

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: 27/07/2026

DH-DD(2026)938

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: 1569th meeting (September 2026) (DH)

Communication from NGOs (European Prison Litigation Network (EPLN) and Protection for Prisoners of Ukraine (PPU)) (22/07/2026) concerning the groups of cases of Logvinenko, Isayev and Kats and Others v. Ukraine (Applications No. 13448/07, 28827/02, 29971/04) and reply from the authorities (22/07/2026).

Information made available under Rules 9.2 and 9.6 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

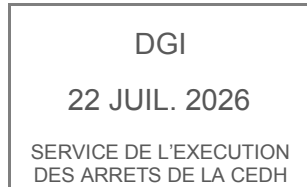
* * * * *

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 : 1569^e réunion (septembre 2026) (DH)

Communication d'ONG (European Prison Litigation Network (EPLN) et Protection for Prisoners of Ukraine (PPU)) (22/07/2026) relative aux groupes d'affaires Logvinenko, Isayev et Kats et autres c. Ukraine (Requêtes n° 13448/07, 28827/02, 29971/04) et réponse des autorités (22/07/2026) **[anglais uniquement]**

Informations mises à disposition en vertu des Règles 9.2 et 9.6 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



ГО «ЗАХИСТ
В'ЯЗНИВ УКРАЇНИ»
[ngoauu@gmail.co
m](mailto:ngoauu@gmail.com)
м. Київ, 04205, пр-
т Оболонський 14,
аб/скр 104



European Prison Litigation
Network
21 ter, rue Voltaire, 75011
Paris
[contact@prisonlitigation.
org](mailto:contact@prisonlitigation.org)

COMMUNICATION

**in accordance with Rule 9.2 of the Rules of the Committee of Ministers for the supervision
of the execution of judgments and of the terms of friendly settlements
in
the groups of cases of Logvinenko v. Ukraine (Application No. 13448/07), Isayev v. Ukraine
(Application No. 28827/02), and Kats and Others v. Ukraine**

1569th meeting (September 2026) (DH)

The public organization "Protection of Prisoners of Ukraine" investigates and documents torture and ill-treatment of prisoners in Ukraine and provides consultations and legal assistance to victims of torture and their families.

The European Prison Litigation Network (EPLN) is a network of non-governmental organizations working to protect prisoners' rights. It brings together over 30 associations from 20 European countries.

I. Scope of the present communication

1. The Logvinenko and Isayev groups of cases concern the inadequacy of medical care in detention in general, and for infectious diseases, drug addiction and physical disability in particular, and lack of effective preventive and compensatory remedies in this respect (violations of Articles 3 and 13).
2. The European Prison Litigation Network (EPLN) and NGO "Protection for Prisoners Ukraine" (PPU) present this joint communication regarding the execution of judgments in the Logvinenko group of cases (enhanced supervision), specifically responding to the Updated Action Plan submitted by the Government of Ukraine on 29 June 2026 (DH-DD(2026)819) regarding the transfer of the State Institution "Health Care Centre of the State Penitentiary Service."
3. The present communication confines its submissions to the overall direction of prison healthcare policy and does not address the specific issues identified during the Committee of Ministers' latest examination, which remain entirely unresolved.

II. Analysis of General Measures: An Incoherent Prison Healthcare Policy and Constantly Shifting Government Positions

4. At its 1545th meeting (2–4 December 2025) (DH), the Committee of Ministers encouraged the authorities to cooperate closely with the Ombudsperson and civil society in preparing strategic documents on prison healthcare reform. Although it noted the steps taken to integrate prison healthcare facilities into the Ministry of Health's electronic system, it regretted that the transfer of responsibility for healthcare in detention from the Ministry of Justice to the Ministry of Health—

first announced in 2017—had still not taken place and strongly urged the authorities to accelerate the process.

5. In its Updated Action Plan (DH-DD(2026)819, pp. 5–6), the Government points to the decision of an Inter-agency Working Group dated 31 January 2026 as the foundational basis for transferring prison healthcare to the MoH and creating a "unified medical space".

6. Given that the latest version of the draft law on the penitentiary system expressly provides that prison healthcare is to remain within that system, the submitting organisations can only highlight the inconsistency of the Ukrainian authorities' position.

7. For its part, Ukraine's Rule of Law Roadmap, approved by Cabinet of Ministers Order No. 475-r of 14 May 2025 in the context of the country's EU accession process, provides for the establishment of a mechanism for the "transfer or allocation of responsibility" for prison healthcare from the Ministry of Justice to the Ministry of Health. This wording is not without ambiguity, as it does not unequivocally require a full transfer of prison healthcare and leaves open the possibility of merely dividing responsibilities between the two ministries.

8. The submitting organizations also emphasize that decisions and protocols of inter-agency working groups possess no normative legal authority under Ukrainian administrative law. They cannot legally bind future executive bodies, reallocate state property, adjust agency staffing structures, or mandate budgetary transfers between ministries.

9. Consequently, despite technical steps such as integrating prison medical units into the Electronic Health System (EHS/ECO3), the structural subordination of prison medical personnel to the Ministry of Justice (MoJ) remains legally unchanged. Without statutory re-subordination, the transfer remains a policy declaration rather than a legally enforceable mandate.

10. The Action Plan (DH-DD(2026)819) was submitted on 29 June 2026, immediately prior to the reshuffle of the Cabinet of Ministers of Ukraine in July 2026. This political transition exposes the structural vulnerability of relying on executive declarations:

- Non-binding protocol decisions made by previous working groups do not create legal obligations for newly appointed ministers. The new executive leadership is fully entitled to stall, revise, or reverse non-statutory commitments.
- Inter-ministerial coordination inevitably faces significant operational delays during leadership transitions, putting time-sensitive transition schedules at risk.

- The transfer to the MoH requires dedicated line-item funding under the National Health Service of Ukraine (NHSU) in the 2027 State Budget. Without a primary statutory mandate requiring this budget shift, there is a severe risk that the new Cabinet will fail to secure these allocations during the upcoming budget drafting cycle, effectively postponing the reform indefinitely.

11. The authorities' current vacillation forms part of a long history of inconsistent policy in this area. The Concept for the Reform of the Penitentiary System until 2020 had already provided for the transfer of prison healthcare to the Ministry of Health.¹ Yet the process stalled at what was intended to be merely an intermediate stage: the establishment, under the supervision of the Ministry of Justice, of the Prison Health Centre and its 20 regional branches. Although this reform formally separated prison healthcare from the central penitentiary administration and its territorial bodies, it failed to secure genuine structural independence. This continued failure to complete the transfer is particularly troubling given the CPT's warning that "it will be extremely difficult to address all the serious problems [reported during the visits] unless prison health-care services are placed under the responsibility of the Ministry of Health".

12. Ukraine's past experience demonstrates, as consistently documented by the CPT and the Ukrainian NPM that administrative reorganizations within the executive branch fail to deliver structural independence and have a severely detrimental impact on the quality of healthcare. The creation of the HCC of the SPS within the MoJ in 2016 resulted in years of administrative confusion and licensing gaps precisely because it lacked a clear statutory framework.

13. These longstanding policy vacillations remain very much a current concern. The Concept for the Reform of the Penitentiary System until 2020 had already envisaged transferring prison healthcare to the Ministry of Health. Yet the process stalled at what was intended to be an intermediate stage: the establishment, under the supervision of the Ministry of Justice, of the Prison Health Centre and its 20 regional branches. Although this reform formally separated prison healthcare from the central penitentiary administration and its territorial bodies, it failed to secure genuine structural independence. The continued failure to complete the transfer is particularly troubling given the CPT's warning that "it will be extremely difficult to address all the serious problems [reported during the visits] unless prison health-care services are placed under the responsibility of the Ministry of Health".

14. The current initiative to draft a comprehensive new Law "On the Penitentiary System" provides a timely and indispensable opportunity. Inserting an explicit legislative mandate into this draft Law—formally transferring jurisdiction over prison healthcare to the Ministry of Health—is the only mechanism capable of insulating the reform from political instability and executive reshuffles.

Recommendations to the Committee of Ministers

The submitting organizations respectfully request the Committee of Ministers to adopt the following decision at its upcoming 1569th meeting (September 2026) (DH):

1. Strongly urge the Ukrainian authorities to formally anchor the transfer of prison healthcare responsibility from the Ministry of Justice to the Ministry of Health at the primary legislative level, specifically by incorporating explicit, binding provisions into the new draft Law "On the Penitentiary System" (or through dedicated legislative amendments).
2. Request the newly appointed Cabinet of Ministers to formalize its commitment by adopting an official Cabinet of Ministers Resolution establishing a legally binding, time-bound Transition Roadmap for the transfer of prison medical services, and to closely involve the Ombudsperson and civil society in their preparation.

Respectfully submitted.



**МІНІСТЕРСТВО
ЮСТИЦІЇ
УКРАЇНИ**

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

**MINISTRY
OF JUSTICE
OF UKRAINE**

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

DGI

27 JUL. 2026

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

Mr Pavlo Pushkar

**Head of Division
Department for the Execution of
judgments of the European
Court of Human Rights
Directorate of Human Rights
Directorate General Human
Rights and Rule of Law
Council of Europe**

F-67075 Strasbourg Cedex

*As to the execution of the Court's judgments
in the Logvinenko/Isayev/Kats groups of cases*

Dear Mr Pushkar,

As to the execution of the Court's judgments in the *Logvinenko/Isayev/Kats groups of cases* (applications nos. 13448/07, 28827/02 and 29971/04), the Government would like to address certain issues in response to the joint communication from the European Prison Litigation Network and Protection for Prisoners of Ukraine, submitted on 23 July 2026 under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.



СЕД АСКОД
Міністерство юстиції України
№ 110898/137564-21-26/5.2.1 від 27.07.2026
Підписувач Сокоренко Маргарита Степанівна
Сертифікат 514B5C86A1E5DA1104000000AFB10000BA990F05
Дійсний з 15.12.2025 12:40:11 по 15.12.2026 12:40:11

The Government expresses their respect to the representatives of the above-mentioned non-governmental organizations (the “NGOs”) for highlighting their concerns regarding the inadequacy of medical care in facilities of the State Penitentiary Service of Ukraine (the “SPS of Ukraine”) in general, as well as for underlining the need to transfer healthcare facilities within the penitentiary system to the jurisdiction of the Ministry of Health of Ukraine as soon as possible.

At the outset the Government would like to emphasize that the protection of prisoners’ rights, including the right to health care, remains under the constant control of the Government. The commitment of the Government is unwavering in upholding the rights and freedoms of all individuals under their jurisdiction. Despite the unprecedented challenges and fiscal constraints imposed by the ongoing full-scale military aggression of the Russian Federation, the Government of Ukraine demonstrates unwavering commitment to thoroughly reforming the penitentiary system and aligning it with European human rights standards.

The Government would like to note that in the Action Plan of 29 June 2026¹, it provided the Committee of Ministers with updated information concerning progress and achievements, in particular with regard to the transfer of healthcare facilities of the State Penitentiary Service of Ukraine to the jurisdiction of the Ministry of Health of Ukraine.

In the Addendum to the Action Plan of 09 July 2026² the Government provided the Committee of Ministers with additional information concerning the measures taken to ensure the provision of medical care to prisoners within a unified medical space.

In accordance with the Rule of Law Roadmap³, which was approved by the Cabinet of Ministers of Ukraine Resolution “Some issues of ensuring the negotiation process on Ukraine’s accession to the European Union under cluster 1 “Fundamentals of the EU accession process” No. 475-p of 14 May 2025² Ukraine has been recommended to define and establish a mechanism for the transfer or allocation of responsibility for in the penitentiary healthcare system from the Ministry of Justice of Ukraine to the Ministry of Health of Ukraine.

The Government would like to reiterate that Ukraine remains committed to fulfilling its obligations under the Court’s judgments. The Government continue to implement systemic and consistent reforms in the penitentiary healthcare system, including integration into a unified medical space.

In this regard, the Ministry of Justice of Ukraine has drafted a Cabinet of Ministers of Ukraine resolution “On the transfer of the State Institution “The Health Care Centre of the State Penitentiary Service of Ukraine” to the jurisdiction of the Ministry of Health of Ukraine” (the “Draft resolution”).

The Draft resolution directly provides that the resolution enters into force on 1 January 2028.

As of now, the Draft resolution has been approved without any comments by the Ministry of Health of Ukraine and the National Health Service of Ukraine. After

¹ [https://hudoc.exec.coe.int/eng?i=DH-DD\(2026\)819E](https://hudoc.exec.coe.int/eng?i=DH-DD(2026)819E)

² [https://hudoc.exec.coe.int/eng?i=DH-DD\(2026\)879E](https://hudoc.exec.coe.int/eng?i=DH-DD(2026)879E)

³ <https://zakon.rada.gov.ua/laws/show/475-2025-%D1%80#Text>

receiving approval from other relevant authorities, the Draft resolution will be submitted to the Government for consideration in accordance with the established procedure.

The measures taken by the Government to comply with the *Logvinenko/Isayev/Kats and others* groups of cases involve concrete steps that are being gradually implemented into Ukrainian legislation to safeguard prisoners' rights in accordance with European standards, including the right to adequate medical care. In these difficult circumstances, caused by the full-scale invasion by the Russian Federation, Ukraine continue, step by step, to fulfil its obligations, in accordance with the Court's judgments and recommendation of the Committee of Ministers.

In conclusion, the Government would like to note that all information provided in the NGOs' communication is duly considered and taken into account by the Government, one of whose main priorities is the implementation and protection of human rights in Ukraine, particularly those guaranteed by the Convention.

The information provided in the NGOs' communication has also been brought to the attention of the relevant national authorities for the purpose of duly taking the submitted comments into account in their further work.

The Government would like to assure that the issues raised in the NGOs' communication will be taken into account, and the Government will inform the Committee of Ministers about further individual and general measures taken in their future communications within the *Logvinenko/Isayev/Kats groups of cases*.

Yours sincerely,

Marharyta SOKORENKO
Agent before
the European Court of Human Rights