accessible and accountable judiciary, which is trusted by society.

The priorities in achieving this goal are:

1. Implementation of the Unified Electronic Information and Telecommunication Court System by:
 - Ensuring the implementation of modules of this System in all the courts of Ukraine;
 - Providing the courts with the means of informatisation for proper functioning of the above System.
2. Ensuring the beginning of functioning of the district courts by:
 - Providing financial, logistical and organisational component activities of local district courts;
 - Appointment the chiefs of staff in local district courts.
3. Ensuring full-fledged activities of the High Anti-Corruption Court of Ukraine by carrying out reconstruction work of relevant buildings and putting them in operation.
4. Providing citizens with access to the information on gender statistics (personnel indicators) of appellate and local courts, State Judicial Administration of Ukraine and its territorial bodies.

As of today, the efficiency of this goal is quite high, as evidenced by high number of: courts that are connected to all modules of the Unified Electronic Information and Telecommunication Court System; of lawsuits filed for using the “E-Court” system; of criminal cases considered with the participation of a jury; gender statistical indicators of personnel composition of appellate and local courts, State Judicial Administration of Ukraine and its territorial bodies; percentage of people with disabilities who applied to the court to protect their rights in civil affairs; percentage of courts where funds are used for online communication with citizens.

It is to be noted that according to the Cabinet of Ministers *Program of Activities* (Resolution No 849 of 29 September 2019), which was approved by the Parliament of Ukraine, the Ministry of Justice of Ukraine is responsible for fulfillment, among other things, of the Objective 12.4 “A person who is in a difficult life situation receives legal defense from the state”, aiming at creating an effective system for the execution of the European Court’s judgments.

In order to perform the tasks identified by the Program, as well as to ensure the interaction of public authorities for effective and proper implementation of the European Court’s judgments in cases against Ukraine, the Ministry of Justice of Ukraine has developed a draft Resolution of the Cabinet of Ministers “On Establishment of a Commission for Execution of the European Court’s of Human Rights judgments”.

Therefore, on 1 April 2020 the Cabinet of Ministers adopted a Resolution “On the establishment of the Commission for the Execution of Judgments of the European Court” No. 258⁴. The key task of this Commission relates, *inter alia*, to resolving all problematic issues of systemic and structural nature within the implementation of the Court’s judgments.

³ <https://www.president.gov.ua/documents/2032020-33861>

⁴ <https://zakon.rada.gov.ua/laws/show/258-2020-%D0%BF?lang=en#Text>

The main objectives of the Commission are as follows:

- development of mechanisms to eliminate systemic and structural problems, found out in the Court's judgments in cases against Ukraine, and prevent further appearance of such problems;
- elaboration and submission to the Cabinet of Ministers of Ukraine of proposals with regards to: 1) execution of the Court's judgments in the cases against Ukraine and the relevant decisions of the Committee of Ministers of the Council of Europe on the adoption of measures to execute them; 2) guidance of the central executive authorities and provision of their cooperation in order to fully and effectively execute the Court's judgments in cases against Ukraine and to provide that the Committee of Ministers of the Council of Europe adopts its Final Resolutions on the execution of each specific Court's judgments in cases against Ukraine;
- Improvement of the legal and regulatory framework to provide for the execution of the Court's judgments.

The first meeting of the Commission is planned to be held in the coming months. The Government of Ukraine would like to assure the Committee of Ministers that the problematic at issue will be one of the priorities of this Commission.

II. The recent judicial/administrative practice

According to the domestic legislation, the Supreme Court is the highest court in the judicial system of Ukraine, which ensures the stability and unity of judicial practice in the manner prescribed by procedural law.

The Supreme Court, within its jurisdiction, draw considerable attention to the implementation of the Convention, application of the European Court's case law and takes a number of measures to address the structural problem of excessive length of court proceedings.

As to the excessive length of court proceedings and the factors that cause it, it is worth noting that the list of factors that affect the length of court proceedings is inexhaustible and different for cases of various jurisdictions, but after analysing the domestic judicial practice, some of them should be underlined. The main factors influencing the length of the proceedings include: 1) complexity of the case, 2) the need to study a significant amount of case files, 3) examinations and further awaiting for expert opinions, 4) non-compliance with the court rulings on the appearance of a witness, 5) non-appearance of participants in the proceedings and their unfounded requests, 6) incompleteness of the courts by judicial staff, as a result of which a significant number of cases is distributed to a one judge, which results in an increase in the time of consideration of the case.

The Law of Ukraine "On Amendments to Certain Legislative Acts of Ukraine Aimed at Providing Additional Social and Economic Guarantees in Connection with the Spread of Coronavirus Disease (COVID-19)" No 540-IX of 30 March 2020 extended the terms for appealing the judicial decision.

Therefore, all court decisions of the courts of first instance, which were delivered during the quarantine in the country, will take effect only after its expiration, *i.e.* when the term for appeal expires even if the parties of the proceedings have no intention to appeal against the court decision.

Other procedural terms have been also extended, in particular, regarding change of a subject or grounds of the claim; increase or decrease of the amount of claims; appeal, leaving the appeal without motion, return of the appeal; filing an application for cancellation of the court order; consideration of the case on the merits, which suspends the proceedings; filing an application for review of court decisions on a newly-discovered or exceptional circumstances; appeal against the decision of the arbitral tribunal, trial, cassation appeal, filing a response.

These legislative changes influence on the administration of justice in cases of civil, administrative and commercial jurisdiction, as well as allow the participants in court proceedings to abuse their procedural rights, which leads, among other things, to excessive length of proceedings.

1) Statistical data collection

❖ **Judicial data collection**

As to Article 36.2.2 of the Law of Ukraine “On Judiciary and Status of Judges”, the Supreme Court analyses judicial statistics and unified judicial practice. From the content of the provisions of Article 46.2 of this Law, it is clear that the analysis of judicial statistics and generalisation of judicial practice of the Plenum of the Supreme Court provides clarification of recommendatory nature on the application of law in the cases of the court.

In accordance with Article 152 of the above Law, the State Judicial Administration of Ukraine organises work on the maintenance of judicial statistics, record keeping and archives; monitors the state of office work in the courts.

According to the State Judicial Administration Order No 311 of 9 March 2017 “On approval of forms of reports on the administration of justice by local and appellate courts”, the court reports on court cases are compiled summary data for the relevant reporting periods: first quarter, first half, 9 months, and a year. These reports include statistics, in particular on the speed of proceedings and the overall length of court proceedings and materials.

The above statistical data is not disclosed. Alas, it not allow the possibility to provide a comprehensive assessment on the current average length of civil and criminal judicial proceedings at all levels, which is required in the recent Committee of Ministers’ decision of 5 December 2019⁵ on execution of the European Court’s judgments within *Merit/Svetlana Naumenko* groups of cases.

The Government consider it would be useful to publish such statistics on publicly available resources as one of the ways to solve the problem of irrelevance of judicial statistics, which is put on the public domain. In addition, they consider it necessary to introduce a register of statistics on the number of cases related to the payment of compensation in cases regarding violation of a reasonable time, in order to monitor the current situation and overcome the systemic problem of excessive length of court proceedings.

It is worth noting that on 8 November 2018 from the representatives of the Supreme Court it was formed a **Working Group** for determining the directions of solving the problem of excessive length of court

⁵[https://hudoc.exec.coe.int/eng#{%22fulltext%22:\[%22merit%20v.ukraine%22\],%22EXECDocumentTypeCollection%22:\[%22CMDEC%22\],%22EXECIdentifier%22:\[%22CM/Del/Dec\(2019\)1362/H46-34E%22\]}](https://hudoc.exec.coe.int/eng#{%22fulltext%22:[%22merit%20v.ukraine%22],%22EXECDocumentTypeCollection%22:[%22CMDEC%22],%22EXECIdentifier%22:[%22CM/Del/Dec(2019)1362/H46-34E%22]})

proceedings in accordance with the European Court's of Human Rights case law (Order of a Head of the Supreme Court No 57-OD).

The working group was set up to identify ways to address the problem of excessive length of court proceedings in accordance with the case law of the European Court. This group is aim at determining the real state of the problem and identify ways to solve it in the context of the Ukraine's compliance with their obligations based on the provisions of Article 6 of the Convention.

On 5 May 2020 during the meeting, the Working Group approved an *Analytical Reference* (report) on the duration of civil and criminal proceedings.

While preparing the Analytical Reference the representatives of the Working Group have developed an appropriate methodology for researching the problem on excessive length of proceedings.

- *Methodology*

Official statistics do not make it possible to trace the actual duration of each case in the courts, as according to official reports such duration is taken into account only for courts and only for general criteria. Thus, the relevant reports reflect the number of cases considered by the courts of first or appellate instance within a certain criterion defined in the report – up to one year, more than one year, more than two years, and so on.

Thus, if one case is considered in the court of first instance within one year, then further review of the report does not allow establishing the total duration of the case in the courts of all instances. In the appellate court, it begins to be calculated anew and recorded only the term of being the case in this court.

Along with the identified issue of the specifics of accounting for the duration, the problem of the impossibility of accounting for the total duration of the case due to the lack of a unified system of record keeping in the courts, because in the courts of the first and the appellate instances there is one system of record keeping, in the courts of cassation – another. This makes it impossible to keep track of the length of court proceedings.

Awareness of these problems has necessitated the definition of a special methodology for assessing the duration of court proceedings and conducting its (assessment) in the “manual” mode, *i.e.* without the use of technical means and programs.

In order to fulfill the set tasks, it was decided to analyse the duration of separate consideration of civil cases, separately –criminal proceedings (of those that were considered before the Supreme Court).

Given the limited human resources and time opportunities, the Working Group have analysed the duration of 600 civil cases and 600 criminal proceedings (which is about 20% of all cases in the Unified State Register of Court Decisions). At the same time, given that the Supreme Court has been functioning for only more than two years, the subject of analysis was 300 cases/proceedings completed by the Supreme Court in 2018, and 300 cases/proceedings completed by the Supreme Court in 2019.

In order to form a sample that would be adequate to the purpose of the study, cases/proceedings were selected according to the time criterion, *i.e.* for analysis were taken cases completed in March, April 2018 and October, November 2019. The choice of such months is due to the fact that according to the statistics of the Supreme Court in these periods on average the largest number of cases is considered, the reason for which is the lack of vacation periods, periods of decline in business activity etc.

The choice of this criterion made it possible to cover the analysis of random categories of cases and, accordingly, to obtain data with a high degree of reliability, which would not be distorted by the artificial selection of cases of a certain category or duration.

As noted above, only those cases that had been closed and only those pending before the Supreme Court were analysed. It is obvious that the choice of such a methodology is characterised by known shortcomings of incompleteness, because many cases are not reviewed in cassation. However, on the other hand, this approach demonstrate the picture of cases that are hypothetically considered by the courts for the longest time, as all three courts pass, and provided that the relevant cases could be considered by the courts again (because they could be sent by the courts for retrial), such a sample the ability to track the actual worst situation and to assume that other cases – those that are not appealed in cassation – are considered faster.

Subject to the adoption of an appropriate methodology, it can be developed in at least two areas: 1) increasing such a sample of cases pending before the Supreme Court; 2) increase of such sample at the expense of cases, which were not subject to cassation appeal.

The analysis of the sample, which was carried out in the course of the study, did not have significant, fundamental differences.

Length of Civil Proceedings

As noted above, the subject of the analysis were civil cases completed by the Supreme Court in March, April 2018 and October, November 2019.

The results of this analysis can be presented in the table.

The period of the sample	Statistical information on individual indicators		
	total number	time period	percentage rate
TOTAL	40	up to 1 year	7%
	139	up to 2 years	23%
	181	up to 3 years	30%
	131	up to 4 years	22%
	67	up to 5 years	11%
	42	more than 5 years	7%

The period was determined from the moment when a claimant applied to the court with a claim until the date when the Cassation Civil Court within the Supreme Court delivered a decision.

According to the table, 60% of civil cases were considered by courts of three instances within 3 years, and 82% of cases – within 4 years.

The arithmetic mean of the duration of civil proceedings is **2 years 8 months**.

It should be noted that given the deadlines provided by the Code of Civil Procedure of Ukraine in courts of first, appellate, cassation instances, given the deadlines for appeal and cassation appeal, such a period of consideration of a model case is about 10 months (300-340 days).

It is of great importance in the context of study – consideration of the case in the court of cassation. The average length of proceedings in this court largely depends on the number of cases pending before it. The burden of cases is excessive – about 27,032 cases and complaints were transferred from the Supreme Court of Ukraine to the Cassation Civil Court with the Supreme Court, *i.e.* in average about one thousand cases per judge.

According to the recent data, the Cassation Civil Court with the Supreme Court received 410 cases once a week, while 645 cases were considered during the same period. The average weekly average revenue ranges from 400 to 600 cases. Indicators of consideration of such cases on average correspond to the amount of their receipt.

In 2019, the Cassation Civil Court with the Supreme Court received 26,037 cases, and 32,378 were considered. Thus, in annual terms, the number of cases considered is higher than the number of cases received for consideration.

It should be noted that the Cassation Civil Court with the Supreme Court has taken measures to overcome this problem. Thus, according to the results of the first competition, 30 judges in the Cassation Civil Court with the Supreme Court started working in the Supreme Court, and according to the results of the second competition, 52 judges began to be members of the court. The increase in the number of judges has led to a decrease in the number of cases heard by one judge on average from 332 to 170 compared to 2019.

This led to an uneven workload, as the judges of the first selection were assigned cases transferred from the Supreme Court of Ukraine, and the judges of the second selection were assigned only new cases.

In order to solve the relevant problem, during the meeting of judges of the Cassation Civil Court with the Supreme Court it was decided to re-distribute the cases, which were transferred from the Supreme Court of Ukraine, between all judges. This measure made it possible to ensure the prompt consideration and resolution of such cases and, consequently, to influence their duration.

Subsequently, a similar approach was applied in 2020 to cases received before 2018. The move was also intended to balance the burden on judges, and thus speed up the handling of civil cases brought before the court.

Thus, taking into account the relevant measures, as well as in view of the “cassation filters” introduced by the procedural legislation, taking into account the increase in the number of judges of the Cassation Civil Court with the Supreme Court, the total duration of consideration in civil courts will be reduced. This will be facilitated, *inter alia*, by the development by the Supreme Court of established legal positions, which will in future be relevant to cases before both the Supreme Court and the courts of first and appellate instances.

Length of Criminal Proceedings

Similarly, about 600 cases were selected for analysis of the length of criminal proceedings, in which procedural decisions were adopted by the Cassation Criminal Court within the Supreme Court during February-April 2018 and October-December 2019; 300 cases from each period, respectively.

The results of this analysis presented in the table below.

The period of the sample	The average rate of consideration of the proceedings	Statistical information on individual indicators		
		total number	time period	percentage rate
TOTAL	971 days (2 years 7 months and 29 days)	11	up to 1 year	2 %
		184	up to 2 years	31 %
		222	up to 3 years	37 %
		103	up to 4 years	17 %
		51	up to 5 years	8 %
		29	more than 5 years	5 %

The period of time was determined from the moment when the person was notified of the suspicion until the date when the Cassation Criminal Court within the Supreme Court delivered a decision. However, due to the lack of information in some cases on the date of notification of suspicion, either the date of entry of the information on the criminal offence in the Unified Register of Pre-Trial Investigations or the date of its commission were taken into account for the relevant analysis.

According to the table, 70% of criminal cases were considered (taking into account the stages of pre-trial investigation and trial) within 3 years, and 87% of the analysed volume – 4 years at three levels of jurisdiction.

The arithmetic average of the duration of criminal proceedings is **2 years 7 months**.

It should be noted that the indicator of the duration of criminal proceedings under the same articles of the Criminal Code of Ukraine is not constant and the same, the reasons for which may be the complexity of the case, admission/non-admission of a guilt, the amount of evidences to be examined by the court, the need interrogation of witnesses and ensuring their participation to testify in court, etc.

Please note that the time period for determining the duration of criminal proceedings was determined from the moment the person was notified of the suspicion, and in other cases – commission of a crime/entering information into the Unified Register of Pre-Trial Investigations, and therefore the total duration of criminal proceedings also includes the pre-trial period investigation, upon completion of which the relevant authorities sent an indictment to the court. In view of these circumstances, the duration of the trial is shorter compared to the total length of the criminal proceedings.

For example, the total length of the criminal case No 658/1658/16-k (proceedings No 51-735km18) on charges of committing a crime under Article 186 (“Robbery”) of the Criminal Code of Ukraine was 4 years and 24 days, despite the fact that the time period from the moment of notifying a person of suspicion to the appointment by a judge of a preparatory hearing on the basis of the received indictment was more than 2 years 2 months and 5 days – half of the total length of the criminal proceedings in this case.

In the case No 489/3676/14-k (proceeding No 51-497km18) on charges of committing crimes under Article 186.2 and Article 187.2 (“Armed Robbery”) of the Criminal Code of Ukraine, the length of proceedings concluded to more than 4 years and 11 months. However, the period from the moment of entering the information into the Unified Register of Pre-trial Investigations to the date of appointment by the judge of the preparatory court hearing in this case was more than 1 year.

The length of the criminal proceedings in case No 209/3986/18 (proceedings No 51-2063 km 19) concerning the accusation of a person of committing a crime under Article 205 (“Fancy Entrepreneurship”) of the Criminal Code of Ukraine is also noteworthy. Thus, according to the data, the total length of criminal proceedings, which began from the date of the crime until the decision of the Cassation Criminal Court within the Supreme Court, was more than 3 years and 5 months. At the same time, the time from the date of the crime to the appointment in the case of a preparatory hearing on the indictment received concluded to more than 2 years and 7 months, which significantly affected on the length of criminal proceedings in general.

The domestic courts also considered the case No 757/32965/17-k (proceedings No 51-757 km 19) on charges of a person committing a crime under Article 307.2 (“Illegal production, making, purchasing, storage, transportation, sending or sale of narcotics, psychotropic substances or their analogues”) of the Criminal Code of Ukraine. The length of the general consideration of this criminal proceeding was more than 5 years and 3 months. At the same time, its length from the moment of entering information about a criminal offence into the Unified Register of Pre-trial Investigations to sending an indictment to court and appointing a preparatory hearing in the case was more than half of the total term of consideration – more than 2 years and 11 months.

Therefore, the Government believe that they show a comprehensive assessment of judicial data with detailed statistics on the current average length of civil and criminal judicial proceedings. However, the statistics is limited for objective reasons; the Government consider it is possible to introduce a unified approach in managing the judicial office-work. They will inform the Committee about subsequent developments at stake.

The Government would like to note that a full-fledged implementation of the electronic court (*Unified Electronic Information and Telecommunication Court System* – an online platform for communicating with the court) could ensure a breakthrough in the case consideration procedure. For participants to the proceedings, this will mean that they would be able to file a lawsuit, review case files, or even participate in a court hearing and obtain a judicial decisions without leaving the comfort of their homes or workplaces – using their computer connected to the web. All that need is to have a digital signature and register in the system. This will save time and money – both for the parties and the courts. Cases will exist in the electronic form, which will help avoid their physical relocation from one court to another in case the decision is appealed.

The required legal framework and even the platform for this have already been created. Unfortunately, currently the State Judicial Administration and the High Council of Justice postponed the launch of this system indefinitely due to the lack of preparation. This did not remove the obligation to implement it from the agenda.

At least today, one can participate in the court proceedings via video conference, yet a person still needs to come to the nearest court that will ascertain the participant's identity and connect him/her to the court considering the case.

❖ Law-Enforcement bodies' statistics

The law-enforcement bodies collect statistics on the average duration of pre-trial investigation in criminal proceedings under internal regulatory documents. In particular, according to the form No 1-SL "On the work of investigative bodies of the National Police", "On the work of security investigative bodies", "On the work of investigative bodies monitoring tax compliance", "On the work of investigative bodies of the National Anti-Corruption Bureau of Ukraine". The indicators of the statistical data collection are formed on a quarterly cumulative basis from the beginning of the reporting year, summarise information on the timing of pre-trial investigation of criminal proceedings in accordance with Article 219 ("Time limits for pre-trial investigative action") of the Code of Criminal Procedure of Ukraine.

In view of the above, please be advised in the table below with the available information on the terms of pre-trial investigation of criminal proceedings by the National Police, Security Service, tax authorities and the National Anti-Corruption Bureau of Ukraine during 6 and 12 months of 2019, as well as for 3 months of 2020.

Period of time	Name of the body	In total, criminal proceedings have been completed (without repeats)	including:				
			in which the person is noticed of suspicion in committing a crime	of them:	of which completed on time:		
				completed within 2 months from the date of notification of the person of suspicion	up to 3 months	from 3 to 6 months	from 6 months to 1 year
6 months of 2019	National Police of Ukraine	321816	62419	2408	1486	861	61
	Security Service of Ukraine	1778	704	170	30	112	28
	State Fiscal Service of Ukraine	1004	642	21	9	10	2
	National Anti-Corruption Bureau of Ukraine	147	33	23	4	10	9
12 months of 2019	National Police of Ukraine	737112	120204	4760	2981	1675	104
	Security Service of Ukraine	2886	1160	281	40	202	39
	State Fiscal Service of Ukraine	2204	909	30	11	16	3
	National Anti-Corruption Bureau of Ukraine	325	69	43	11	16	16
3 months of 2020	National Police of Ukraine	193023	30557	1322	778	497	47
	Security Service of Ukraine	388	294	57	9	43	5
	State Fiscal Service of Ukraine	405	257	6		5	1
	National Anti-Corruption Bureau of Ukraine	71	16	10	2	1	7

The results of the prosecutors' work on consideration of citizens' appeals on pre-trial investigation of criminal proceedings are accounted for in the form No P "On the Work of the Prosecutor" (approved by Order No. 350 of 18 November 2015) without separating data on their consideration, in accordance with Article 308⁶ ("Complaining against failure to respect reasonable time") of the Code of Criminal Procedure of Ukraine.

⁶ Article 308: 1. A suspect, accused, victim and other persons rights and legal interests of whom are limited during the pre-trial investigation may file a complaint with a higher-level prosecutor against the failure to respect reasonable time during pre-trial investigative action by the investigator, prosecutor.

In addition, prosecutors draw special attention to deal with reasonable deadlines for pre-trial investigation.

Mostly, the duration of the pre-trial investigation is influenced by the objective reasons, as follows: the commission of a crime in conditions of obscurity; the scene of crime (the most typical is the commission of a crime in the area of an environmental protection, including the demarcation line); the complexity of investigating certain categories of crimes (gravity), criminal proceedings; the need to conduct a significant number of investigative (investigative) and covert investigative (investigative) actions in order to establish the identity of the offender and eyewitnesses; long-term forensic examinations; significant participation of the prosecutor in the consideration of petitions by investigating judges; complaints during the pre-trial investigation, sending and executing requests for international legal assistance, delaying the pre-trial investigation by participants in criminal proceedings, etc.

The issue of overly formalised requirements of procedural law also in the most cases delay proceedings. In particular, due to the need to agree on almost all measures to ensure criminal proceedings and most investigative (investigative) actions with the investigating judge, untimely consideration of most motions by investigating judges, against which the prosecutor has no possibility to appeal, even if he/she considers it illegal or unfounded.

At the same time, in order to carry out speedy, complete and impartial investigation, prosecutors provide instructions in accordance with Article 36 (“Prosecutor”) of the Code of Criminal Procedure of Ukraine, personally or with their participation carry out the necessary investigative actions, criminal proceedings are discussed at operational meetings with the participation of the top staff.

2) As to the staffing and financing of the judiciary

In accordance with part four of Article 126, Article 133 of the Law of Ukraine “On Judiciary and Status of Judges” the tasks of judicial self-government include participation in determining the needs of staff, financial, logistical and other support of courts compliance with the established standards of such support, as well as control over the organisation of courts. The Council of Judges of Ukraine examining the volume of cases and materials on the judges of the courts, examining the actual number of judges to date, and court information on the state of justice; supports the courts’ proposals to reduce the number of judges in some local and appellate courts.

By the Decision of 5 July 2019 “On implementation of the decisions of the Congresses of Judges of Ukraine on determining the staffing needs of the courts” No 35 the Council of Judges found at that time, according to various estimates, that Ukraine lacks about 2,000 judges for the normal functioning of the judicial system. At the same time, at the beginning of 2019, with a staff of 7,200 judges, only 2,151 current judges successfully passed the qualification assessment. As of 1 April 2019, out of 5,285 judges, only 4,128 had the power to administer justice. That is, more than a thousand judges’ magistracy have expired and, for various reasons, after the expiration of the five-year term, their powers had not been appointed indefinitely.

2. The higher-level prosecutor shall be required to consider the complaint within three days of its filing and, present grounds for sustaining it, issue for the relevant prosecutor binding instructions as to the time limits for conducting specific procedural actions or making procedural decisions. The person who has filed the complaint shall be promptly notified of the results of its consideration.

3. Officers who are at fault for failure to respect reasonable time may be held liable by law.

According to the joint statement on the situation in the judicial system, the heads of the Cassation Courts within the Supreme Court and the head of the Supreme Court, the High Council of Justice, the HQCJ, the Council of Judges of Ukraine, the State Judicial Administration, the head of the National School of Judges of Ukraine decided that 2,701 judges had passed the qualification assessment; with regard to 2,586 judges – qualification assessment is ongoing.

At the same time, at the end of 2019, more than two thousand judges were dismissed, which significantly affected on the staffing of courts and the ability to ensure impartial and fair trial within a reasonable time. Today, 14 courts in the country do not administer justice because of the absence of judges in the courts' staff, in 154 courts the number of judges who administering justice is less than 60 percent of the staff.

In November 2019, the State Judicial Administration based on paragraph five of the Procedure for preparation by the State Judicial Administration of Ukraine of materials on determining the maximum number of judges in courts No 586 of 27 November 2018, submitted an informational letter to the Council of Judges of Ukraine regarding the number of judges in some local and appellate courts.

Pursuant to Part 6 of Article 19 of the Law of Ukraine “On Judiciary and Status of Judges”, the State Judicial Administration of Ukraine in agreement with the High Council of Justice taking into account the judicial workload and within the State Budget of Ukraine determines the number of judges in courts.

The State Judicial Administration of Ukraine, having analysed the proposals of the courts, in order to optimise the expenditures of the state budget and taking into account the judicial workload of judges, proposed to reduce the number of judges. By the decision No 94⁷⁷ of 22 November 2019 the Council of Judges of Ukraine decided to agree on a reduction in the number of judges:

- In Kyiv Court of Appeal for 15 positions;
- In South-Western Commercial Court of Appeal for 8 positions;
- In North-Western Commercial Court of Appeal for 1 position;
- In Western Commercial Court of Appeal for 3 positions;
- In Dnipropetrovsk District Administrative Court for 8 positions;
- In District Administrative Court of Kyiv for 11 positions.

The Government would like to reiterate that due to the Law of Ukraine “On Judiciary and Status of Judges” the judicial system consists of:

- 1) local courts (district courts, circuit commercial courts, circuit administrative courts);
- 2) courts of appeal;
- 3) the Supreme Court (Cassation Administrative Court, Cassation Commercial Court, Cassation Criminal Court and Cassation Civil Court within the Supreme Court).

According to the above Law, the high specialised courts (the High Court of Intellectual Property and the High Anti-Corruption Court) operate in the judicial system to consider certain categories of cases.

⁷⁷ <http://rsu.gov.ua/ua/documents?id=93&page=2&per-page=8>

In this regard, the Government would like to demonstrate the overall picture with the staff of judges in Ukrainian courts in the table below.

Courts	Limited number of judges in the courts	Actual number of judges in the courts	Total number of vacant positions of judges in the courts
<i>Local courts</i>	5045	522 (circuit administrative and commercial courts – 0)	4523
<i>Courts of Appeal</i>	1439	966	473
<i>High Specilised Courts</i>	69	38	31
<i>Supreme Court</i>	196	189	7
Total	6749	1715 (25%)	5034 (75%)

Information on the number of positions of judges which is provided above takes note on the temporary number of judges determined by the State Judicial Administration in agreement with the High Council of Justice.

To date, the circuit administrative and commercial courts and the High Intellectual Property Court have not started their work and there are no judges in these courts.

As of today the actual number of judges in all local courts that administer justice is 3,431, the total number of vacant positions of judges is 1,978 (about 58%). Number of judges in other liquidated courts which do not administer justice – 74.

The Government have already noted above that in accordance with paragraphs 2 and 3 of Section II “Final and Transitional Provisions” and from the date of entry into force of the Law No 193-IX, the powers of members of the HQCJ have been terminated. To date, its new composition has not been formed.

The Government would like to note on 3 April 2017 by the Decision No 28/zp-17 the HQCJ announced the competition of candidates for the position of a judge to the local courts.

According to the results of the qualifying examinations of the HQCJ, decisions were made which:

on 19 April 2019 approved the rating of candidates for the position of a judge to the local court of general jurisdiction; on 14 May 2019 – the rating of candidates for the position of a judge to a circuit commercial courts, on 15 May 2019 – the rating of candidates to the circuit administrative courts and enrolled candidates in the reserve to fill vacant positions of judges to the local courts within the selection procedure.

In particular, in 2019, the HQCJ held the following competitions to fill vacant positions of judges, namely:

- 78 vacant positions of judges of the Cassation Courts within the Supreme Court, as a result of which 75 candidates were appointed to the positions of judges of the relevant courts of the Supreme Court;
- 39 vacant positions of judges of the High Anti-Corruption Court and the Appellate Chamber of the High Anti-Corruption Court, as a result of which 27 candidates were appointed to the positions of judges of the High Anti-Corruption Court and 11 candidates – to the positions of judges of the Appellate Chamber of the High Anti-Corruption Court;
- 505 vacant positions of judges of local courts of general jurisdiction, as a result of which on 7 August 2019, recommendations were made to the High Council of Justice on the appointment of 467 candidates for the positions of judges;
- 76 vacant positions of judges of circuit administrative and commercial courts, as a result of which on 1 October 2019, the High Council of Justice received recommendations on the appointment of 76 candidates for judges.

To date, the following competitions have not been completed:

- To fill 21 vacant positions of judges in the High Court of Intellectual Property.
- To fill 9 vacant positions of judges of the Appellate Chamber of the Supreme Court on intellectual property issues.
- To fill 35 vacant positions of judges of local courts.
- To fill 7 vacant positions of judges of local general courts of Donetsk and Luhansk regions.
- To fill 346 vacant positions of judges of appellate courts.

It is to be noted, that on 22 June 2020, the President of Ukraine signed Decree No 243/2020 on the appointment of 27 judges to the position of judges in local courts.

As to the global sanitary situation that has occurred in March 2020 and requires from the governments of all countries to take urgent measures the Cabinet of Ministers of Ukraine adopted the Resolution “On prevention of the spread on the territory of Ukraine of acute respiratory disease COVID-19 caused by coronavirus SARS-CoV-2” No 211 of 11 March 2020.

The quarantine regime introduced by the government for combating pandemic of COVID-19 in Ukraine, as well as appropriate administrative measures (restriction and prohibition of many economic activities) – led to severe financial and economic consequences, stopping entire sectors of public economy and, as a result, to a reduction in budget revenues at all levels and a forced austerity regime throughout the country.

Many citizens lost their jobs, while others had significantly reduced incomes. Under such conditions, state support and state funding should be provided primarily to those citizens who need them most (socially vulnerable categories of citizens), as well as to those sectors of the economy whose work is crucial in such conditions (medicine, agriculture, strategically important industries).

At the same time, it should be understood that “quarantine” is just one example of a possible emergency, when an unexpectedly powerful blow hits the economy of the whole country and the Government need to choose the right priorities to get out of a difficult situation.

Such a period also up the ante of the need to reduce the manifestations of social injustice and reduce the degree of social tension caused by the incredibly large difference between the salaries of top officials,

on the one hand, and the salaries of doctors, teachers, military and other public officers, on the other. It is worth mentioning that the minimum wage in Ukraine from 1 January 2020 was about EUR 157, the amount of the minimum old-age pension from the same time – about EUR 63. At the same time, many high-ranking officials receive 15, 30 or even 50 minimum salaries per month.

The above leads to the conclusion that during the operation in the country of certain emergencies related to catastrophes, accidents, fires, natural disasters, epidemics, hostilities, the use of means of destruction or other dangerous events that have led (may lead) to threats to life or health of the population, a large number of dead and injured, significant material damage, as well as for some time (necessary for recovery) after the cessation of the emergency – it is advisable to introduce restrictions on the maximum monthly salary of top officials and management state-owned companies (including judges) that receive this salary from the budget.

As for now, the necessary legislative amendments (see Draft Law No 3495 of 15 May 2020, mentioned above) are considering in the Parliament of Ukraine. It should be underlined that the draft law proposes to provide for the possibility of limiting the maximum monthly judge's remuneration to no more than twelve minimum wages and only for the period of emergency in Ukraine (see Article 135-1 of the Law as amended).

However, the Government understand their obligation to ensure the constitutional guarantees of the independence of judges which is enshrined by part one of Article 130 of the Constitution of Ukraine, in particular to provide funding and appropriate conditions for the functioning of courts and judges by separately determining court expenses in the State Budget of Ukraine.

According to the legal position of the Constitutional Court of Ukraine and in terms of constitutional submissions, the provisions of the first part of Article 130 of the Constitution of Ukraine, namely: "The state provides funding and appropriate conditions for the functioning of courts and the activities of judges", should be understood as follows:

- ☐ financing of all courts in Ukraine should be provided by the state exclusively at the expense of the State Budget of Ukraine;
- ☐ on behalf of the state, the Cabinet of Ministers of Ukraine provides funding for courts by developing and submitting to the Parliament of Ukraine a draft law on the State Budget of Ukraine;
- ☐ the State Budget of Ukraine should determine separately for all courts of Ukraine the costs of their maintenance not lower than the level that allows for the independent administration of justice, with the subsequent provision of full and timely allocation of such costs;
- ☐ Executive bodies participate in the organisational support of the functioning of courts and the activities of judges in the cases and in the manner prescribed by the Constitution of Ukraine and the laws of Ukraine.

It is clear for the Government that the amount of judges' remuneration and staffing in the courts are interrelated. However, the recent amendments are forced and temporary in order to prevent budget deficits during special circumstances and emergencies in the country, and, of course, to ensure at least the minimum needs of the entire population, not to develop social inequality in society.

The Government would like to assure the Committee that they take all possible measures in order to resolve current situation at issue.

3) *Cooperation activities with the Council of Europe and establishment of effective remedies (Article 13)*

The Government of Ukraine highly appreciate the contribution of the Council of Europe institutions in the development of an effective system of justice in Ukraine. The Government take into account and adhere to all Recommendations of the Committee of Ministers.

Recommendation Rec (2004) 6 (para 24) of the Committee of Ministers to the Member States “On Improving Domestic Remedies” provides for the Council’s of Europe assistance to Member States in setting up effective remedies. In particular, in the form of reports on the findings in the result of analysis of the existing national remedies prepared by expert consultants with the aim at improving the efficiency of these remedies.

In 2020, with the support of the Council of Europe project “Further support for Ukraine in implementation of judgments in the context of Article 6 of the European Convention on Human Rights” a number of meetings with the authorities, in particular regarding discussions of the outstanding issues within the execution of the European Court’s judgments in *Merit/Svetlana Naumenko* group of cases were held. Among them: two working meetings to determine areas of work of the Working Group of the Supreme Court on the issue of excessive length of court proceedings in accordance with the European Court’s case law in 2020.

Thus, on 3 March 2020 the participants of the first working meeting discussed the issues as follows:

- the main reasons for the lengthy proceedings;
- the existence of an inadequate judicial map, a major problem of understaffing of Ukrainian courts, as well as judicial intent, so it is necessary to take into account various aspects of the existing problem of the length of proceedings; at the same time, communication between the Supreme Court and the Ministry of Justice of Ukraine is established, for example, in the development of draft laws on improving deadlines, namely in civil cases (adoption); it is proposed to shift the emphasis to the consideration of cases in the courts of cassation;
- the lack of a comprehensive judicial data collection system that reflects the objective start and end of the court proceedings is one of the most critical issues to be addressed; the term of the proceedings is fixed from the moment of receipt of the case until the moment of completion of its consideration in the instance (if the case falls under a new consideration, the term is calculated anew); today it is not technically possible to set a general deadline for court proceedings, as there are different databases in cassation and first instance courts that cannot be integrated to see the progress of the case from beginning to end (the implementation of the Unified Electronic Information and Telecommunication Court System should solve this problem).

As a result of the discussion, the participants agreed on the following further action plan of the working group:

- to conduct research on best practices for the implementation of remedies (with an emphasis on preventive remedies) against excessive length of court proceedings;
- to analyse the mechanisms of collecting statistical data on determining the length of court proceedings at all levels based on the experience of the European Court and/or other member states of the Council of Europe;

- to present an overview of the CEPEJ tools that define and improve the measurement mechanism and help to develop indicators of court time, as well as identify mechanisms and tools for collecting information through statistical analysis;
- to consider the feasibility of conducting an analysis of the practice of court decisions in appellate and cassation courts on compliance/non-compliance with the reasonable time limits for court proceedings within the new procedural codes.

On 22 May 2020, it was held the second working meeting (via video conferencing), during which the participants discussed:

- a review of the practice of member states of the Council of Europe on the introduction of effective remedies to address the length of court proceedings;
- the draft law “On Amendments to Certain Legislative Acts”, which was developed by the Supreme Court and provides for the introduction of preventive remedies, as well as to exchange views on recommendations provided to establish its compliance with Council of Europe standards;
- the problematic issues related to the judicial data collection system, which demonstrates the general state of the length of court proceedings in Ukraine;
- identified a list of analytical studies that can be conducted by Council of Europe experts and discuss the approximate timing of their preparation;
- exchanged views on a possible date for public discussions of expert materials with the representatives of public authorities and civil society concerned.

It is to be noted that within the framework of the Working Group of Supreme Court and in order to take the initial steps for solving the problem of excessive length of court proceedings prepared amendments to Articles 7 and 24 of the Law of Ukraine “On Judiciary and Status of Judges” and to Article 28 of the Code of Criminal Procedure of Ukraine were prepared. The amendments include new provisions that prescribe the possibility for the parties to appeal to the head of the court where the proceedings are pending if the reasonable time limit for consideration of the relevant case was violated. In turn, the head of the court take all necessary measures for ensuring the reasonable time of consideration of the case. As of today, the proposed legislative amendments are discussing among the authorities concerned.

The Government would like to underline that they take all possible measures, available in current realities (quarantine restrictions that affected the functioning of the state as a whole; new judicial reform) in order to adopt concrete measures aimed at setting up effective domestic remedies for excessive length of proceedings. In this regards and with assistant of the experts of the Council of Europe project “Further support for Ukraine in implementation of judgments in the context of Article 6 of the European Convention on Human Rights” they are examining the best practices of the Council of Europe member states in dealing with this problem.

As to the experience of other Council of Europe member states, it should be noted that the legal models in each of these countries are different, and any recommendation based on the experience of other countries may not lead to the expected results. Moreover, the introduction of any new legal mechanism in the legal model of a particular state due to various factors may not solve the problem fully. That is why new remedies should be chosen and implemented carefully. Nevertheless, there are no doubt that the various legal instruments developed by the Council of Europe concerning the excessive length of legal proceedings can be used.

For now, the Government are examining the experience of those Council of Europe member states that have implemented effective remedies recognised by the Committee of Ministers or the European Court of Justice (or both). In this context, it is worth noting two main remedies in dealing with the excessive length of court proceedings:

- Accelerator, or preventive, and
- Compensatory.

According to the case law of the European Court, a combination of two types of remedies, one to expedite legal proceedings and the other to obtain compensation, appears to be the best solution to remedy breaches of the “reasonable time” requirement (see the judgment in the case of “*Scordino v. Italy*”, no 36813/97, para. 186-187).

It should be noted that the head of local courts may have the power to deal with complaints of non-compliance with the reasonable time requirements. This is separately provided for in the conclusion No 19 (2016) of the Consultative Council of European Judges (CCJE).

The Government consider that the remedy can only be effective if it is part of a wider range of measures to ensure that domestic courts consider cases within a reasonable time. Preventive remedies should be effective to avoid the continued use of compensatory remedies. Compensatory remedies must ensure an appropriate and timely response to any violation of the right to a trial within a reasonable time at the domestic level. The combination of both remedies should ensure their complementarity and effective interaction (for example, the mandatory exhaustion of preventive remedies before any use of compensatory remedies). In this regard, the participants of the working meetings envisage the possibility of the first-priority introduction of a preventive remedy and further gradual introduction of a compensatory remedy, subject to a thorough financial and organisational analysis of the consequences of such implementation.

On 12 June 2020 with the support of the Council of Europe project “Human rights compliant criminal justice system in Ukraine” it was completed a comparative study: “Providing Effective Remedies to Secure Criminal Proceedings within a Reasonable time: A Comparative Study”. The study focuses on effective remedies to secure criminal proceedings within a reasonable time as provided for under Article 13 of the Convention. It compares the legislation and practice of five member-states of the Council of Europe – Bulgaria, Lithuania, Poland, Romania, and Slovenia – in the context of the relevant judgments of the European Court vis-à-vis these countries as well as the execution of those judgments at the national level. The findings of the comparative study are meant to support the Ukrainian authorities in the process of addressing the systemic issue of lack of effective remedies to secure criminal proceedings within a reasonable time established in the “*Merit v. Ukraine*” group of cases.

Moreover, within this Council of Europe project in cooperation with PricewaterhouseCoopers Advisory (PwC) it has been launched the functional and organisation analysis of regional and local prosecutor’s offices in Ukraine.

The analysis includes:

- analysis of functions and organisational structure,

- number of staff and workload,
- working processes in selected regional and local (district) prosecutor's offices.

The exercise is carried out in close coordination with the Office of the Prosecutor General. The analysis is not meant to assess or audit prosecutors' work but is aimed at collecting and analysing information in order to develop recommendations for the Office of the Prosecutor General to support the improvement of the working processes in the public prosecution system at regional and local levels in the framework of the reform. The analysis is conducted by PwC in three regions of Ukraine: Kyiv, Lviv, and Poltava and is planned to be completed by early August 2020.

STATE OF EXECUTION

From the very outset, it is worth noting that the Government of Ukraine understand the importance of ensuring steadfast political will, continuous political support at the highest level to resolve the problem at stake.

Integrated solution of the problem regarding excessive length of court proceedings is crucial in order to gain the compliance of Ukraine's legal system with the European system of human rights protection. The above issue has the direct influence on the process of implementation of the European standards in the Ukrainian judicial system.

The Government of Ukraine believe that they have fully examined the experience of other countries, who were facing similar problems in order to adopt a comprehensive approach to this difficult issue.

The Government of Ukraine understand the importance of resolving the problem at stake and its complexity, as well as the fact that Ukraine is not the only negative example of this phenomenon in Europe.

Indeed, the excessive length of proceedings is such a complex phenomenon that affected almost all the countries of the Council of Europe. The Government of Ukraine continue to study other member states' of the Council of Europe experience in solving this problem.

The Government of Ukraine believe they show due diligence in fulfilment of obligations arising from the above judgments and will inform the Committee about further developments and measures taken by **15 August 2020**.

06 JUL. 2020

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

ANNEX I

**Payment of just satisfaction sums to the applicants in all cases of
Merit/Svetlana Naumenko groups, where such information is awaited**

No	Case Title and Application no.	Date of Final Judgment	Payment Deadline	Information on Payments
1.	Garagula and Sych v. Ukraine (application no. 42361/12)	04/06/2020	04/09/2020	The enforcement proceeding in applicant's case is currently pending.
2.	Svirgunets v. Ukraine (application no. 38262/10)	30/04/2020	30/07/2020	The enforcement proceeding in applicant's case is currently pending.
3.	Dykusarenko v. Ukraine (application no. 7218/19)	09/04/2020	09/07/2020	The enforcement proceeding in applicant's case is currently pending.
4.	Radzevil v. Ukraine (application no. 36600/09)	10/03/2020	10/06/2020	On 12/05/2020 – EUR 500 (UAH 14548, 30) were transferred to Ms N. Radzevil bank account.
5.	Yelnik v. Ukraine (application no. 10444/13)	06/02/2020	06/05/2020	Mr Yelnik did not submit his full banking details to the State Bailiff Service on time. Thus, on 30/04/2020 – EUR 2200 (UAH 64740, 28) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at applicant's disposal.
6.	Zakutniy v. Ukraine (application no. 17843/19)	06/02/2020	06/05/2020	On 06/04/2020 – EUR 900 (UAH 26604, 09) were transferred to Mr Zakutniy bank account.
7.	Yuriy Koval v. Ukraine (application no. 35121/09)	23/01/2020	23/04/2020	On 19/03/2020 – EUR 4500 (UAH 134071, 20) were transferred to Mr Koval bank account.
8.	Sargsyan and others v. Ukraine (application no. 54012/07)	09/01/2020	09/04/2020	On 04/03/2020 – EUR 15000 (UAH 415284) and EUR 5000 (UAH 138428) were transferred to the bank accounts of Mr Sargsyan and Mr Tokarev.
				On 19/03/2020 – EUR 15000 (UAH 446904) were transferred to Mr Gordus bank account. On 03/03/2020 – EUR 2000 (UAH 55215) were transferred to the applicant's representative bank account (Mr. Tarakhkalo).
				On 03/03/2020 – EUR 15000 (UAH 414112, 50) and EUR 2000 (UAH 55215) were transferred to the bank accounts of Mr Kravets and Mr Tarakhkalo.

9.	Azyukovska v. Ukraine (application no. 47921/08)	17/12/2019	17/03/2020	On 20/02/2020 – EUR 1450 (UAH 38931, 78) were transferred to Ms Azyukovska bank account.
10.	Krasnyuk v. Ukraine (application no. 66217/10)	17/12/2019	17/03/2020	Mr Krasnyuk did not submit his full banking details to the State Bailiff Service on time. Thus, on 17/03/2020 – EUR 2500 (UAH 72624, 75) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at applicant's disposal.
11.	Shcherbak and others v. Ukraine (application no. 44689/10)	19/12/2019	19/03/2020	Mr Shcherbak did not submit his full banking details to the State Bailiff Service on time. Thus, on 12/03/2020 – EUR 3600 (UAH 99736, 92) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at applicant's disposal.
				On 07/02/2020 – EUR 1800 (UAH 48678, 30) were transferred to Mr Kvyach bank account
				On 07/02/2020 – EUR 4200 (UAH 113582, 70) were transferred to Mr Lyeskov bank account.
	Turovskyy v. Ukraine (application no. 103649/19)	12/03/2020	12/03/2020	Mr Turovskyy did not submit his full banking details to the State Bailiff Service on time. Thus, on 12/03/2020 – EUR 3600 (UAH 103649, 76) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at applicant's disposal.
12.	Rudenko v. Ukraine (application no. 4940/19)	05/12/2019	05/03/2020	Mr Rudenko did not submit his full banking details to the State Bailiff Service on time. Thus, on 19/02/2020 – EUR 500 (UAH 13214, 55) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 26/05/2020 – to the applicant's bank account.
13.	Khudobets v. Ukraine (application no. 7190/19)	05/12/2019	05/03/2020	Mr Khudobets did not submit his full banking details to the State Bailiff Service on time. Thus, on 17/03/2020 – EUR 3200 (UAH 84573, 12) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 28/04/2020 – to the applicant's bank account.
14.	Bayrashevskyy and others v. Ukraine (application no. 29298/18)	14/11/2019	14/02/2020	On 14/01/2020 – EUR 1700 (UAH 45254, 85) were transferred to Mr Bayrashevskyy bank account.
				On 23/01/2020 – EUR 1500 (UAH 40476, 45) were transferred to Ms Budarina bank account.
				On 14/01/2020 – EUR 1700 (UAH 45254, 85) were transferred to Mr Zdayevskyy bank account.

				On 14/01/2020 – EUR 2400 (UAH 63889, 20) were transferred to Mr Tretyak bank account.
15.	Shtepa v. Ukraine (application no. 16349/17)	24/10/2019	24/01/2020	On 13/12/2019 – EUR 3600 (UAH 94472, 71) were transferred to Ms Shtepa bank account.
16.	Tsatsenko and Ryabokon v. Ukraine (application no. 5481/19)	17/10/2019	17/01/2020	On 11/01/2020 – EUR 780 (UAH 20160, 09) were transferred to Mr Tsatsenko bank account. On 05/12/2019 – EUR 1200 (UAH 31820, 57) were transferred to Mr Ryabokon bank account.
17.	Kopytets and Shtopko v. Ukraine (application no. 9706/19)	17/10/2019	17/01/2020	Mr Kopytets did not submit any information on his banking details to the State Bailiff Service. Thus, on 26/12/2019 – EUR 3000 (UAH 77538, 82) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at applicant's disposal. Mr Shtopko did not submit his full banking details to the State Bailiff Service on time. Thus, on 26/12/2019 – EUR 3900 (UAH 100800, 46) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 05/03/2020 – to the applicant's bank account.
18.	Nesterenko and others v. Ukraine (application no. 26256/11)	03/10/2019	03/01/2020	On 13/12/2019 – EUR 2400 (UAH 62981, 81) were transferred to Ms Korkiyaynen bank account. Mr Tuzovskyy did not submit his full banking details to the State Bailiff Service on time. Thus, on 17/12/2019 – EUR 900 (UAH 23564, 14) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 05/05/2020 – to the applicant's bank account.
19.	Korostylyov v. Ukraine (application no. 37790/18)	11/07/2019	11/10/2019	Mr Korostylyov did not submit his full banking details to the State Bailiff Service on time. Thus, on 09/10/2019 – EUR 3600 (UAH 97276, 74) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 04/11/2019 – to the applicant's representative bank account (Ms V.M. Korotkova).
20.	Krivolapov v. Ukraine (application no. 5406/07)	02/01/2019	02/04/2019	Mr Kalmykov did not submit his full banking details to the State Bailiff Service on time. Thus, on 20/03/2019 – EUR 300 (UAH 9254, 78) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 24/10/2019 – to the applicant's representative bank account.

21.	Mariyanchuk and others v. Ukraine (application no. 14490/07)	17/01/2019	17/04/2019	On 10/04/2019 – EUR 11000 (UAH 329603, 98) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at Mr Mariyanchuk's disposal.
22.	Vega and others v. Ukraine (application no. 51414/07)	06/12/2018	06/03/2019	On 04/03/2019 – EUR 900 (UAH 27519, 56) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at Mr Tonkonozhenko's disposal. Mr Voronovych did not submit his full banking details to the State Bailiff Service on time. Thus, on 01/03/2019 – EUR 900 (UAH 27 596, 18) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 03/12/2019 – to the applicant's bank account.
23.	Karelskiy and others v. Ukraine (application no. 44475/08)	06/12/2018	06/03/2019	Mr Snezhko did not submit any information on his banking details to the State Bailiff Service. Thus, on 05/03/2019 – EUR 2000 (UAH 61154, 58) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at the applicant's disposal. Mr Burkun did not submit his full banking details to the State Bailiff Service on time. Thus, on 05/03/2019 – EUR 5900 (UAH 180406, 02) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 19/03/2020 – to the applicant's bank account.
24.	Verkhoglyad and others v. Ukraine (application no. 66356/10)	08/11/2018	08/02/2019	Mr Pavlenko submitted to the State Bailiff Service information about his banking details which situated in territories outside governmental control. Thus, on 22/12/2018 – a just satisfaction sum (EUR 5900/UAH 186311, 84) was transferred to the special deposit account of the Ministry of Justice of Ukraine and on 22/01/2020 – to the applicant's representative bank account (Mr Martynovskyi).
25.	Shishkina and others v. Ukraine (application no. 27273/09)	28/06/2018	28/09/2018	Mr Lepekhin did not submit his full banking details to the State Bailiff Service on time. Thus, on 25/09/2018 – EUR 2700 (UAH 89097, 68) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 10/10/2019 – to the bank account of the applicant's representative? Ms D.O. Khramova).
26.	Bondarenko and others v. Ukraine	28/06/2018	28/09/2018	Mr Galimon did not submit any information on his banking details to the State Bailiff Service.

	(application no. 27052/09)			<p>Thus, on 25/09/2018 – EUR 1200 (UAH 39598, 97) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, awarded sum is still available at applicant's disposal.</p> <p>Mr Kukhtin did not submit his full banking details to the State Bailiff Service on time. Thus, on 25/09/2018 – EUR 5900 (UAH 194694, 93) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 17/02/2020 – to the bank account of applicant's representative, Mr S.A. Zayets)</p> <p>Mr Grebeshkov did not submit any information on his banking details to the State Bailiff Service. Thus, on 25/09/2018 – EUR 2400 (UAH 79197, 94) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, awarded sum is still available at applicant's disposal.</p> <p>Mr Chernov did not submit his full banking details to the State Bailiff Service on time. Thus, on 25/09/2018 – EUR 5900 (UAH 194694, 93) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 06/03/2020 – to the bank account of applicant's representative, Mr I.S. Koba).</p> <p>Mr Tverdokhle did not submit any information on his banking details to the State Bailiff Service. Thus, on 25/09/2018 – EUR 1400 (UAH 46198, 80) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, awarded sum is still available at applicant's disposal.</p>
27.	Skidan and Zinkovskyy v. Ukraine (application no. 52321/14)	28/06/2018	28/09/2018	<p>Mr Skidan did not submit any information on his banking details to the State Bailiff Service. Thus, on 20/09/2018 – EUR 1200 (UAH 39513, 88) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, awarded sum is still available at applicant's disposal.</p>
28.	Trishkovskaya and others v. Ukraine (application no. 47424/13)	14/06/2018	14/09/2018	<p>Ms Trishkovskaya did not submit any information on her banking details to the State Bailiff Service. Thus, on 12/09/2018 – EUR 3900 (UAH 128036, 11) were transferred to the special deposit account of the Ministry of Justice of</p>

				Ukraine. As of today, awarded sum is still available at applicant's disposal.
29.	Krasyukov and others v. Ukraine (application no. 64181/09)	03/05/2018	03/08/2018	<p>Mr Krasyukov did not submit any information on his banking details to the State Bailiff Service.</p> <p>Thus, on 26/07/2018 – EUR 1800 (UAH 56012, 91) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, awarded sum is still available at applicant's disposal.</p> <p>Mr Skobey did not submit any information on his banking details to the State Bailiff Service. Thus, on 26/07/2018 – EUR 2300 (UAH 71572, 05) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, awarded sum is still available at applicant's disposal.</p>
30.	Rashitov and others v. Ukraine (application no. 60085/12)	29/03/2018	29/06/2018	Mr Pelagey did not submit his full banking details to the State Bailiff Service on time. Thus, on 19/06/2018 – EUR 1200 (UAH 36618) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 05/11/2019 – to the applicant's bank account.
31.	Ivanov and others v. Ukraine (application no. 48759/06)	08/02/2018	08/05/2018	<p>Mr Shyshkov did not submit any information on his banking details to the State Bailiff Service. Thus, on 27/04/2018 – EUR 5900 (UAH 188862, 89) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, awarded sum is still available at applicant's disposal.</p> <p>As to Mr Zgurskiy, on 27/04/2018 – EUR 5900 (UAH 188 862, 89) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicant for providing his banking details, but he did not respond to any of them. Thus, on 09/09/2019 – the sum was returned to the State Budget.</p> <p>As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>

32.	Karington v. Ukraine (application no. 4306/12)	11/01/2018	11/04/2018	<p>As to Mr Karington, and Mr Yevchev, on 09/04/2018 – EUR 3600 (UAH 114629, 01) and EUR 1800 (UAH 57314, 51) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicants for providing their banking details, but they did not respond to any of them. Thus, on 13/08/2019 and on 12/09/2019 – the sums were returned to the State Budget.</p> <p>As of today, applicants have not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
33.	Mikheylov v. Ukraine (application no. 80643/12)	11/01/2018	11/04/2018	<p>As to Mr Kuzmenko and Mr Shkolenko, on 13/04/2018 – EUR 1300 (UAH 41393, 81) and EUR 1200 (UAH 38209, 67) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicants for providing their banking details, but they did not respond to any of them. Thus, on 12/09/2019 and on 22/01/2020 – the sums were returned to the State Budget.</p> <p>In addition, according to the case-files, Mr Shkolenko died on 28/04/2014.</p> <p>As of today, Mr Kuzmenko and any heirs of Mr Shkolenko have not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
34.	Nakonechnyy v. Ukraine (application no. 34900/08)	11/01/2018	11/04/2018	<p>Mr Rubel did not submit any information on his banking details to the State Bailiff Service. Thus, on 13/04/2018 – EUR 5900 (UAH 187864, 22) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>As of today, awarded sum is still available at applicant's disposal.</p>
35.	Prigarin and others v. Ukraine (application no. 8660/09)	30/11/2017	30/02/2018	<p>As to Mr Prigarin and Mr Popik, on 26/02/2018 – EUR 1900 (UAH 63143, 45) and EUR 1600 (UAH 53 173, 43) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicants for providing their banking details, but they did not respond to any of them. Thus, on 19/08/2019 – the sums were returned to the State Budget.</p> <p>As of today, applicants have not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>

				Mr Lebedev did not submit any information on his banking details to the State Bailiff Service. Thus, on 26/02/2018 – EUR 2400 (UAH 79 760, 15) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at the applicant's disposal.
36.	Bezborodov and others v. Ukraine (application no. 69816/13)	12/10/2017	12/01/2018	Mr Bezborodov did not submit his full banking details to the State Bailiff Service on time. Thus, on 26/12/2017 – EUR 1800 (UAH 59461, 84) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 22/11/2019 – to the applicant's representative bank account, Ms K.I. Kirova.
37.	Shylo and others v. Ukraine (application no. 41135/08)	22/06/2017	22/09/2017	<p>Mr Shylo did not submit any information on his banking details to the State Bailiff Service. Thus, on 21/09/2017 – EUR 1500 (UAH 46917, 85) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at the applicant's disposal.</p> <p>As to Mr Opanasenko, on 21/09/2017 – EUR 1200 (UAH 37534, 28) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicant for providing his banking details, but the applicant did not respond to any of them. Thus, on 12/09/2019 – the sum was returned to the State Budget.</p> <p>As of today, applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
38.	Volchkova and others v. Ukraine (application no. 14062/05)	08/06/2017	08/09/2017	<p>As to Mr Balabanov and Mr Tolskyy, on 06/09/2017 – EUR 2000 (UAH 61682, 78) and EUR 1200 (UAH 37009, 67) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicants for providing their banking details, but they did not respond to any of them. Thus, on 19/08/2019 – the sums were returned to the State Budget.</p> <p>As of today, applicants have not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
39.	Sitnik and others v. Ukraine (application no. 20100/07)	02/03/2017	02/06/2017	As to Mr Lanovenko , on 13/06/2017 – EUR 1800 (UAH 52554, 66) were transferred to the special deposit account of the Ministry of Justice of Ukraine.

				<p>The Government had repeatedly sent requests to the applicant for providing his banking details, but the applicant did not respond to any of them. Thus, on 23/07/2018 – the sum was returned to the State Budget.</p> <p>As of today, applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
40.	<p>Gavrylyak v. Ukraine (application no. 39447/03)</p>	06/11/2009	06/02/2010	<p>Mr Gavrylyak did not submit any information on his banking details to the State Bailiff Service.</p> <p>Thus, on 29/12/2009 – EUR 1641 (UAH 18821, 36) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicant for providing his banking details, but the applicant did not respond to any of them. Thus, on 28/11/2011 – the sum was returned to the State Budget.</p> <p>As of today, applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
41.	<p>Suptel v. Ukraine (application no. 39188/04)</p>	19/05/2009	19/08/2009	<p>According to the case-files, on 07/09/2009 – UAH 125427, 16 were transferred to Mr Suptel bank account.</p> <p>On 20/06/2011 – the enforcement proceedings in the applicant's case were terminated due to the enforcement of the Court's judgment in full.</p>
42.	<p>Bezotecheska v. Ukraine (application no. 4287/19)</p>	19/12/2019	19/03/2020	<p>On 07/02/2020 – EUR 1800 (UAH 48678, 30) were transferred to Ms Bezotecheska bank account.</p>
43.	<p>Dognon v. Ukraine (application no. 56470/18)</p>	05/12/2019	05/03/2020	<p>Ms Dognon did not submit her full banking details to the State Bailiff Service on time.</p> <p>Thus, on 03/03/2020 – EUR 800 (UAH 21074, 28) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>As of today, the awarded sum is still available at the applicant's disposal.</p>

44.	Dudar and others v. Ukraine (application no. 64844/10)	14/11/2019	14/02/2020	<p>On 29/01/2020 – EUR 900 (24260, 85) were transferred to the bank accounts of Yuriy Yuriyovych Dudar, Anastasiya Oleksiyivna Dudar, Oksana Volodymyrivna Dudar, Oleksiy Yuriyovych Dudar, Tetyana Yuriyivna Avramchuk, Pylyp Yuriyovych Nikitin, Tetyana Pylypivna Nikitina, Georgiy Olegovych Tkachuk in equal parts (in particular, UAH 2695,65 per each person)</p> <p>As to Petro Onysymovych Avramchuk, he did not submit his full banking details to the State Bailiff Service on time.</p> <p>Thus, on 28/01/2020 – UAH 2695, 65 were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at the applicant's disposal.</p> <p>On 07/02/2020 – EUR 1200 (UAH 32452, 20) were transferred to Mr Novikov bank account.</p>
45.	Zabara v. Ukraine (application no. 26007/17)	07/11/2019	07/02/2020	<p>On 29/01/2020 – EUR 7500 (UAH 203991, 75) were transferred to Mr Zabara bank account.</p> <p>On 14/01/2020 – EUR 500 (UAH 13310, 25) were transferred to Mr Levutskyy bank account.</p> <p>On 14/01/2020 – EUR 500 (UAH 13310, 25) were transferred to Mr Khekalo bank account.</p>
46.	Kosternyy and Mazur v. Ukraine (application no. 8490/19)	03/10/2019	03/01/2020	<p>Mr Kosternyy did not submit his full banking details to the State Bailiff Service on time.</p> <p>Thus, on 17/12/2019 – EUR 2100 (UAH 54982, 98) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 18/02/2020 – to the applicant's bank account.</p> <p>On 20/12/2019 – EUR 900 (UAH 23578, 74) were transferred to Mr Mazur by postal remittance according to his request of 22/11/2019.</p>
47.	Grynenko and Protorenko v. Ukraine (application no. 16003/18)	19/09/2019	19/12/2019	<p>On 26/11/2019 – EUR 1200 (UAH 31774, 11) were transferred to Mr Grynenko bank account.</p> <p>On 10/12/2019 – EUR 600 (UAH 15741, 02) were transferred to Mr Protorenko bank account.</p>
48.	Kudryashov and others v. Ukraine (application no. 22408/08)	20/12/2018	20/03/2019	<p>Mr Kudryashov did not submit his full banking details to the State Bailiff Service on time.</p> <p>Thus, on 15/03/2019 – EUR 1800 (UAH 54328, 18) were transferred to the special deposit account of the Ministry of Justice and on 03/10/2019 – to the to the applicant's bank account.</p>

49.	Levchenko and others v. Ukraine (application no. 6966/13)	08/11/2018	08/02/2019	<p>Mr Levchenko did not submit any information on his banking details to the State Bailiff Service.</p> <p>Thus, on 22/12/2018 – EUR 600 (UAH 18946, 97) were transferred to the special deposit account of the Ministry of Justice.</p> <p>As of today, the awarded sum is still available at the applicant's disposal.</p>
50.	Kruchko and others v. Ukraine (application no. 52227/10)	04/10/2018	04/01/2019	<p>Mr Klymenko did not submit any information on his banking details to the State Bailiff Service.</p> <p>Thus, on 20/12/2018 – EUR 300 (UAH 9483, 37) were transferred to the special deposit account of the Ministry of Justice.</p> <p>As of today, the awarded sum is still available at the applicant's disposal.</p>
51.	But and others v. Ukraine (application no. 14750/06)	26/07/2018	26/10/2018	<p>Mr Dudyk did not submit any information on his banking details to the State Bailiff Service.</p> <p>Thus, on 18/10/2018 – EUR 3400 (UAH 110032, 55) were transferred to the special deposit account of the Ministry of Justice.</p> <p>As of today, the awarded sum is still available at the applicant's disposal.</p> <p>Mr Yevdokimov did not submit any information on his banking details to the State Bailiff Service.</p> <p>Thus, on 18/10/2018 – EUR 400 (UAH 12945, 01) were transferred to the special deposit account of the Ministry of Justice.</p> <p>The Government had repeatedly sent requests to the applicant for providing his banking details, but the applicant did not respond to any of them. Thus, on 17/02/2020 – the sum was returned to the State Budget.</p> <p>As of today, applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
52.	Ashayev and others v. Ukraine (application no. 24329/08)	14/06/2018	14/09/2018	<p>Mr Ashayev did not submit any information on his banking details to the State Bailiff Service.</p> <p>Thus, on 12/09/2018 – EUR 1300 (UAH 42778, 14) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at the applicant's disposal.</p>
53.	Zelentsov and others v. Ukraine (application no. 40978/05)	03/05/2018	03/08/2018	<p>Mr Retinskiy did not submit his full banking details to the State Bailiff Service on time.</p> <p>Thus, on 31/07/2018 – EUR 1700 (UAH 52680, 36) were transferred to the special deposit account of the Ministry of Justice and on 10/10/2019 – to the bank account of applicant's representative, Ms D.O. Khramtsova.</p>

				<p>Mr Solyar did not submit his full banking details to the State Bailiff Service on time. Thus, on 31/07/2018 – EUR 1300 (UAH 40284, 98) were transferred to the special deposit account of the Ministry of Justice and on 03/10/2019 – to the applicant's representative bank account, Mr M.S. Pototskyi.</p> <p>Mr Kuzmenko did not submit any information on his banking details to the State Bailiff Service. Thus, on 31/07/2018 – EUR 1300 (UAH 40284, 98) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at the applicant's disposal.</p>
54.	Kovalenko and others v. Ukraine (application no. 42466/10)	03/05/2018	06/08/2018	<p>Mr Lavrynenko did not submit any information on his banking details to the State Bailiff Service. Thus, on 31/07/2018 – EUR 1200 (UAH 37352, 18) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at the applicant's disposal.</p>
55.	Morozov and others v. Ukraine (application no. 2318/07)	08/03/2018	08/06/2018	<p>Mr Parshyn did not submit his full banking details to the State Bailiff Service on time. Thus, on 04/06/2018 – EUR 1600 (UAH 48896, 78) were transferred to the special deposit account of the Ministry of Justice and on 22/11/2019 – to the applicant's representative bank account, Ms K.I. Kirova.</p>
56.	Grytsenko and others v. Ukraine (application no. 56576/08)	22/02/2018	22/05/2018	<p>Mr Khrykin did not submit any information on his banking details to the State Bailiff Service. Thus, on 16/05/2018 – EUR 500 (UAH 15687, 04) were transferred to the special deposit account of the Ministry of Justice.</p> <p>The Government had repeatedly sent requests to the applicant for providing his banking details, but the applicant did not respond to any of them. Thus, on 11/12/2019 – the sum was returned to the State Budget.</p> <p>In addition, according to the case-files, the applicant died on 27/08/2013.</p> <p>As of today, any applicant's heirs have not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
57.	Bobrenok v. Ukraine (application no. 41471/10)	11/01/2018	11/04/2018	<p>As to Ms Bobrenok, on 10/04/2018 – EUR 500 (UAH 15920, 70) were transferred to the special deposit account of the Ministry of Justice.</p> <p>The Government had repeatedly sent requests to the applicant for providing her banking details, but the applicant did not respond to any</p>

				<p>of them. Thus, on 19/08/2019 – the sum was returned to the State Budget.</p> <p>As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
58.	Krasnyakovy and others v. Ukraine (application no. 3011/06)	14/12/2017	14/03/2018	<p>Mr and Ms Krasnyakovy did not submit any information on their banking details to the State Bailiff Service.</p> <p>Thus, on 06/03/2018 – EUR 7000 (UAH 228140, 47) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at applicants' disposal.</p> <p>Ms Davydova did not submit any information on her banking details to the State Bailiff Service.</p> <p>Thus, on 06/03/2018 – EUR 3000 (UAH 97774, 49) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at applicant's disposal</p> <p>As to Mr Samishchenko, Ms Novoseltseva and Ms Yerofeyeva, on 06/03/2018 – EUR 900 (UAH 29332, 35); EUR 1800 (UAH 58664, 69) and EUR 900 (UAH 29332, 35) were transferred to the special deposit account of the Ministry of Justice.</p> <p>The Government had repeatedly sent requests to the applicants for providing their banking details, but the applicants did not respond to any of them. Thus, on 12/09/2019 – the sum was returned to the State Budget.</p> <p>As of today, the applicants have not applied against a decision on termination of the enforcement proceedings to the domestic court.</p> <p>Mr and Ms Kotman did not submit any information on her banking details to the State Bailiff Service.</p> <p>Thus, on 06/03/2018 – EUR 4700 (UAH 153180, 03) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at applicants' disposal.</p>
59.	Shevchuk and others v. Ukraine (application no. 29663/08)	12/10/2017	12/01/2018	<p>Mr Shevchuk did not submit his full banking details to the State Bailiff Service on time.</p> <p>Thus, on 26/12/2017 – EUR 900 (UAH 29730, 92) were transferred to the special deposit account of the Ministry of Justice and on 10/10/2019 – to the applicant's representative bank account, Ms D.O. Khramtsova.</p>

				<p>Mr Kobranov did not submit any information on his banking details to the State Bailiff Service.</p> <p>Thus, on 26/12/2017 – EUR 600 (UAH 19820, 61) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at applicant's disposal.</p>
60.	<p>Krivirotova and others v. Ukraine (application no. 57166/08)</p>	12/10/2017	12/01/2018	<p>Ms Krivorotova did not submit any information on her banking details to the State Bailiff Service.</p> <p>Thus, on 26/12/2017 – EUR 500 (UAH 16517, 18) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at applicant's disposal</p> <p>Ms Surina did not submit any information on her banking details to the State Bailiff Service.</p> <p>Thus, on 26/12/2017 – EUR 500 (UAH 16517, 18) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at applicant's disposal.</p> <p>Mr Kudryashov did not submit his full banking details to the State Bailiff Service on time.</p> <p>Thus, on 26/12/2017 – EUR 500 (UAH 19820, 61) were transferred to the special deposit account of the Ministry of Justice and on 10/10/2019 – to the applicant's representative bank account, Mr M.S. Pototskyi.</p>
61.	<p>Semyroda and others v. Ukraine (application no. 45879/07)</p>	12/10/2017	12/01/2018	<p>Mr Gorbenko did not submit any information on his banking details to the State Bailiff Service.</p> <p>On 26/12/2017 – EUR 900 (UAH 29730, 92) were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at applicant's disposal.</p> <p>On 19/01/2018 – EUR 2600 (UAH 85889, 32) were transferred to the bank account of Ms Semyroda.</p> <p>On 15/10/2019 – Ms Semyroda was paid the outstanding debts according to the domestic decision of 26/01/2006 in total amount of UAH 77620.</p>

62.	Trandafil and others v. Ukraine (application no. 36025/09)	22/06/2017	22/09/2017	<p>As to Mr Trandafil and Ms Nekrasova, on 21/09/2017 – EUR 600 (UAH 18767, 14) and EUR 900 (UAH 28150, 71) were transferred to the special deposit account of the Ministry of Justice.</p> <p>The Government had repeatedly sent requests to the applicants for providing their banking details, but they did not respond to any of them. Thus, on 12/09/2019 and on 19/08/2019 – the sums were returned to the State Budget.</p> <p>As of today, the applicants have not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
63.	Dyachenko and others v. Ukraine (application no. 26417/08)	06/07/2017	06/10/2017	<p>Ms G. Vasyliv, Mr Tsyurak, Ms Ye. Vasyliv did not submit any information on their banking details to the State Bailiff Service.</p> <p>Thus, on 06/10/2017 – EUR 2400 were transferred to the special deposit account of the Ministry of Justice. As of today, the awarded sum is still available at applicants' disposal</p>
64.	Pivdenbudtrans, ZAT v. Ukraine (application no. 29455/06)	18/05/2017	18/08/2017	<p>Ms Svitlychna and Ms Volodina failure to submit to the State Bailiff Service any information on their banking details.</p> <p>On 17/08/2017 – EUR 600 (UAH 18 037, 58) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>As of today, the just satisfaction sum is still available at applicants' disposal.</p>
65.	Shamray v. Ukraine (application no. 15918/07)	18/05/2017	18/08/2017	<p>Mr Repetskiy did not submit his full banking details to the State Bailiff Service on time.</p> <p>Thus, on 17/08/2017 – EUR 1200 (UAH 36075, 14) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 10/10/2019 – to the applicant's representative bank account, Mr V.B. Pototskyi.</p> <p>Mr Shchur did not submit his full banking details to the State Bailiff Service on time.</p> <p>Thus, on 17/08/2017 – EUR 1800 (UAH 54112, 72) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 13/11/2019 – to the applicant's bank account.</p>
66.	Rybalkin v. Ukraine (application no. 10771/06)	18/05/2017	18/08/2017	<p>Mr Starchikov submitted to the State Bailiff Service information about his banking details which situated in territories outside a governmental control.</p> <p>Thus, on 17/08/2017 – EUR 2600 (UAH 78162, 81) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The awarded sum will be transferred to the</p>

				applicant after receiving full details of his (or his representative) banking account, which is valid in territories under the governmental control.
67.	Sherstneva v. Ukraine (application no. 43076/07)	18/05/2017	18/08/2017	<p>Ms Sherstneva did not submit her full banking details to the State Bailiff Service on time. Thus, on 17/08/2017 – EUR 3900 (UAH 117244, 22) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 28/11/2019 – to the applicant's representative bank account, Ms K.I. Kirova.</p> <p>Mr Lebedev did not submit his full banking details to the State Bailiff Service on time. Thus, on 17/08/2017 – EUR 1800 (UAH 54112, 72) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 08/10/2019 – to the applicants representative bank account, Ms D.O. Khramtsova.</p> <p>Mr Verzun failure to submit to the State Bailiff Service any information on his banking details. Thus, on 17/08/2017 – EUR 1800 (UAH 54112, 72) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at the applicant's disposal.</p> <p>Mr Semenov failure to submit to the State Bailiff Service any information on his banking details. Thus, on 17/08/2017 – EUR 1500 (UAH 45093, 93) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the awarded sum is still available at the applicant's disposal.</p>
68.	Dudnikov and others v. Ukraine (application no. 24686/07)	06/04/2017	06/07/2017	<p>As to Mr Dudnikov and Ms Bogatova, on 04/07/2017 – EUR 1200 (UAH 35637, 44) and EUR 2400 (UAH 71274, 88) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicants for providing their banking details, but they did not respond to any of them. Thus, on 23/07/2018 – the sums were returned to the State Budget.</p> <p>As of today, the applicants have not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
69.	Sayenko and others v. Ukraine (application no. 39167/08)	23/03/2017	23/06/2017	As to Mr Sayenko , on 21/06/2017 – EUR 1200 (UAH 34971, 96) were transferred to the special deposit account of the Ministry of Justice of Ukraine.

				<p>The Government had repeatedly sent requests to the applicant for providing his banking details, but the applicant did not respond to any of them. Thus, on 23/07/2018 – the sum was returned to the State Budget.</p> <p>As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
70.	Yantsev and others v. Ukraine (application no. 47247/09)	02/03/2017	02/06/2017	<p>As to Mr Yantsev, on 31/05/2017 – EUR 500 (UAH 14761, 33) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicant for providing her banking details, but the applicant did not respond to any of them. Thus, on 23/07/2018 – the sum was returned to the State Budget.</p> <p>As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
71.	Sokolov v. Ukraine (application no. 7192/04)	12/01/2017	12/04/2017	<p>Mr Emirov failure to submit to the State Bailiff Service any information on his banking details. Thus, on 07/04/2017 – EUR 1600 (UAH 46397, 21) were transferred to the special deposit account of the Ministry of Justice of Ukraine. As of today, the just satisfaction sum is still available at applicants' disposal.</p>
72.	Dudyk v. Ukraine (application no. 10288/07)	12/01/2017	12/04/2017	<p>Mr Timchenko did not submit his full banking details to the State Bailiff Service on time. Thus, on 23/03/2017 – EUR 500 (UAH 14499, 13) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 28/11/2019 – to the applicant's representative bank account, Ms K.I. Kirova.</p>
73.	Ivan v. Ukraine (application no. 24500/07)	12/01/2017	12/04/2017	<p>As to Ms Sharuda, on 07/04/2017 – EUR 1 200 (UAH 34 797, 90) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicant for providing her banking details, but applicant did not respond to any of them. Thus, on 17/04/2019 – the sum was returned to the State Budget.</p> <p>As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
74.	Nosova v. Ukraine (application no. 9636/07)	24/11/2016	24/02/2017	<p>Ms Nosova failure to submit to the State Bailiff Service any information on her banking details. Thus, on 27/02/2017 – EUR 2160 were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p>

				As of today, the just satisfaction sum is still available at applicant's disposal.
75.	Kulyk v. Ukraine (application no. 6747/04)	24/11/2016	24/02/2017	<p>Mr Kulyk failure to submit to the State Bailiff Service any information on his banking details on time.</p> <p>Thus, on 28/02/2017 – EUR 2600(UAH 74410, 55) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 28/11/2019 – to the applicant's representative bank account, Ms K.I.Kirova.</p> <p>As to Mr Myglan and Ms Varlamova, on 27/02/2017 – EUR 4700 (UAH 134511, 38) and EUR 500 (UAH 14309, 72) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicants for providing their banking details, but they did not respond to any of them. Thus, on 17/04/2019 and on 10/04/2019 – the sums were returned to the State Budget.</p> <p>As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
76.	Kin and others v. Ukraine (application no. 19451/04)	20/10/2016	20/01/2017	<p>Mr Tishchenko did not submit to the State Bailiff Service any information on his full banking details.</p> <p>On 21/02/2017 – EUR 500 (UAH 14 391, 42) and a simple interest in amount of UAH 41 were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicant for providing his banking details, but applicant did not respond to any of them. Thus, on 17/04/2019 – the sum was returned to the State Budget.</p> <p>As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>
77.	Koziy v. Ukraine (application no. 10426/02)	06/11/2009	06/02/2010	<p>Mr Koziy did not submit to the State Bailiff Service any information on his full banking details.</p> <p>On 29/12/2009 – EUR 2000 (UAH 22938, 89) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicant for providing his banking details, but applicant did not respond to any of them. Thus, on 28/11/2011 – the sum was returned to the State Budget.</p>

				As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.
78.	Ponomarenko v. Ukraine (application no. 20930/06)	21/12/2010	21/03/2011	<p>According to the case-files, on 17/03/2011 – UAH 17842, 88 were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 27/04/2011 – to Mr Ponomarenko bank account.</p> <p>On 06/05/2011 – the enforcement proceedings in the applicant's case were terminated due to the enforcement of the Court's judgment in full.</p>
79.	Yuryeva and Yuryev v. Ukraine (application no. 3431/03)	17/12/2012	17/03/2013	<p>According to the case-files, on 05/03/2013 – RUB 130381, 37 (EUR 1656) were transferred to the special deposit account of the Ministry of Justice of Ukraine and on 24/02/2014 – to the applicant's bank accounts.</p> <p>On 17/07/2014 – the enforcement proceedings in the applicants' case were terminated due to the enforcement of the Court's judgment in full.</p>
80.	Antimonova v. Ukraine (application no. 54734/12)	05/11/2015	05/02/2016	<p>Ms Antimonova did not submit to the State Bailiff Service any information on her full banking details.</p> <p>On 29/12/2015 – EUR 3600 (UAH 90501, 18) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicant for providing her banking details, but applicant did not respond to any of them. Thus, on 10/05/2017 – the sum was returned to the State Budget.</p> <p>As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p> <p>According to the case-files, on 24/12/2015 – Ms Kordiyaka was paid EUR 900 (UAH 23007, 81).</p> <p>According to the case-files, on 09/12/2015 – Mr Tykhenko was paid EUR 600 (UAH 15208, 72).</p> <p>On 29/12/2015 – EUR 900 (UAH 22625, 30) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>According to the case-files, Ms Muravska was paid full amount of just satisfaction within time-limits.</p> <p>On 22/01/2016 – the enforcement proceedings in the applicant's case were terminated due to the enforcement of the Court's judgment in full.</p> <p>According to the case-files, on 24/12/2015 – Ms Lunyeva was paid EUR 500 (UAH 12782, 12).</p>

				<p>On 29/12/2015 – EUR 3800 (RUB 299116, 33) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>According to the case-files, Mr Tadeyev was paid full amount of just satisfaction and a simple interest (RUB 659, 88) on 12/09/2016 and on 30/09/2016 accordingly.</p> <p>On 30/09/2016 – the enforcement proceedings in the applicant's case were terminated due to the enforcement of the Court's judgment in full.</p>
				<p>On 29/12/2015 – EUR 900 (UAH 22625, 30) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>According to the case-files, Mr Artemenko was paid full amount of just satisfaction within time-limits.</p> <p>On 16/03/2016 – the enforcement proceedings in the applicant's case were terminated due to the enforcement of the Court's judgment in full.</p>
				<p>On 29/12/2015 – EUR 2500 (UAH 62848, 05) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>According to the case-files, Ms Tkachenko was paid full amount of just satisfaction within time-limits.</p> <p>On 16/03/2016 – the enforcement proceedings in the applicant's case were terminated due to the enforcement of the Court's judgment in full.</p>
				<p>According to the case-files, on 24/12/2015 – Ms Kryuchkova was paid EUR 500 (UAH 12675, 21).</p>
				<p>According to the case-files, on 24/12/2015 – Ms Khimenko was paid EUR 500 (UAH 12782, 12).</p>
				<p>On 29/12/2015 – EUR 900 (UAH 22625, 30) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>According to the case-files, Mr Pavlyuk was paid full amount of just satisfaction within time-limits.</p> <p>On 24/02/2016 – the enforcement proceedings in the applicant's case were terminated due to the enforcement of the Court's judgment in full.</p>
				<p>According to the case-files, on 24/12/2015 – Ms Myronenko was paid EUR 900 (UAH 22815, 38).</p>
				<p>On 29/12/2015 – EUR 300 (UAH 7541, 77) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>According to the case-files, Mr Nesteryuk was paid full amount of just satisfaction within time-limits.</p>

				On 23/02/2016 – the enforcement proceedings in the applicant's case were terminated due to the enforcement of the Court's judgment in full.
81.	Vasyliv v. Ukraine (application no. 8008/05)	20/01/2011	20/04/2011	<p>Mr Vasyliv did not submit to the State Bailiff Service any information on his full banking details.</p> <p>On 19/04/2011 – EUR 878 (UAH 10108, 07) were transferred to the special deposit account of the Ministry of Justice of Ukraine.</p> <p>The Government had repeatedly sent requests to the applicant for providing his banking details, but applicant did not respond to any of them. Thus, on 25/04/2012 – the sum was returned to the State Budget.</p> <p>As of today, the applicant has not applied against a decision on termination of the enforcement proceedings to the domestic court.</p>

06 JUIL. 2020

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

ANNEX II

**Information on the state/outcomes of
criminal/civil proceedings in the cases still pending at domestic level in the
MERIT/SVETLANA NAUMENKO groups of cases**

Name of the applicant	Information on the criminal/civil proceedings
<p align="center">Garagulya and Sych v. Ukraine (applications nos. 42361/12 and 25927/19) Final on 04/06/2020</p>	
Anatoliy Volodymyrovych SYCH	<p>The criminal proceedings in the applicant's case are still pending before the Saksagan District Court of Kryvyi Rih. The next court hearing is scheduled for 10/07/2020. The delays of the criminal proceedings were caused by the complexity of the case and regular non-appearance of trial participants (in particular defendants and their representatives) in the court hearing, which were duly notified about the place and time of the next court hearing.</p>
<p align="center">Svirgunets v. Ukraine (application no. 38262/10) Final on 30/04/2020</p>	
Antonina Anatoliyivna Svirgunets	<p>The criminal proceedings in the applicant's case commenced on 14/05/2002, when she was notified of suspicion in criminal proceedings, and finished on 28/01/2012, when the case-file was terminated by the prosecutor. On 18/04/2017, the applicant lodged the claim to the bank "Nadra", Ms Stashuk T.M., Ms Stashuk M.O., Ms Voroniuk A.O., the Khmelnytsk Regional Prosecutor's Office, the Slavutsk Unified State Tax Inspectorate of the Chief Department of the State Fiscal Service in Khmelnytsk Region about compensation of damage, caused by unlawful actions of the bodies of preliminary investigation, prosecutor's office and court. On 12/06/2019, the Cassation Civil Court of the Supreme Court upheld the applicant's cassation appeal and remitted the case to the first instance court for a new consideration. The civil proceedings in the applicant's case are still pending. The next court hearing is scheduled before the Shepetivka City District Court of Khmelnytsk Region for 29/07/2020.</p>
<p align="center">Zakutniy v. Ukraine (application no. 17843/19) Final on 06/02/2020</p>	
Volodymyr Ivanovych ZAKUTNIY	<p>The criminal proceedings in the applicant's case are still pending before the Amur-Nyzhnodniprovskiy District Court of Dnipro. The next court hearing is scheduled for 09/07/2020.</p>
<p align="center">Yuriy Koval v. Ukraine (application no. 35121/09) Final on 23/01/2020</p>	
Yuriy Mykhaylovych Koval	<p>On 18/03/2014 – the Kherson Region Court of Appeal allowed the application of the Prosecutor's Office in part; the sentence was quashed and the criminal case against the applicant was remitted to the General Prosecutor's Office for additional examination.</p>

	As of today, the investigation in criminal proceedings in the applicant's case is currently pending before the General Prosecutor's Office.
Shcherbak and others v. Ukraine (applications nos. 44689/10 and 3 others) Final on 19/12/2019	
Artem Stepanovych KVYCH	<p>The criminal proceedings in the applicant's case are still pending before the Novomoskovsk City District Court of the Dnipropetrovsk Region. The next court hearing is scheduled for 20/07/2020.</p> <p>The delays of the criminal proceedings were caused by the complexity of the case and regular non-appearance of trial participants, including the applicant and his representatives, in the court hearing, which were duly notified about the place and time of the next court hearing.</p>
Bogdan Petrovych TUROVSKYY	<p>The criminal proceedings in the applicant's case are still pending before the Bohunskyi District Court of Zhytomyr.</p> <p>The delays of the criminal proceedings were caused by the complexity of the case and regular non-appearance of trial participants (in particular, the defendants and their representatives) in the court hearing.</p>
Khudobets v. Ukraine (application no. 7190/19) Final on 05/12/2019	
Oleksiy Borysovych KHUDOBETS	<p>The criminal proceedings in the applicant's case are still pending before the Ordzhonikidze City Court of the Dnipropetrovsk Region.</p> <p>The delays of the criminal proceedings were caused by the complexity of the case, a large number of trial participants (in particular, victims and witnesses), as well as the necessity of changing locus standi of the case.</p>
Bayrashevskyy and others v. Ukraine (applications nos. 29298/18 and 3 others) Final on 14/11/2019	
Sergiy Mykolayovych Bayrashevskyy	<p>The criminal proceedings in the applicant's case are still pending before the Bohunskyi District Court of Zhytomyr.</p> <p>The delays of the criminal proceedings were caused by the complexity of the case and regular non-appearance of trial participants (in particular, the defendants and their representatives) at the court hearing.</p>
Inna Volodymyrivna Budarina	<p>The criminal proceedings in the applicant's case are still pending before the Babushkinskyi District Court of Dnipropetrovsk. The next court hearing is scheduled for 27/08/2020.</p> <p>The delays of the criminal proceedings were caused by:</p> <ul style="list-style-type: none"> - complexity of the case (the case is considered by a panel of judges, which were changed three times during the consideration); - a large scope of the case-files (21 volumes of written evidence); - a large number of participants in the trial (in particular, 27 witnesses; 4 defendants);

	- regular trial participants' (in particular witnesses) failure to appear in court.
Mykhaylo Igorovych Zdayevskyy	The criminal proceedings in the applicant's case are still pending before the Bohunskiy District Court of Zhytomyr. The delays of the criminal proceedings were caused by the complexity of the case and regular non-appearance of trial participants (in particular, the defendants and their representatives) at the court hearing.
Svitlana Mykolayivna Tretyak	The criminal proceedings in the applicant's case are still pending before the Kyivskiy District Court of Odesa.
Shtepa v. Ukraine (application no. 16349/17) Final on 24/10/2019	
Nelya Igorivna Shtepa	The criminal proceedings in the applicant's case are still pending before the Ordzhonikidze District Court of Kharkiv. The next court hearing is scheduled for 01/07/2020.
Tsatsenko and Ryabokon v. Ukraine (applications nos. 5481/19 and 7574/19) Final on 17/10/2019	
Igor Grygorovych Ryabokon	The criminal proceedings in the applicant's case are still pending before the Leninsky District Court of Dnipropetrovsk. The next court hearing is scheduled for 07/07/2020.
Kopytets and Shtopko v. Ukraine (applications nos. 9706/19 and 9709/19) Final on 17/10/2019	
Valeriy Vasylyovych Kopytets	On 21/12/2019, the Industrial District Court of Dnipropetrovsk sentenced all 7 defendants (including the applicant) to various terms of imprisonment. However, such decision did not come into force since the defendants appealed against the ruling. As of today, the criminal proceedings in the applicant's case are still pending before the Dniprovskiy Court of Appeal. The next court hearing is scheduled for 02/07/2020.
Valentyn Vasylyovych Shtopko	The criminal proceedings in the applicant's case are still pending before the Ternopil City District Court of the Ternopil Region. The next court hearing is scheduled for 20/07/2020.
Nesterenko and others v. Ukraine (applications nos. 26256/11 and 3 others) Final on 03/10/2019	
Valentyn Volodymyrovych Tuzovskyy	As of today, criminal proceedings in the applicant's case regarding an alleged criminal offence envisaged by Articles 305 ("Illicit trafficking of drugs, psychoactive substance, equivalent adulterate medicine") of the Criminal Code of Ukraine are currently pending before the court. The delays in court's consideration were caused by the complexity of criminal proceedings and the necessity of examination of all facts and evidence for truth establishment. The next court hearing is scheduled before the Prymorskyi District Court of Odesa for 14/09/2020.
Gavrashenko and others v. Ukraine (applications nos. 1272/06 and 3 others) Final on 08/12/2016	

Andrey Nikolayevich GORIN	<p>Criminal proceedings in the applicant's case regarding a traffic accident are currently pending before the Prosecutor's Office of the Kharkiv Region.</p> <p>The difficulties of an examination of the present case were caused by necessity of carry out a number of additional comprehensive expert examinations (automotive expertise and auto-trace examination).</p> <p>The conclusions obtained from the previous examinations, which were conducted by the Dnipro Research Expert-Criminalistic Centre, the Odesa Scientific Research Institute of Forensic Expertise and the Kyiv Scientific Research Institute of Forensic Expertise on 29/02/2016 and on 24/04/2017, contain inconsistencies that do not lead to the clear conclusion on the applicant's guilt.</p> <p>Thus, additional comprehensive expert examinations in the applicant's case are currently pending.</p>
<p align="center">Kanna and Tsyganok v. Ukraine (applications nos. 24751/10 and 63824/10) Final on 04/07/2019</p>	
Igor Leonidovych Tsyganok	<p>The criminal proceedings in the applicant's case are still pending before the Shevchenkivskyi District Court of Kyiv.</p> <p>The next court hearing is scheduled for 20/07/2020.</p> <p>The delays of the criminal proceedings were caused by the regular non-appearance of Mr Tsyganok in the court hearing, which was duly notified about the place and time of the next court hearing.</p>
<p align="center">Yeryomina and others v. Ukraine (applications nos. 30510/18 and 2 others) Final on 27/06/2019</p>	
Mariya Gennadiyivna Yeryomina	<p>By a decision of 09/03/2016, the Saksagan District Court of Kryvyi Rih remitted the criminal proceeding in the applicant's case to an additional examination.</p> <p>As of today, the additional examination is still pending before the Kryvyi Rih Local Prosecutor's Office No. 3.</p>
Lyudmyla Fedorivna Antypova	<p>The criminal proceedings in the applicant's case were terminated on 31/12/2017 due to a lack of corpus delicti.</p> <p>Afterwards, on 04/12/2018, Ms Antypova instituted the civil proceedings against the State Treasury of Ukraine to recover pecuniary and non-pecuniary damage which was caused by unlawful actions of pre-trial investigation authorities, prosecutors and court during the criminal proceedings in her case.</p> <p>On 24/04/2019, the Prymorskyi District Court of Odesa ruled to leave an application without consideration after the request filed by the applicant's representative to leave such claims without consideration.</p>
Vladimir Mikhaylovich Tokar	<p>The criminal proceedings in the applicant's case are still pending before the Lysychansk City Court of the Luhansk Region.</p> <p>The next court hearing is scheduled for 02/07/2020.</p>
<p align="center">Pryshlyak and Nekrasova v. Ukraine (applications nos. 4498/18 and 30341/18) Final on 06/06/2019</p>	
Tamara Aleksandrovna Nekrasova	<p>The criminal proceedings in the applicant's case are still pending before the Kharkiv Court of Appeal.</p>

	The delays of the criminal proceedings were caused by multiple applicants' requests for changing of the <i>locus standi</i> of a case, as well as by a deficient of judges resourcing in the above-mentioned court.
Kinash et Dzyubenko c. Ukraine (applications nos. 31090/18 and 33574/18) Final on 09/05/2019	
Oksana Zinoviyivna Kinash	The criminal proceedings in the applicant's case are still pending before the Zaliznychnyi District Court of Lviv. The next court hearing is scheduled for July 2020.
Sergiy Petrovych Dzyubenko	The criminal proceedings in the applicant's case are still pending before the Bohunskyi District Court of Zhytomyr. The next court hearing is scheduled for 13/07/2020.
Sholokh v. Ukraine (application no. 73007/14) Final on 11/04/2019	
Oleksandr Oleksandrovych Sholokh	According to the available at domestic courts case-files, in its decision of 19/07/2012, the Babushkinskyi District Court of Dnipropetrovsk found the applicant guilty in committing a crime prescribed by Article 367.2 ("Neglect of official duty") of the Criminal Code of Ukraine and sentenced him to imprisonment for a term of 3 years without deprivation of the right to occupy determined posts or to engage in a determined activity. Given the provisions of Article 49 of the Criminal Code of Ukraine ("Discharge from criminal liability due to limitation period"), the applicant was released from serving his sentence due to the expiry of the period of criminal prosecution. The mentioned-above decision came into force and was not remitted to the Court of Appeal for consideration.
Levchenko and others v. Ukraine (applications nos. 46993/13 and 2 others) Final on 11/04/2019	
Oleksandr Viktorovych Levchenko	As of today, criminal proceedings in Levchenko case regarding an alleged criminal offence envisaged by Articles 186("Robbery") and 146 ("Illegal confinement or abduction of a person") of the Criminal Code of Ukraine haven't been concluded yet. Currently, the pre-trial investigation is still pending before the Prosecutor's Office of the Sumy Region.
Igor Mykolayovych Pasichnyy	On 10/10/2019, the case-files of the criminal proceedings on the accusation of Mr Pasichny was allocated to a separate proceeding. On 16/10/2019, the Gadyatskyi District Court of the Poltava Region considered the criminal case against the applicant and ruled to approve a plea agreement of 09/10/2019, concluded between the prosecutor and the applicant (with the participation of his representative). The court sentenced the applicant to 10 years of imprisonment without the confiscation of property. Given the provisions of Article 72.5 of the Criminal Code of Ukraine ("Rules of adding up punishments and merging previous terms"), the court merged the pretrial detention period into the term of imprisonment (one day of pretrial detention as two days of imprisonment) from 02/09/2014 to 18/06/2019.

	On 14/01/2020 – the decision of the Gadyatskyi District Court of the Poltava Region dated 16/10/2019 came into force. Thus, the criminal proceedings regarding to the applicant were terminated.
Kostyukov v. Ukraine (application no. 18282/18) Final on 21/02/2019	
Maksim Anatolyevich Kostyukov	On 31/10/2019, the Supreme Court upheld the cassation appeal lodged by the applicant's representative against the decision of the Kostiantynivka City District Court of the Donetsk Region of 01/02/2017 and the decision of the Zaporizhzhia Regional Court of Appeal of 25/04/2018, as well as remitted the case to the Court of Appeal for a new consideration. As of today, criminal proceedings in the applicant's case are still pending before the Zaporizhzhia Court of Appeal. The next court hearing is scheduled for 20/08/2020.
Vega and others v. Ukraine (applications nos. 51414/07 and 5 others) Final on 06/12/2018	
Oleksandr Mykhaylovych Korniyenko	On 18/06/2019, the Supreme Court upheld the claim of Mr Korniyenko partially and remitted his case to the Odesa Court of Appeal for a new consideration. On 17/10/2019, the Odesa Court of Appeal upheld the applicant's claim and remitted the case to the Malinovskiy District Court of Odesa for a new consideration. As of today, criminal proceedings in the applicant's case are still pending.
Alla Borysivna Prygunova	The criminal proceedings in the applicant's case are still pending before the Shevchenkovskiy District Court of Kyiv. The next court hearing is scheduled for 18/05/2020. The delays of the criminal proceedings were caused by the complexity of the case, by regular non-appearance of trial participants (including the applicant and her representatives) in the court hearing, which were duly notified about the place and time of the next court hearing, as well as the necessity of changing the <i>locus standi</i> of the case.
Sergiy Sergiyovych Voronovych	The criminal proceedings in the applicant's case are still pending before the Dzerzhynskiy District Court of Kryvyi Rih. The next court hearing is scheduled for 25/08/2020.
Gevel and others v. Ukraine (applications nos. 22271/14 and 3 others) Final on 15/11/2018	
Andriy Viktorovych Syur	The criminal proceedings in the applicant's case are still pending before the Darnytskyi District Court of Kyiv. The next court hearing is scheduled for 07/07/2020.
Garmash v. Ukraine (application no. 74163/13) Final on 08/11/2018	
Aleksey Alekseyevich Garmash	Currently, the pre-trial investigation in the applicant's case is pending before the Public Prosecutor's Office of the Donetsk Region.

Verkhoglyad and others v. Ukraine (applications nos. 66356/10 and 7 others) Final on 08/11/2018	
Oleksandr Pavlovych Dovgan	The criminal proceedings in the applicant's case are still before the Shevchenkivskyi District Court of Lviv.
Kompaniyets and others v. Ukraine (applications nos. 70622/12 and 3 others) Final on 04/10/2018	
Taras Fedorovych Shevchuk	<p>The criminal proceedings in the applicant's case are still pending before the Dolynskyi District Court of the Ivano-Frankivsk Region.</p> <p>The delays of the criminal proceedings were caused by a complexity of the case and by a regular non-appearance trial participant (including the applicant and his representatives)</p>
Bondarenko and others v. Ukraine (applications nos. 27052/09 and 11 others) Final on 28/06/2018	
Andriy Valeriyovych Yolkin	<p>The criminal proceedings in applicant's case are still pending before the Holoziivskyi District Court of Kyiv.</p> <p>The delays of an examination of the present case were caused by the necessity of changing the <i>locus standi</i> of the case.</p> <p>The next court hearing is scheduled for 26/08/2020.</p>
Trishkovskaya and others v. Ukraine (applications nos. 47424/13 and 3 others) Final on 14/06/2018	
Sergiy Ivanovych Volyk	<p>As of today, the criminal proceedings in the applicant's case are pending before the Court of Appeal of the Odesa Region.</p> <p>The next court hearing is scheduled for 31/07/2020.</p>
Artem Sergiyovych Lakov	<p>The criminal proceedings in the applicant's case are still pending before the Yavorivsky District Court of the Lviv Region.</p> <p>On 23/03/2020, the court upheld the applicant's request and postponed the court hearing because he did not want to testify in the absence of his representative who did not appear in court.</p> <p>The delays of the criminal proceedings were also caused by the complexity of the case. It should be stressed that during the consideration of a criminal case, the court repeatedly changed the procedure for examining evidence in order to expedite the consideration of a criminal case.</p>
Yalanskyy and Galunka v. Ukraine (applications nos. 15131/17 and 36543/17) Final on 03/05/2018	
Yaroslav Igorovych Yalanskyy	<p>The criminal proceedings in the applicant's case are still pending before the Shevchenkivsky District Court of Kyiv.</p> <p>The delays of an examination of the present case were caused by the numerous motions of the applicant's lawyer and prosecutors to challenge judges.</p> <p>The next court hearing is scheduled for 31/07/2020.</p>
Surzhanov and others v. Ukraine (applications nos. 6086/13 and 3 others) Final on 22/02/2018	

Anatoliy Sergeyevich Surzhanov	<p>The criminal proceedings in the applicant's case are still pending the Prosecutor's Office of the Luhansk Region.</p> <p>The difficulties of an examination of the present case were caused by:</p> <ul style="list-style-type: none"> - a death of the main witness of an accident; - inability to gain access to the local scene of crime which is situated in territories outside governmental control; - vehicle drivers (Mr Bem and Mr Surzhanov) are refusing to participate in investigative actions (interrogations, investigative experiments).
Sergiy Petrovych Dzyubenko	<p>The criminal proceedings in the applicant's case are still pending before the Bohunskyi District Court of Zhytomyr.</p> <p>The next court hearing is scheduled for 13/07/2020.</p>
<p>Ivanov and others v. Ukraine (applications nos. 48759/06 and 10 others) Final on 08/02/2018</p>	
Vyacheslav Grygorovych Medvynskyy	<p>On 09/12/2019, the Kirovskyi District Court of Kirovohrad acquitted the applicant in Medvynskyy case.</p> <p>However, on 09/12/2019 – the prosecutor in the applicant's case appealed against such a decision.</p> <p>As of today, criminal proceedings in the applicant's case are still pending before the Kropyvnytskyi Court of Appeal.</p>
<p>Karington v. Ukraine (applications nos. 4306/12 and 6 others) Final on 11/01/2018</p>	
Volodymyr Georgiyovych Malyk	<p>The criminal proceedings in the applicant's are still pending before the Bohunskyi District Court of Zhytomyr.</p> <p>The delays of the criminal proceedings were caused by the regular non-appearance of trial participants in the court hearing, which were duly notified about the place and time of the next court hearing.</p>
<p>Mikhaylov v. Ukraine (applications nos. 80643/12 and 10 others) Final on 11/01/2018</p>	
Ruslan Viktorovych Levchenko	<p>As of today, criminal proceedings in Levchenko case regarding an alleged criminal offence envisaged by Articles 186("Robbery") and 146 ("Illegal confinement or abduction of a person") of the Criminal Code of Ukraine haven't been concluded yet. Currently, the pre-rial investigation is still pending before the Prosecutor's Office of the Sumy Region.</p>
Vladimir Vasilyevich Kolos	<p>As regards the cassation appeal of Mr Kolos on 18/01/2019 the Supreme Court dismissed the appellate court decision of 10/04/2017 and remitted the cases for a new trial.</p> <p>On 15/05/2019, the Kyiv Court of Appeal dismissed the Boryspil Town District Court of the Kyiv Region decision regarding the sentencing of the applicant to life imprisonment with confiscation of all his property (dated 05/06/2014) and returned the case for a new consideration to the lower instance court.</p> <p>As of today, criminal proceedings against the applicant were still pending.</p>

Sergiy Sergiyovych Zayevyy	<p>The criminal proceedings are still pending before the Illichivskyi City Court of the Odesa Region.</p> <p>The delays of the criminal proceedings were caused by the dismissal of a judge in the applicant's case by a decision of the High Council of Judiciary, as well as the necessity of familiarization with case files for a new judge.</p>
<p>Serhiyenko v. Ukraine (applications nos. 78377/13 and 41506/16) Final on 11/01/2018</p>	
Anatoliy Ivanovych Sachenko	<p>On 20/05/2019, the Supreme Court quashed the decision of the Pridneprovskyi District Court of Cherkasy (from 02/10/2017) and the decision of the Court of Appeal of Cherkasy Region (from 25/04/2018), as well as remitted the applicant's case for new consideration.</p> <p>As of today, the present proceedings are still pending before the Pridneprovskyi District Court of Cherkasy.</p> <p>The next court hearing is scheduled for 01/07/2020.</p>
<p>Nakonechnyy v. Ukraine (applications nos. 34900/08 and 10 others) Final on 11/01/2018</p>	
Yuriy Borysovych Veremchuk	<p>The criminal proceedings in the applicant's case are still pending before the Zaliznychnyi District Court of Lviv.</p> <p>The delays of the criminal proceedings were caused by regular non-appearance of numerous accused and their lawyers in the case (in total, there are 24 accused in the case).</p> <p>The next court hearing is scheduled for 09/07/2020.</p>
<p>Kondrakhin v. Ukraine (applications nos. 2887/05 and 8 others) Final on 30/11/2017</p>	
Mykhaylo Oleksiyovych Lozinskyy	<p>On 19/06/2018, the Odesa Regional Court of Appeal remitted the applicant's case for new consideration to the Prymorskyi District Court of Odesa.</p> <p>As of today, the criminal proceedings in the present case are pending.</p> <p>The delays of the criminal proceedings were caused by the complexity of the case, by the regular non-appearance of trial participants (in particular, witnesses and victims) in the court hearing, which were duly notified about the place and time of the next court hearing.</p>
Valentyn Mykolayovych Kulykivskyy	<p>The criminal proceedings in the applicant's case are pending before the Bohunskyi District Court of Zhytomyr.</p> <p>The delays of the criminal proceedings were caused by the regular non-appearance of trial participants in the court hearing, which were duly notified about the place and time of the next court hearing.</p>
<p>Bezborodov and others v. Ukraine (applications nos. 69816/13 and 2 other applications) Final on 12/10/2017</p>	
Sergiy Vasylyovych Peknych	<p>On 09/11/2018, the Kovpakivskyi District Court of Sumy ruled to acquit the applicant.</p> <p>However, on 27/12/2018 – a prosecutor in the case appealed against the above-mentioned decision.</p>

	<p>On 23/03/2020 – the Sumy Court of Appeal left the first-instance decision standing and dismissed the prosecutor’s appeal. The prosecutor appealed against the appellate court’s decision.</p> <p>As of today, the criminal proceedings in applicant’s case are still pending before the Supreme Court.</p>
Nataliya Oleksiyivna Mesnyankina	<p>On 01/06/2018, the Kyiv District Court of Odesa returned a bill of indictment to the prosecutor for its rectification in order to eliminate violations of the Criminal Procedure Code.</p> <p>On 03/10/2018, the Odesa Region Court of Appeal dismissed an appeal filed by a Director of “Car Market “Kuyalnik” Limited Liability Company against the decision of the first instance court and upheld the mentioned decision.</p> <p>As of today, the criminal proceedings in the applicant’s case are pending before the Odesa Local Prosecutor's Office.</p>
Kantsara and others v. Ukraine (applications nos. 7762/10 and 4 others) Final on 06/07/2017	
Olga Oleksandrivna Yatsenko	<p>As of today, the criminal proceedings in the present case are pending before the Solomyanskyi District Court of Kyiv.</p> <p>The next court hearing is scheduled for 06/08/2020.</p> <p>The delays of the criminal proceedings were caused by the necessity of changing the <i>locus standi</i> of the case.</p>
Shylo and others v. Ukraine (applications nos. 41135/08 and 6 others) Final on 22/06/2017	
Natalya Mikhaylovna Koren	<p>The criminal proceedings in the case of Ms Koren and Ms Krupko are still pending before the Pavlohradskyy Town-District Court of Dnipropetrovsk Region.</p> <p>The next court hearing is scheduled for 27/08/2019.</p> <p>The delays of the criminal proceedings were caused by the regular non-appearance of witnesses and injured persons in the court hearing, which were duly notified about the place and time of the next court hearing.</p>
Svetlana Nikolayevna Krupko	
Nakonechnyy v. Ukraine (application no. 17262/07) Final on 26/01/2012	
Viktor Yakovych Nakonechnyy	<p>On 15/11/2011 the HSCU partly upheld the prosecutor’s appeal in cassation and rejected the decision of the Svalyava District Court of the Zaporizhzhya Region dated 13/07/2010 and the order of the Appeal Court of the Zaporizhzhya Region dated 24/11/2010.</p> <p>The case files were remitted to the prosecutor for an additional investigation.</p>
Orlov v. Ukraine (application no. 5842/05) Final on 15/12/2011	
Aleksandr Aleksandrovich Orlov	<p>The criminal proceedings in the present case are pending. Pre-trial investigation is being conducted by the National Police of Ukraine Main Department in the Odesa Region.</p>

Balakirev and others v. Ukraine (applications nos. 61109/10 and 33773/18) Final on 11/07/2019	
Sevil Dilsuzivna Kosayeva	<p>The civil proceedings regarding the recovery of damage to the applicant are still pending.</p> <p>It should be noted that the length of civil proceedings was caused by the length of criminal proceedings against Ms Akhinko within which the applicant filed the civil claim.</p> <p>On 20/03/2020, the Ordzhonikidzevskyi District Court of Zaporizhzhya ruled to discharge Ms Akhinko from criminal liability due to the expiration of the period of criminal prosecution and to close the criminal case.</p> <p>On 20/03/2020, one of the victims in the case filed an appeal against the first-instance decision.</p> <p>However, the Zaporizhzhya Court of Appeal dismissed such a claim by its decision of 11/06/2020.</p> <p>As of today, the appellate court's decision has not come into force, as the deadline for filing a cassation appeal has not yet expired.</p> <p>Thus, there is no final judicial decision in the mentioned criminal proceedings.</p> <p>The delays of the criminal proceedings were caused by the necessity of carrying out interrogation of numerous witnesses and victims (more than hundred investigation actions).</p>
Shumelna v. Ukraine (application no. 10494/18) Final on 21/02/2019	
Valentyna Vasylivna Shumelna	<p>The civil proceedings regarding the recovery of damage to the applicant are still pending.</p> <p>It should be noted that the length of civil proceedings was caused by the length of criminal proceedings against Ms Akhinko within which the applicant filed the civil claim.</p> <p>On 20/03/2020, the Ordzhonikidzevskyi District Court of Zaporizhzhya ruled to discharge Ms Akhinko from criminal liability due to the expiration of the period of criminal prosecution and to close the criminal case.</p> <p>On 20/03/2020, one of the victims in the case filed an appeal against the first-instance decision.</p> <p>However, the Zaporizhzhya Court of Appeal dismissed such claim by its decision of 11/06/2020.</p> <p>As of today, the appellate court's decision has not come into force, as the deadline for filing a cassation appeal has not yet expired.</p> <p>Thus, there is no final judicial decision in the mentioned criminal proceedings.</p> <p>The delays of the criminal proceedings were caused by the necessity of carrying out interrogation of numerous witnesses and victims (more than hundred investigation actions).</p>
Agracheva and others v. Ukraine (applications nos. 11109/09 and 3 others) Final on 06/12/2018	
Volodymyr Georgiyovych Zayichenko	<p>On 08/05/2019, the Babushkinskyi District Court of Dnipropetrovsk upheld the applicant's claim regarding the obligation of the State Treasury Service of Ukraine to enforce a</p>

	<p>decision of the Babushkynskyi District Court of Dnipropetrovsk dated 20/03/2013 in the case № 200/7261/13 in full.</p> <p>On 09/10/2019, the Dnipro Court of Appeal upheld the decision of the first instance. The State Treasury Service of Ukraine appealed against such a decision to the Supreme Court.</p> <p>On 10/12/2019 – the applicant filed to the Supreme Court a request to close the cassation proceedings and to deliver an individual ruling on non-compliance with the European Court's judgment in his case by officials of the Ministry of Justice of Ukraine and the State Treasury Service of Ukraine.</p> <p>However, in its decision of 16/12/2019, the Supreme Court dismissed the applicant's request since it had not complied with the current legislation.</p> <p>As of today, the civil proceedings in the applicant's case are still pending.</p> <p>The next court hearing is scheduled for 21/08/2020.</p>
Alla Oleksiyivna Podkorytova	<p>The civil proceedings regarding the recovery of damage to the applicant are still pending.</p> <p>It should be noted that the length of civil proceedings was caused by the length of criminal proceedings against Ms Akhinko within which the applicant filed the civil claim.</p> <p>On 20/03/2020, the Ordzhonikidzevskyi District Court of Zaporizhzhya ruled to discharge Ms Akhinko from criminal liability due to the expiration of the period of criminal prosecution and to close the criminal case.</p> <p>On 20/03/2020, one of the victims in the case filed an appeal against the first-instance decision.</p> <p>However, the Zaporizhzhya Court of Appeal dismissed such a claim by its decision of 11/06/2020.</p> <p>As of today, the appellate court's decision has not come into force, as the deadline for filing a cassation appeal has not yet expired.</p> <p>Thus, there is no final judicial decision in the mentioned criminal proceedings.</p> <p>The delays of the criminal proceedings were caused by the necessity of carrying out interrogation of numerous witnesses and victims (more than hundred investigation actions).</p>
<p align="center">Kruchko and others v. Ukraine (applications nos. 52227/10 and 3 others) Final on 04/10/2018</p>	
Lidiya Dmytrivna Roy	<p>The civil proceedings regarding the recovery of damage to the applicant are still pending.</p> <p>It should be noted that the length of civil proceedings was caused by the length of criminal proceedings against Ms Akhinko within which the applicant filed the civil claim.</p> <p>On 20/03/2020, the Ordzhonikidzevskyi District Court of Zaporizhzhya ruled to discharge Ms Akhinko from criminal liability due to the expiration of the period of criminal prosecution and to close the criminal case.</p> <p>On 20/03/2020, one of the victims in the case filed an appeal against the first-instance decision.</p> <p>However, the Zaporizhzhya Court of Appeal dismissed such a claim by its decision of 11/06/2020.</p>

	<p>As of today, the appellate court's decision has not come into force, as the deadline for filing a cassation appeal has not yet expired.</p> <p>Thus, there is no final judicial decision in the mentioned criminal proceedings.</p> <p>The delays of the criminal proceedings were caused by the necessity of carrying out interrogation of numerous witnesses and victims (more than hundred investigation actions).</p>
<p>Yerokhin v. Ukraine (applications nos. 4043/08 and 3 others) Final on 30/11/2017</p>	
Volodymyr Vasylyovych Chaykin	<p>The civil proceedings regarding the recovery of damage to the applicant are still pending.</p> <p>It should be noted that the length of civil proceedings was caused by the length of criminal proceedings against Ms Akhinko within which the applicant filed the civil claim.</p> <p>On 20/03/2020, the Ordzhonikidzevskyi District Court of Zaporizhzhya ruled to discharge Ms Akhinko from criminal liability due to the expiration of the period of criminal prosecution and to close the criminal case.</p> <p>On 20/03/2020, one of the victims in the case filed an appeal against the first-instance decision.</p> <p>However, the Zaporizhzhya Court of Appeal dismissed such a claim by its decision of 11/06/2020.</p> <p>As of today, the appellate court's decision has not come into force, as the deadline for filing a cassation appeal has not yet expired.</p> <p>Thus, there is no final judicial decision in the mentioned criminal proceedings.</p> <p>The delays of the criminal proceedings were caused by the necessity of carrying out interrogation of numerous witnesses and victims (more than hundred investigation actions).</p>
<p>Ovechkina and others v. Ukraine (applications nos. 21357/08 and 4 others) Final on 08/06/2017</p>	
Yuriy Mykolayovych Netrobenko	<p>On 29/05/2019, the Supreme Court of Ukraine upheld the applicant's claim partially and ruled to:</p> <ul style="list-style-type: none"> - Refuse the claim of the applicant in the part of division in the half defendant's share of the Privat Enterprise "Effective Fattening of Animals West" authorised capital that is 23% of such capital, and recognise the applicant's equity ownership of 11,5% (half of the defendant's share) of the Privat Enterprise "Effective Fattening of Animals West" authorised capital; - Invalidate two gift contracts of non-residential premises of 24/06/2011, as well as a purchase agreement of a car; - declare the proprietary right of the applicant and defendant for ½ of the non-residential premises, with a total area of 60.9 square meters; 1/4 of the non-residential premises, with a total area of 304.4 square meters; and car "Toyota Auris", 2008 year of manufacture; - Collect the applicant court fees in the amount of UAH 216021, 99;

	<p>- In the other part of the decision of the Frankivsk District Court of Lviv (dated 02/02/2017) and the decision of the Court of Appeal of the Lviv Region (dated 07/09/2017) to leave unchanged.</p> <p>The decision of the court of cassation is final and not subject to appeal. <u>Thus, the civil proceedings in the applicant's case were terminated on 29/05/2019.</u></p>
<p>Dudyk v. Ukraine (applications nos. 10288/07 and 3 others) Final on 12/01/2017</p>	
Oleg Oleksandrovych YURCHENKO	<p>Due to the applicant's death, on 23/07/2018 – the Lviv Circuit Administrative Court ruled to suspend the civil proceedings till the involvement of the successor legal representative of Mr Yurchenko.</p> <p>As of today, such persons have not yet been involved in the present civil proceedings.</p>