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Date: 06/02/2026

DH-DD(2026)201

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Meeting: 1553rd meeting (March 2026) (DH)

Item reference: Action Report (02/02/2026)

Communication from Ukraine concerning the case of Pinchuk v. Ukraine (Application No. 72777/13) [Group Surikov]

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Réunion : 1553^e réunion (mars 2026) (DH)

Référence du point : Bilan d'action (02/02/2026)

Communication de l'Ukraine concernant l'affaire Pinchuk c. Ukraine (requête n° 72777/13) [Groupe Surikov]
(anglais uniquement)

Execution of Judgment of the European Court of Human Rights

Action Report

on measures to comply with the Court's judgment in case of

Pinchuk v. Ukraine

(no. 72777/13, judgment final on 12/09/2024)

DGI

02 FEV. 2026

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

I. CASE SUMMARY

The case concerns allegations that the applicant's employer had unlawfully collected sensitive medical data concerning him and that the national courts had failed to adduce relevant and sufficient reasons for dismissing his complaints in that regard (Article 8).

II. INDIVIDUAL MEASURES

• *Just satisfaction*

The Court awarded the applicant sum in the amount of EUR 4 500 in respect of non-pecuniary damage and EUR 387 in respect of costs and expenses. The awarded sum in the amount of UAH 213 333,19 (EUR 4 887) was transferred to the applicant's bank account under payment order No. 363 of 18 November 2024.

Restitutio in integrum

By letters of 23 September 2024 the Government informed the applicant, Mr Yuriy Pinchuk, and his representative, Mr Anatoliy Tkachuk, about the possibility provided by the legislation in force to apply for the review of the case in the exceptional circumstances procedure, following the Court's judgment in the case of *Pinchuk v. Ukraine*.

As of today the applicant did not apply to the court to review his case.

According to subpara. 3 of para. 5 of Article 361 of the Code of Administrative Procedure, which was amended by the Law No.4283-IX of 11 March 2025 "On Amendments to Certain Legislative Acts of Ukraine in Connection with the Decision of the Constitutional Court of Ukraine of 14 February 2024 No. 1-p(II)/2024 on Guaranteeing the Protection of Individual Rights and Freedoms by Decision of the European Court of Human Rights"¹, a person in respect of whom a decision has been adopted by an international judicial institution, whose jurisdiction is recognised by Ukraine, may file an application for review of the court decision based on newly discovered or exceptional circumstances no later than thirty days from the date on which such person learned or could have learned about the final decision.

The statutory time-limit for submitting an application for review in exceptional circumstances has since expired.

The Government would also like to draw attention to the fact that the information regarding the applicant was collected over 10 years ago. The system for recording such information has since been updated (see the section on general measures), and this data has effectively become outdated and cannot be used in making any decisions concerning the applicant's career.

In these circumstances, the Government consider that no further individual measures are required, as the applicant did not avail himself of the available domestic remedies and does not appear to face any ongoing negative consequences resulting from the violations found.

¹ <https://zakon.rada.gov.ua/laws/show/4283-20#Text>

III. GENERAL MEASURES

At the outset, the Government would like to emphasize the isolated nature of the present case, which does not reveal a systemic or structural problem in the national legal order. The events giving rise to the violation occurred more than a decade ago and were the result of a flawed administrative practice at the time, which no longer reflects the current functioning of domestic authorities.

The Government would also like to inform that by its nature the present case is similar to the case of *Surikov v. Ukraine*². In the Government's action report in the above case of 04 October 2021³ the Government provided the Committee of Ministers with the information regarding general measures, particularly general legal framework as regards personal data protection and national courts' practice.

At the same time the Government would like to present additional information as follows.

As to the violation of Article 8

In para. 11 of the judgment the Court noted that "*enquiries addressed by the applicant's superior – a police officer – to hospital staff with a view to obtaining his detailed medical information amounted to an interference with the applicant's right to respect for his private life within the meaning of Article 8 of the Convention*". The Court also stated in para. 13 that "*the Court takes note of the applicant's reliance on section 39-1 of the FHPL, which expressly prohibited employers from making such enquiries*".

In this regard the Government would like to note that the Law no. 2801-XII of 19 November 1992 on the Fundamentals of Health Protection Legislation⁴ regulates social relations in the field of healthcare by establishing the fundamental rights of citizens (to life, medical care, and information), the obligations of the state and medical professionals, the principles governing the functioning of the healthcare system (including medical confidentiality, patients' rights, and the organization of medical care), as well as the foundations of medical research and pharmaceutical activities, based on the Constitution of Ukraine.

On 27 April 2007⁵ the above Law was supplemented with Article 39¹ which states as follows "*A patient has the right to confidentiality regarding their state of health, the fact of seeking medical care, their diagnosis, as well as any information obtained during their medical examination.*

It is prohibited to request or provide, at the patient's place of work or study, information about the patient's diagnosis and methods of treatment".

In accordance with Article 40 of the above Law medical professionals and other persons who, in connection with the performance of their professional or official duties, have become aware of a citizen's illness, medical examination, check-up and their results, as well as intimate and family aspects of a citizen's life, have no right to disclose this information, except in cases provided for by legislative acts.

Additionally, part two of Article 24-2 of the above Law states that access to information about a patient contained in the electronic health care system is possible only upon obtaining the consent of such patient (his or her legal representative) in written form or in a form that makes it possible to conclude that consent has been given. Without such consent, access to information about a patient is possible only in the following cases: where there are indications of a direct threat to the patient's life; where it is impossible to obtain the consent of such patient or his or her legal representative (until such time as obtaining consent becomes possible); by a court decision.

Pursuant to Article 145 of the Criminal Code of Ukraine⁶, criminal liability is provided for the disclosure of medical confidentiality. In accordance with part one of Article 477 of the Criminal

² <https://hudoc.echr.coe.int/eng?i=001-170462>

³ [https://hudoc.exec.coe.int/?i=DH-DD\(2021\)1012E](https://hudoc.exec.coe.int/?i=DH-DD(2021)1012E)

⁴ <https://zakon.rada.gov.ua/laws/show/2801-12#Text>

⁵ <https://zakon.rada.gov.ua/laws/show/997-16#Text>

Procedure Code of Ukraine⁷, criminal proceedings under Article 145 of the Criminal Code of Ukraine are conducted in the form of private prosecution, which may be initiated by an investigator, an inquirer, or a prosecutor solely on the basis of a statement filed by the victim regarding the criminal offense. In the event that a person believes that a criminal offense has been committed against him or her, such person shall submit a relevant statement to the pre-trial investigation authorities.

Also, Article 188-39 of the Code of Ukraine on Administrative Offenses⁸ provides for administrative liability for violations of the legislation in the field of personal data protection. Article 182 of the Criminal Code of Ukraine establishes criminal liability for the unlawful collection, storage, use, destruction, or dissemination of confidential information about a person, or for the unlawful alteration of such information, except in cases provided for by other articles of this Code.

According to the Law of Ukraine “On Personal Data Protection”⁹, personal data means information or a set of information about an individual who is identified or can be specifically identified. Personal data include, in particular, information relating to a person’s state of health.

Part two of Article 12 of the Law of Ukraine “On Personal Data Protection” provides that the personal data subject shall be informed about the personal data controller, the composition and content of the collected personal data, his or her rights as defined by this Law, the purpose of collecting personal data, and the persons to whom his or her personal data are transferred: at the time of collection of the personal data, if the personal data are collected from the personal data subject; in other cases, within thirty working days from the date of collection of the personal data, except for cases established by law.

Part three of Article 10 of the above Law also provides that the use of personal data by employees of entities involved in relations related to personal data shall be carried out solely in accordance with their professional, official, or employment duties. Such employees are obliged to prevent the disclosure, in any manner, of personal data entrusted to them or that became known to them in connection with the performance of their professional, official, or employment duties, except in cases provided for by law.

Within the Ministry of Internal Affairs of Ukraine, the task of ensuring the formation and implementation of state policy in the field of organizing activities related to the protection of personal data during their processing, in accordance with Order of the Ministry of Internal Affairs dated 21 March 2023 No. 220 “On Approval of the Regulations on the Human Rights Compliance Monitoring Department of the Ministry of Internal Affairs of Ukraine” (as amended by Order of the Ministry of Internal Affairs dated 16 May 2023 No. 397), is assigned to the Human Rights Compliance Monitoring Department (the “Monitoring Department”).

Within the framework of Article 24 of the Law of Ukraine “On Personal Data Protection”, the Monitoring Department, for the purpose of proper organization of activities related to the protection of personal data during their processing:

1) in implementation of Order of the Ministry of Internal Affairs dated 25 September 2020 No. 685 “On the Organization of Activities Related to the Protection of Personal Data”:

- conducts, once every six months, monitoring of the availability in the units of the Ministry of Internal Affairs that act as managers of personal data databases of approved organizational and administrative documents regulating activities related to the processing of personal data, orders on the appointment of persons responsible for activities related to the processing of personal data, and approved action plans in the event of unauthorized access to information containing personal data;

⁶ <https://zakon.rada.gov.ua/laws/show/2341-14#Text>

⁷ <https://zakon.rada.gov.ua/laws/show/4651-17>

⁸ <https://zakon.rada.gov.ua/laws/show/80731-10#Text>

⁹ <https://zakon.rada.gov.ua/laws/show/2297-17#Text>

- once every six months analyzes the state of work of the bodies of the Ministry of Internal Affairs with applications concerning issues of processing and protection of personal data;

2) provides consultations to the controller or processor of personal data at the stage of drafting, coordinating, and approving organizational and administrative documents regulating activities related to the processing of personal data, in order to ensure their full compliance with current legislation in this field, the Standard Procedure for Personal Data Processing approved by Order of the Ukrainian Parliament Commissioner for Human Rights dated 8 January 2014 No. 1/02-14¹⁰, and the Recommendations provided by the letter of the Ukrainian Parliament Commissioner for Human Rights dated 10 March 2020 No. 1450.2/20/26;

3) informs the leadership of the Ministry of Internal Affairs about the state of protection of personal data during their processing and submits proposals on measures aimed at improving this work;

4) conducts training for employees of the structural units of the Ministry of Internal Affairs central apparatus and central executive authorities on issues of preventing violations of human rights during the processing of personal data;

5) participates in the Interagency Working Group on the development of legislative proposals in the field of personal data protection;

6) processes applications concerning facts of violations of legislation in the field of personal data protection.

Based on the results of the consolidation and analysis of information provided by the structural units of the apparatus of the Ministry of Internal Affairs, the Main Service Center of the Ministry of Internal Affairs, central executive authorities whose activities are directed and coordinated by the Cabinet of Ministers of Ukraine through the Minister of Internal Affairs of Ukraine, as well as institutions, establishments, and enterprises belonging to the sphere of management of the Ministry of Internal Affairs, in implementation of Order of the Ministry of Internal Affairs of Ukraine dated 25 September 2020 No. 685 “On the Organization of Work Related to the Protection of Personal Data During Their Processing”, the leadership of the Ministry of Internal Affairs is informed about the state of work in this area, in particular regarding compliance by the bodies of the Ministry of Internal Affairs system with the norms of current legislation in the field of personal data protection in the exercise of their powers and in the consideration of requests on issues of processing and personal data protection.

Additionally, within the Ministry of Internal Affairs, taking into account the requirements of the general data protection regulation, as well as the requirements of Resolution of the Cabinet of Ministers of Ukraine dated 12 March 2022 No. 263 “On Certain Issues of Ensuring the Functioning of Information and Communication Systems and Public Electronic Registers under Martial Law”¹¹, a Risk Register related to the processing of personal data and measures for their mitigation has been developed.

The National Police of Ukraine informed that provisions that allow, without a person’s consent, requesting information on the state of their health from medical institutions are contained in the Procedure for the Investigation and Recording of Accidents Involving Police Officers, approved by Order of the Ministry of Internal Affairs of Ukraine dated 05 October 2020 No. 705, registered with the Ministry of Justice of Ukraine on 17 November 2020 under No. 1139/35422 (the “Procedure”)¹².

This Procedure establishes a clear algorithm of actions in the event of injury, illness, or death of police officers in the line of duty. Its main purpose is to objectively determine the circumstances of the incident, establish whether it is related to the performance of official duties, and maintain a unified state record of such cases.

¹⁰ https://zakon.rada.gov.ua/laws/show/v1_02715-14#n11

¹¹ <https://zakon.rada.gov.ua/laws/show/263-2022-%D0%BF#Text>

¹² <https://zakon.rada.gov.ua/laws/show/z1139-20/ed20201005#Text>

The Procedure empowers the investigation commission to actively collect evidence. According to subparagraph 4 of paragraph 6 of Section III, the members of the commission are obliged to: *“examine the available documents and materials related to the accident and, if necessary, send requests to the relevant institutions, organizations, and establishments for the provision of information regarding the accident.”* This enables the commission to obtain medical opinions, materials from the pre-trial investigation, and other data necessary to establish the truth.

Despite the commission’s broad powers to collect information, the Procedure contains safeguards to ensure confidentiality. In particular:

1. Duty of non-disclosure – according to subparagraph 15 of paragraph 6 of Section III, the commission is obliged to: *“comply with the requirements of information legislation regarding the protection of personal data of injured police officers and other persons collected within the scope of the commission’s powers ... during the conduct of the investigation.”*

This means that any information obtained (medical diagnoses, witness statements, details of personal life) is subject to restricted access and may not be disclosed outside the investigation procedure.

2. State secrets – data are separately protected in cases where a police officer was performing classified tasks. In such situations, the report in Form N-1 is drawn up without indicating information constituting a state secret (paragraph 4 of Section III).

3. Preservation of materials – investigation materials are stored for 45 years under restricted access (within a police authority or an archive), which ensures the protection of the privacy of the injured person and their family over a long period of time.

Thus, the Procedure is based on the principle of necessity and sufficiency: the commission has the right to request any information from external institutions in order to establish the truth, while bearing personal responsibility for maintaining the confidentiality of such data. The injured person’s personal information remains protected by personal data protection regulations and rules on official secrecy.

The internal mechanism for monitoring compliance with personal data protection legislation is carried out, *inter alia*, on the basis of Order of the National Police of Ukraine dated 28 February 2025 No. 217 “On the Organization of Work Related to the Protection of Personal Data during Their Processing,” which, among other things:

- approves the List of officials who, within their powers, ensure the organization of work related to the protection of personal data during their processing in the structural units of the central police management body;

- instructs the heads of the Main Directorates of the National Police in the Autonomous Republic of Crimea and the city of Sevastopol, the regions, and the city of Kyiv, as well as interregional territorial bodies of the National Police, to ensure the organization of work related to the protection of personal data during their processing in the respective bodies.

Additionally, in para. 13 of the judgment the Court stated that *“It has not been disputed by the Government that the applicant had duly notified his employer of his absence on health grounds and had promptly and duly provided official sick-leave certificates. In this context the Court cannot accept the Government’s argument that general legal provisions on the recruitment of police officers and the functioning of medical fitness commissions provided the legal basis for the applicant’s superior to make direct and specific enquiries to the hospitals seeking detailed information on his treatment and diagnosis.”*

Crucially, the Government would like to point out the systemic transformation of the Ukrainian healthcare and social security systems through digitalization, which has created a technical barrier against the type of violation found in the *Pinchuk case*.

Particularly, Procedure for the Functioning of the Electronic Health Care System was approved by resolution of the Cabinet of Ministers of Ukraine No. 411 of 25 April 2018 “On the

Electronic Health Care System”¹³ (the “Procedure of eHealth”). The Electronic Health Care System (the “eHealth”) is designed with advanced security protocols that provide an audit trail for every instance of data access.

Following the order of the Ministry of Health of Ukraine No. 1066 dated 1 June 2021 “On Certain Issues of the Formation of Medical Conclusions on Temporary Incapacity for Work and their Quality Control”¹⁴ the transition from paper-based certificates to electronic medical conclusions was completed.

A doctor now generates a digital medical conclusion within the eHealth. This information is then automatically synchronized with the Electronic Register of Certificates of Incapacity for Work, which is part of the Integrated Information System of the Pension Fund of Ukraine.

According to para 23 of the Procedure of eHealth personal data in the central database may be processed for the purposes of healthcare, establishing a medical diagnosis, providing treatment or medical services, and ensuring the functioning of the electronic healthcare system.

Personal data concerning health may be processed provided that such processing is carried out by a medical professional or another employee of a healthcare institution, or by a sole proprietor who has obtained a license to carry out medical practice, as well as by employees entrusted with duties related to ensuring the protection of personal data and who are subject to legislation on medical confidentiality, and by employees of the National Health Service of Ukraine who are entrusted with duties related to ensuring the protection of personal data.

At the same time subpara 7 of para 2 of the Procedure of eHealth defines users as natural and legal persons who are registered in the central database of the electronic healthcare system and who have access rights in accordance with the Procedure of eHealth.

User’s access rights to information and documents in the central database are defined, inter alia, in para 40 of the Procedure of eHealth.

User’s access to the functional capabilities of the electronic healthcare system is provided through electronic cabinets.

The electronic cabinets of heads and authorised persons of business entities in the field of healthcare, as well as of medical professionals, operate within electronic medical information systems connected to the central database in accordance with the Procedure of eHealth, in compliance with the requirements of the law of Ukraine “On Personal Data Protection”.

The patient’s personal cabinet ensures access for patients (their legal representatives) to the electronic healthcare system through the patient’s electronic cabinet, which forms part of the central database, or through patients’ electronic cabinets operating within electronic medical information system connected to the central database in accordance with the Procedure of eHealth, including via the Diia Portal, in particular through the Diia Portal mobile application, in compliance with the requirements of the law of Ukraine “On Personal Data Protection”.

Since employers do not fall within the category of users of the electronic healthcare system with the meaning of the Procedure of eHealth and do not have defined access rights to the registers of the central database, they cannot obtain access to information contained in the electronic healthcare system.

Accordingly, the legislation and the architecture of the electronic healthcare system and the registers maintained in the central database of the electronic healthcare system do not provide for any technical possibility for employers to access employees’ medical diagnoses.

Additionally, the current mechanism for processing sick leaves is governed by the resolution of the Cabinet of Ministers of Ukraine No. 328 dated 17 April 2019 “On Approval of the Procedure

¹³ <https://zakon.rada.gov.ua/laws/show/411-2018-%D0%BF#Text>

¹⁴ <https://moz.gov.ua/uk/decrees/nakaz-moz-ukraini-vid-01062021--1066-dejaki-pitannja-formuvannja-medichnih-visnovkiv-pro-timchasovu-nepracezdatnist-ta-provedennja-ihnoi-perevirki>

for the Organization and Maintenance of the Electronic Register of Certificates of Incapacity for Work” (as amended)¹⁵.

According to the above Procedure during the maintenance of the Registry, procedures and measures are ensured for data control and verification, monitoring changes to individual information, information protection, as well as technological and software security, including protection against unauthorized access. The Registry consists of records on temporary incapacity, which are created automatically by software tools based on information received from sources specified in the Procedure.

Under the above Procedure, an employer only sees the electronic certificate on the Pension Fund’s portal. This certificate contains only the fact of incapacity and its duration. The medical diagnosis, the results of examinations, and the clinical details are not transmitted to the employer. These details remain encrypted within the eHealth system and are only accessible to the treating physician.

The Government would like to underline that this structural reform ensures that the sensitive medical information of employees is protected from unauthorized access by their employers, aligning domestic practice with the requirements of Article 8 of the Convention regarding the confidentiality of medical data.

As to national courts’ practice

The analysis of the Unified State Register of Court Decisions indicates that disputes similar to the circumstances of the *Pinchuk case*, namely, claims against employers concerning the collection or verification of employees’ medical information without their consent, are not widespread in national judicial practice. Such cases do not reveal a recurring or systemic issue, but rather reflect isolated factual situations.

In particular, there is no established trend of litigation involving unlawful requests by employers to healthcare institutions for detailed medical information about employees. Where cases concerning the protection of medical confidentiality do arise, they predominantly relate to complaints against medical professionals regarding the disclosure of confidential health data, including the unlawful disclosure of a patient’s positive HIV status, as well as to employment-related disputes examined in specific and exceptional contexts, such as public health measures adopted during the COVID-19 pandemic.

Accordingly, the circumstances of the present case cannot be regarded as indicative of a structural deficiency in domestic law or judicial practice. The current approach of national courts demonstrates adequate safeguards against arbitrary interference with the right to respect for private life, including the confidentiality of medical information, in line with Article 8 of the Convention.

Particularly, when considering cases involving the protection of this individual right, national courts provide proper justification for their decisions. As a rule, the courts assess the proportionality and seriousness of the interference with the right to medical confidentiality as part of the right to respect for private life, as provided by Article 8 of the Convention.

National courts, in particular the Supreme Court, adhere to a careful and comprehensive approach when examining individuals’ allegations of violations of their right to medical confidentiality. The courts consistently apply the standards of Article 8 of the Convention, assessing the proportionality and seriousness of the interference with the right to respect for private life. At the same time, national courts carry out a balancing exercise between private and public interests, namely the protection of an individual’s right to the confidentiality of medical information and the need to safeguard public health and national security.

¹⁵ <https://zakon.rada.gov.ua/laws/show/328-2019-%D0%BF#n12>

As to the awareness raising and training activities

On 25 January 2024, representatives of the Ministry of Internal Affairs took part in a round table held on the occasion of Data Protection Day, which was organized by the Ukrainian Parliament Commissioner for Human Rights with the participation of international-level experts, for the purpose of discussing current issues of personal data protection, including the adoption of new laws in the field of personal data protection.

On 20 February 2024, participation was taken in the forum “Personal Data Protection: Current Scenario and Future Outlook,” organized by the Ukrainian Parliament Commissioner for Human Rights at the initiative of the Council of Europe Office in Ukraine.

The forum addressed issues related to the modernization of Ukrainian legislation in the field of personal data protection in order to bring it into compliance with European standards, as well as the issue of the objective necessity of adopting two interrelated laws providing for the protection of personal data in accordance with the highest European and international standards, which is a mandatory condition on Ukraine’s path toward integration into the European Union.

On 13 September 2024, representatives of the Ministry of Internal Affairs took part in the presentation of the results of an analytical study on the processing of personal data in the healthcare sector and the observance of human rights in this field, organized by the Secretariat of the Ukrainian Parliament Commissioner for Human Rights jointly with the Council of Europe project “Support for the Implementation of European Human Rights Standards in Ukraine.”

On 5 December 2024, representatives of the Ministry of Internal Affairs took part in the International Human Rights Conference “The Decade 2014–2024. Reclaiming Human Rights. Preserving Democracy,” organized by the Secretariat of the Ukrainian Parliament Commissioner for Human Rights, the Office of the President of Ukraine, and the Ministry of Foreign Affairs of Ukraine, with Representatives of the Ukrainian Parliament Commissioner for Human Rights acting as moderators for representatives of public authorities, human rights defenders, journalists, and civil society representatives.

On 14 May 2025, representatives of the Ministry of Internal Affairs also took part in a meeting of the subgroup on the implementation of standards of integrity, gender equality, accessibility, transparency, personal data protection, and the organization of the implementation of other measures of the Interagency Working Group on the implementation of certain tasks of the Action Plan aimed at executing the Comprehensive Strategic Plan for the Reform of Law Enforcement Agencies as part of Ukraine’s Security and Defense Sector for 2023-2027 (the “Plan”), established by Order No. 91 of the Office of the Prosecutor General dated 16 April 2025.

During the meeting, issues related to the implementation of a number of measures provided for in the Plan were discussed, including activities in the field of personal data processing and protection, the regulatory framework governing these activities in law enforcement agencies and the prosecution, and the implementation of measures aimed at ensuring the introduction of personal data security and protection tools in accordance with European Union standards, taking into account the updates to the regulation of such activities by the European Union and the Council of Europe in national legislation on the processing and protection of personal data.

In implementation of Task 4 of Measure 2 of Operational Objective 6, “Organized personnel work at an appropriate level, and educational and scientific activities carried out at an appropriate level,” of the Main Action Plan of the Ministry of Internal Affairs of Ukraine for 2025, approved by Order No. 849 of the Ministry of Internal Affairs dated 20 December 2024, and with the aim of preventing human rights violations in the activities of bodies of the Ministry of Internal Affairs during the processing of personal data, providing guidance on the practical application of personal data protection legislation, and clarifying the rights and obligations of subjects involved in personal data protection relations, on 16 October 2025, the Ministry of Internal Affairs, together with representatives of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights, conducted training on preventing human rights violations during personal data processing via electronic communication in an online format on the Zoom platform.

On 28 January 2025, a training session on personal data protection standards in European Union countries was conducted for employees of the central police authority and interregional police bodies, with the participation of representatives of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights and international experts from the Council of Europe.

From April to June 2025, together with representatives of the Council of Europe project “Support to the Implementation of the European Human Rights Standards in Ukraine: Phase II”, four online training sessions were conducted for police officers of the Department of the Main Inspectorate and Human Rights Compliance, as well as heads of departments (sectors) responsible for the organization of temporary detention facilities and monitoring of detainee treatment in the Main Directorates of the National Police in the regions and in Kyiv. The training was titled “Expert Consultation on Information Protection for the National Police of Ukraine” and involved participation of Council of Europe experts and representatives of the Secretariat of the Ukrainian Parliament Commissioner for Human Rights.

Representatives of central and regional government authorities attended a three-day training on personal data protection held on 27-29 August 2025 as part of the Summer School of Coaching Excellence, organized by the National Agency of Ukraine for Civil Service and the Higher School of Public Governance with the support of Council of Europe project “Support to the Implementation of the European Human Rights Standards in Ukraine: Phase II”. Council of Europe experts, Oleksandr Shevchuk and Liliia Oleksiuk, drew participants’ attention to the provisions of the updated Council of Europe Convention 108 and the European Union General Data Protection Regulation. They raised the awareness on how to practically apply measures under the Law of Ukraine “On Personal Data Protection” and draft laws No. 8153 and No. 6177, which establish new legal foundations for the functioning of the personal data protection sector in Ukraine in accordance with European standards.

On 2 October 2025 and 28 October 2025, online training sessions on “Personal Data Protection in Police Activities” were conducted for police officers of the departments of the Main Inspectorates of the National Police Main Directorates in the regions and in Kyiv, with the involvement of a UNDP expert.

On 24 October 2025, one of the five planned online trainings on the topic “Personal Data Protection: GDPR and New Legislation for Law Enforcement Officers” was conducted for police officers of the central police authority and the Main Directorates of the National Police in the regions and in Kyiv, with the involvement of an expert from the European Union Advisory Mission in Ukraine.

For the purpose of ensuring the quality of the educational process on issues related to the application of European standards for the protection of human rights and fundamental freedoms in professional activities, the implementation of decisions of the European Court of Human Rights, and the use of the Convention and the case law of the European Court of Human Rights as a source of law in law-enforcement practice, the regulatory part of professional advanced training (specialization) programmes for National Police of Ukraine personnel of all categories includes the topic “Human Rights. The Rule of Law. Constitutionalism. International Human Rights Standards.”

Within the practical training on this topic, test-based and situational tasks are carried out and discussed, aimed at developing systematic and stable knowledge among trainees regarding human rights, their constitutional guarantees, and international human rights standards, as well as the limits of conduct in accordance with assigned official duties and granted powers, in the context of respecting human rights.

In 2025, the training programs were completed by the following number of personnel of the National police of Ukraine: long-term advanced training – 429 police officers; short-term advanced training – 4,538; specialization – 735.

IV. PUBLICATION AND DISSEMINATION

The summary of the case *Pinchuk v. Ukraine* was published in the Government's Currier [Uriadovyi Kurier] No. 200 of 03 October 2024, and was put on the Ministry of Justice official web-site¹⁶ and the Supreme Court official web-site, as well as on the Verkhovna Rada of Ukraine official web-site¹⁷ and HUDOC database¹⁸.

The judgment was also translated into Ukrainian and published in the official Government's print outlet Official Herald of Ukraine [Ofitsiynyi Visnyk Ukrainy], No. 102 of 04 December 2024 and put on the Ministry of Justice of Ukraine official web-site. Also, translation of the judgment was published on the legal portal *Liga Zakon*.

By the letters of 23 September 2024 explanatory notes on the conclusions of the Court in the abovementioned case together with its summary were sent to the Supreme Court, Zhytomyr Circuit Administrative Court, Seventh Administrative Court of Appeal, National Police of Ukraine, the Ministry of Internal Affairs of Ukraine, the Main Department of the National Police in Zhytomyr Region, the National School of Judges, the National Academy of Internal Affairs.

On 07 October 2024, the Supreme Court informed that the findings in the case of *Pinchuk v. Ukraine* were brought to the attention of the judges of the Supreme Court and disseminated among the appellate courts.

The Government consider that awareness-raising measures, broad dissemination of the Court's findings will be sufficient to prevent similar violations in the future.

V. CONCLUSIONS OF THE RESPONDENT GOVERNMENT

Despite the ongoing challenges of Russia's aggression, Ukraine remains steadfast in its commitment to the European human rights standards.

The Government emphasise that the violation in the *Pinchuk case* was an isolated incident rooted in legacy administrative protocols that have since been completely overhauled. The current legislative framework, coupled with the digitalization of healthcare records (eHealth) and strict internal oversight mechanisms within the Ministry of Internal Affairs and the National Police, provides robust safeguards against unauthorized access to sensitive medical data.

Furthermore, the extensive capacity-building and training programs conducted in 2024-2025 ensure that law enforcement officials possess the necessary expertise to balance administrative necessity with the right to privacy.

In light of the individual measures taken and the comprehensive general measures implemented to align domestic practice with the Court's case-law, the Government consider that Ukraine has fulfilled its obligations under Article 46 § 1 of the Convention. Consequently, the Government respectfully request the Committee of Ministers to close the supervision of the execution of this judgment.

¹⁶ <https://minjust.gov.ua/m/rishennya-schodo-suti-za-alfavitom>

¹⁷ https://zakon.rada.gov.ua/laws/card/974_k17

¹⁸ <https://hudoc.echr.coe.int/ukr?i=001-237981>