

**SECRETARIAT / SECRÉTARIAT**

SECRETARIAT OF THE COMMITTEE OF MINISTERS  
SECRÉTARIAT DU COMITÉ DES MINISTRES

COMMITTEE  
OF MINISTERS  
COMITÉ  
DES MINISTRES



Contact: Ireneusz Kondak  
Tel: 03.90.21.59.86

Date: 18/03/2026

**DH-DD(2026)359**

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: 1563<sup>rd</sup> meeting (June 2026) (DH)

Item reference: Action Plan (13/03/2026)

Communication from Ukraine concerning the cases of Lingys and Shpakovskyy v. Ukraine (Application No. 61463/15) and Raychenko and Others v. Ukraine (Application No. 64144/17) (Group Myakotin)

\* \* \* \* \*

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 : 1563<sup>e</sup> réunion (juin 2026) (DH)

Référence du point : Plan d'action (13/03/2026)

Communication de l'Ukraine concernant les affaires Lingys et Shpakovskyy c. Ukraine (requête n° 61463/15) et Raychenko et autres c. Ukraine (Groupe Myakotin) (**anglais uniquement**)

---

**Execution of Judgments of the European Court of Human Rights**  
**Action Plan**  
**on measures taken for implementation of the Court's judgments**  
**in the *Myakotin v. Ukraine* group of cases**

**Raychenko and others v. Ukraine**  
**(application no. 64144/17, final on 23 January 2025)**

**Lingys and Shpakovskyy v. Ukraine case**  
**(application no. 61463/15, final on 27 November 2025)**

**CASE SUMMARY**

These cases concerns the use of confiscation as a sanction for the evasion of payment of customs duties and the failure to declare cash when crossing the Ukrainian border which imposed an individual and excessive burden on the applicants (violation of Article 1 of Protocol No. 1).

**INDIVIDUAL MEASURES**

***Just satisfaction***

In the case of *Raychenko and others v. Ukraine* the relevant information is set out in the table below.

<b>Name Application no.</b>	<b>Amount awarded for pecuniary damage per applicant (EUR)</b>	<b>Amount awarded for costs and expenses per application (EUR)</b>	<b>Date of transfer to the deposit</b>	<b>Date of receipt of bank account details</b>	<b>Comments</b>
Yuriy Sergiyovych RAYCHENKO (64144/17)	10 400	-	17 April 2025	03 June 2025	<p>The awarded sum in the amount of UAH 486 933,20 (EUR 10 400) was transferred to the special deposit account of the Ministry of Justice of Ukraine due to the absence of the applicant's bank account details.</p> <p>The state bailiff has repeatedly sent letters to the applicant's representative regarding the need to provide the bank details of the applicant.</p> <p>The awarded sum in the amount of UAH 486 933,20 (EUR 10 400) was transferred to the applicant's bank account under payment order no. 1606 of 03 June 2025.</p>
Igor Anatolyevich BATISHCHEV (73161/17)	4 687	250	17 April 2025	-	<p>The awarded sum in the amount of UAH 231 152,81 (EUR 4 937) was transferred to the special deposit account of the Ministry of Justice of Ukraine due to the absence of the applicant's bank account details.</p> <p>By the letter of 21 April 2025, the state</p>

					<p>bailiff (by post and e-mail) repeatedly informed about the receipt of funds to the special account of the Ministry of Justice and reiterated the need to provide the details of the applicant's bank account to receive the funds.</p> <p>As of today, the awarded sum is held on a special deposit account of the Ministry of Justice of Ukraine and remains available for the applicant.</p>
Yevgen Valeriyovych LASHCHENKO (2625/18)	12 885	-	-	-	<p>The awarded sum in the amount of UAH 603 282,14 (EUR 12 885) was transferred to the applicant's bank account under payment order no. 339 of 17 April 2025.</p>
Yansong LIU (13534/18)	46 495	250	17 April 2025	22 May 2025	<p>The awarded sum in the amount of UAH 2 188 624,27 (EUR 46 745) was transferred to the bank account of the applicant's representative under payment order no. 1580 of 30 May 2025 after the state bailiff has received all the necessary documents.</p> <p>The awarded sum was transferred to the bank account of the applicant's representative in accordance with the power of attorney of 18 February 2025 as the applicant is a foreign citizen and has no bank accounts in Ukraine.</p>
Oshri Khagay KOEN (15644/18)	14 947	-	17 April 2025	-	<p>The awarded sum in the amount of UAH 699 826,01 (EUR 14 947) was transferred to the special deposit account of the Ministry of Justice of Ukraine due to the absence of the applicant's bank account details.</p> <p>The state bailiff has repeatedly sent letters to the applicant's representative regarding the need to provide the bank details of the applicant. However, bank details were not submitted to the State Bailiff Service.</p> <p>Currently, the awarded sum is held on a special deposit account of the Ministry of Justice of Ukraine and remains available for the applicant.</p>
Christiaan Leonard BOUWER (17260/18)	90 323	250	17 April 2025	12 May 2025	<p>The awarded sum in the amount of UAH 4 240 673,15 (EUR 90 573) was transferred to the applicant's bank account under payment order no. 1392 of 13 May 2025.</p>
Yevgen Volodymyrovych YURCHENKO (45063/18)	90 191	250	17 April 2025	-	<p>The awarded sum in the amount of UAH 4 234 492,84 (EUR 90 441) was transferred to the special deposit account of the Ministry of Justice of Ukraine due to the absence of the applicant's bank account details.</p> <p>Lately, it was found, that the applicant</p>

					<p>is a citizen of the Russian Federation</p> <p>The Government would like to note that on 26 March 2022, the Law of Ukraine “On Amendments to Section XIII “Final and Transitional Provisions” of the Law no. 2129-IX” entered into force. This law provides that until the entry into force of the law, regulating relations involving persons associated with the aggressor state, the enforcement actions by the creditors, including citizens of the Russian Federation, are suspended. Due to above, on 22 April 2025, execution of enforcement actions in the proceedings no. 77276232 was suspended, as the applicant is a citizen of Russian Federation.</p>
Oleg KORZHOV (9754/19)	58 500	250	-	30 April 2025	<p>The awarded sum in the amount of UAH 2 737 080,25 (EUR 58 750) was transferred to the bank account of the applicant’s representative under payment order no. 355 of 15 May 2025 after the state bailiff has received all the necessary documents.</p> <p>The awarded sum was transferred to the bank account of the applicant’s representative in accordance with the power of attorney of 25 March 2025 as the applicant is a foreign citizen and has no bank accounts in Ukraine.</p>
Tarik Zeyyad KUTISHAT (28702/19)	4 825	250	-	24 April 2025	<p>The awarded sum in the amount of UAH 236 437,15 (EUR 5 075) was transferred to the bank account of the applicant’s representative under payment order no. 354 of 15 May 2025 after the state bailiff has received all the necessary documents.</p> <p>The awarded sum was transferred to the bank account of the applicant’s representative in accordance with the power of attorney of 03 March 2025 as the applicant is a foreign citizen and has no bank accounts in Ukraine.</p>
Alexandre CONESA PUEYO (46770/19)	16 784	250	-	24 April 2025	<p>The awarded sum in the amount of UAH 793 590,21 (EUR 17 034) was transferred to the bank account of the applicant’s representative under payment order no. 353 of 15 May 2025 after the state bailiff has received all the necessary documents.</p> <p>The awarded sum was transferred to the bank account of the applicant’s representative in accordance with the power of attorney of 06 March 2025 as the applicant is a foreign citizen and has no bank accounts in Ukraine.</p>

Pavlo Igorovych SHVETS (62677/19)	2 060	-	17 April 2025	26 June 2025	The awarded sum in the amount of UAH 96 450,23 (EUR 2 060) was transferred to the special deposit account of the Ministry of Justice of Ukraine due to the absence of the applicant's bank account details. The state bailiff has repeatedly sent letters to the applicant's representative regarding the need to provide the bank details of the applicant. The awarded sum in the amount of UAH 96 450,23 (EUR 2 060) was transferred to the applicant's bank account under payment order no. 2276 of 26 June 2025.
Oleg Sergiyovych SHARAPOV (2868/20)	4 083	250	-	-	The awarded sum in the amount of UAH 202 873,23 (EUR 4 333) was transferred to the applicant's bank account under payment order no. 345 of 17 April 2025.
Andriy Leonidovych MYASNIKOV (7974/20)	6 505	250	-	-	The awarded sum in the amount of UAH 316 272,48 (EUR 6 755) was transferred to the applicant's bank account under payment order no. 346 of 17 April 2025.
Oleksandr Grygorovych SHEVCHUK (9206/21)	11 002	250	-	-	The awarded sum in the amount of UAH 526 824,27 (EUR 11 252) was transferred to the applicant's bank account under payment order no. 347 of 17 April 2025.
Vitaliy Mykhaylovych DIDUKH (21783/21)	58 847	250	-	-	The awarded sum in the amount of UAH 2 766 951,09 (EUR 59 097) was transferred to the applicant's bank account under payment order no. 348 of 17 April 2025.

### ***Restitutio in integrum***

In the *Raychenko and others* case all the applicants were informed about the possibility to apply for the review of their cases in the exceptional circumstances procedure, following the Court's judgment. According to the information, received from the Supreme Court by the letter of 07 March 2025, none of them availed themselves of such an opportunity.

The Government believe that no further individual measures are required in Mr. Raychenko, Mr. Lashchenko, Mr. Liu, Mr. Bouwer, Mr. Korzhov, Mr. Kutishat, Mr. Conesa Pueyo, Mr. Sharapov, Mr. Myasnikov, Mr. Shevchuk, Mr. Shvets, Mr. Didukh cases.

The Government will keep the Committee of Ministers informed about individual measures in Mr. Batishchev, Mr. Koen, Mr. Yurchenko cases.

### ***As to the Lingys and Shpakovskyy case***

The Court awarded the applicant, Mr Lingys, EUR 19,941 in respect of pecuniary damage.

The awarded sum in the amount of UAH 995 530,84 (EUR 19,941) was transferred to the bank account of the applicant in accordance with the payment order of 12 February 2026.

The Court awarded the applicant, Mr Shpakovskyy, EUR 53,305 in respect of pecuniary damage and EUR 900 in respect of costs and expenses.

In accordance with paragraph 10<sup>2</sup> of Section XIII of the Law of Ukraine “On Enforcement Proceedings”<sup>1</sup> (the Law), until the law on the regulation of relationships involving persons associated with the aggressor state comes into force, enforcement actions shall be suspended and the replacement of collectors in enforcement proceedings, where the collectors are the Russian Federation or such persons:

- citizens of the Russian Federation; legal entities established and registered in accordance with the legislation of the Russian Federation;
- legal entities established and registered in accordance with legislation other than the legislation of Ukraine, among whose ultimate beneficial owners, members or participants (shareholders) are the Russian Federation, a citizen of the Russian Federation or a legal entity established and registered in accordance with the legislation of the Russian Federation.

This restriction does not apply to citizens of the Russian Federation, who reside in Ukraine on legal grounds, and legal entities established and registered in accordance with the Law of Ukraine, whose ultimate beneficial owner, member, or participant (shareholder) is exclusively a citizen of the Russian Federation residing in Ukraine on legal grounds.

The applicant in the enforcement proceedings, Mr Shpakovskyy, is a citizen of the Russian Federation.

In accordance with paragraph 2 of section 10<sup>2</sup> of the Final and Transitional Provisions of the Law, on 23 January 2026, the state bailiff adopted a resolution to suspend the enforcement proceedings.

### ***Restitutio in integrum***

The Government would like to inform that the applicants and their representatives were informed about the possibility to apply for the review of their cases in the exceptional circumstances procedure, following the Court’s judgment.

According to the information received from the Supreme Court the applicants had not filed a request for review of the contested proceedings following the finding of violations by the Court.

As of today, the time limit for submitting an application for the review of the decisions in exceptional circumstances procedure has expired and the applicants have not availed themselves of such a possibility.

### **GENERAL MEASURES**

The Government would like to note that the above case represents similarities to the case of *Myakotin v. Ukraine*, closed by the Committee of Ministers by Final Resolution CM/ResDH(2022) 436 of 14 December 2022<sup>2</sup>. Thus, the Government believe that no additional general measures are required in the case of *Lingys and Shpakovskyy v. Ukraine*.

### **PUBLICATION AND DISSEMINATION**

---

<sup>1</sup> <https://zakon.rada.gov.ua/laws/show/1404-19#Text>

<sup>2</sup> [https://hudoc.exec.coe.int/#{%22fulltext%22:\[%2277508/11%22\],%22display%22:\[2\],%22execidentfier%22:\[%22001-222467%22\]}](https://hudoc.exec.coe.int/#{%22fulltext%22:[%2277508/11%22],%22display%22:[2],%22execidentfier%22:[%22001-222467%22]})

Information regarding *Raychenko and others v. Ukraine* judgment was provided in the Government's action plan of 04 June 2025<sup>3</sup>.

The *Lingys and Shpakovskyy v. Ukraine* judgment was translated into Ukrainian and put on the Ministry of Justice official website<sup>4</sup>. The translation is also available on the HUDOC database<sup>5</sup>.

The translation of the judgment will also be published in the Official Herald [Ofitsiyniy Visnyk Ukrainy] no. 22 of 13 March 2026.

The summary of the Court's judgment in Ukrainian was also published in the Government's Courier [Uriadoviy Kurier], no. 251 of 09 December 2025 and put on the Ministry of Justice official website<sup>6</sup>.

The Government sent explanatory notes as to the conclusions of the Court in the abovementioned judgments together with its summary to the following authorities: the Supreme Court, courts of appeal, courts of first instance, the State Customs Service of Ukraine, the Ukrainian Parliament Commissioner for Human Rights.

The Government consider that awareness-raising measures as well as legislations amendments are sufficient to prevent similar violations in the future.

### **Conclusions of the Respondent Government**

The Government would like to emphasise their commitment to European values, principles and standards of human rights protection in the implementation of the judgments of the European Court.

The Government will keep the Committee of Ministers informed about further developments and measures taken as regards the individual measures in the cases of *Raychenko and others v. Ukraine* as well as *Lingys and Shpakovskyy v. Ukraine*.

---

<sup>3</sup> [https://hudoc.exec.coe.int/?i=DH-DD\(2025\)661E](https://hudoc.exec.coe.int/?i=DH-DD(2025)661E)

<sup>4</sup> <https://hudoc.echr.coe.int/rus?i=001-246131>

<sup>5</sup> <https://hudoc.echr.coe.int/?i=001-248966>

<sup>6</sup> <https://minjust.gov.ua/files/general/2025/12/08/20251208125817-85.doc>