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Meeting: 1577th meeting (December 2026) (DH)

Reply from the authorities (02/10/2026) following the communications from the applicant (18/08/2026 and 27/08/2026) concerning the case of Buglov and Others v. Ukraine (Application No. 28467/18) (Svetlana Naumenko group)

Information made available under Rule 9.5 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1577^e réunion (décembre 2026) (DH)

Réponse des autorités (02/10/2026) suite aux communications du requérant (18/08/2026 et 27/08/2026) relatives à l'affaire Buglov et autres c. Ukraine (Requête n° 28467/18) (Groupe Svetlana Naumenko)
[anglais uniquement]

Informations mises à disposition en vertu de la Règle 9.5 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



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Mr Pavlo Pushkar

**Head of Division
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*As to the execution of the Court's judgments
in the cases of Buglov v. Ukraine
and Buglov and Others v. Ukraine*

Dear Mr Pushkar,

As regards the execution of the Court's judgments in the cases of *Buglov and Others v. Ukraine* (no. 28467/18, final on 18 July 2024) and *Buglov v. Ukraine* (no. 28825/02, final on 15 December 2014), the Government of Ukraine would like to provide information concerning the applicant's, Mr Buglov, letters of 18 August 2026 and of 27 August 2026, raising issues regarding individual measures.



СЕД АСКОД
Міністерство юстиції України
№ 149761/161925-30-26/5.2.1 від 02.10.2026
Підписувач Сокоренко Маргарита Степанівна
Сертифікат 514B5C86A1E5DA1104000000AFB10000BA990F05
Дійсний з 15.12.2025 12:40:11 по 15.12.2026 12:40:11

The Government would like to emphasise that they provided the Committee of Ministers with information on *individual measures* in the applicant's cases in their communications of 23 December 2025¹ and of 09 April 2026².

Nevertheless, the Government would like to provide updated information regarding the execution of the Court's judgments.

As regards the Buglov and Others v. Ukraine (excessive length of proceedings)

In the letter of 27 August 2026 the applicant once again raised the issue of the seizure of his bank accounts, which contained funds received by the applicant as just satisfaction awarded by the Court's judgments in the cases of *Buglov v. Ukraine* and *Buglov and Others v. Ukraine*.

In particular, as part of the enforcement proceedings regarding the recovery from Mr Buglov of UAH 29 000 in compensation for pecuniary damage in favour of Ms Zhelavska, on 29 October 2025 the state bailiff issued a decision to seize funds held in Mr Buglov's bank accounts.

In the previous communications, the Government had already informed that the seizure of a person's funds as part of enforcement proceedings complies with the requirements of Ukrainian law, and that funds received as just satisfaction pursuant to a judgment of an international judicial body do not have any special status and, after being credited to the person's account, become their property, which means they may be seized in accordance with the procedure established by the Law of Ukraine "On Enforcement Proceedings".

Furthermore, the Government have emphasised that the Monitoring of the payment of sums awarded by way of just satisfaction: an update of the overview of the Committee of Ministers' practice, adopted by the Committee of Ministers of the Council of Europe on 7 September 2021³ (the - **Monitoring**) sets out the practice regarding the seizure by the state or private individuals of sums awarded as just satisfaction.

Thus, according to paragraph 121 of the Monitoring, for debts which have no link with the violation, the question of exemption from attachment has not frequently arisen in respect of sums awarded for pecuniary damage. In the *Ringeisen v. Austria* case, the Court ruled that the sum awarded for non-pecuniary damage – to which private creditors had laid claim – should be paid to the applicant personally and should be free from attachment. Notwithstanding this judgment, under the Committee's practice to date, there appears to be no restriction on attachment of sums awarded for pecuniary damage, where such attachment is for the benefit of private creditors.

In paragraph 123 of the Monitoring it is also stated that the practice followed by the Committee of Ministers and States lays down no restrictions on attachment of sums awarded as just satisfaction for non-pecuniary damage where such attachment is for the benefit of private creditors. It is considered that the offset made by the authorities between the applicant's debt towards private parties, including debt which the state holds by subrogation, and the amounts awarded by the European Court is consistent with the practice of the Committee of Ministers in this field.

¹ [https://hudoc.exec.coe.int/?i=DH-DD\(2026\)29E](https://hudoc.exec.coe.int/?i=DH-DD(2026)29E)

² [https://hudoc.exec.coe.int/?i=DH-DD\(2026\)499E](https://hudoc.exec.coe.int/?i=DH-DD(2026)499E)

³ <https://rm.coe.int/memorandum-final-eng/1680abb753>

At the same time, the applicant has appealed against the decision of the state bailiff of 29 October 2025 to seize his bank accounts through the courts. In particular, Mr Buglov applied to the court with a request to quash the state bailiff's decision of 29 October 2025, to unblock his bank accounts and to return to them the funds that had been seized from the applicant.

In the action plan of 28 September 2026⁴ regarding the enforcement of the Court's judgments in the *Merit/Svetlana Naumenko* groups of cases, the Government informed that on 24 August 2026, the Central District Court of Dnipro delivered the decision, in which it rejected Mr Buglov's claims in full⁵.

The applicant has appealed against the decision of 24 August 2026. As of today, the case is pending before the Dnipro Court of Appeal.

The Government would like to emphasize that according to the Article 124 of the Constitution of Ukraine justice in Ukraine is administered exclusively by courts. According to the Article 126 of the Constitution of Ukraine independence of judges is guaranteed by the Constitution and laws of Ukraine. It is forbidden to influence the judge in any way.

The Government will provide information on the final national court decision in case No. 203/2557/26 in further communications within the framework of the *Merit/Svetlana Naumenko* groups of cases (applications nos. 66561/01 and 41984/98).

As regards the Buglov v. Ukraine case (effective investigation into ill-treatment)

The *Buglov v. Ukraine* case is included in the *Kaverzin/Afanasyev/Belousov* groups of cases (applications nos. 23893/03, 38722/02 and 4494/07) that concern physical or psychological torture and/or ill-treatment by the police, mostly in order to obtain confessions and lack of effective investigations into such complaints (substantive and procedural violations of Article 3 of the Convention).

The Government inform the Committee of Ministers about the course of pre-trial investigations conducted in response to the Court's judgments in these groups, including in the applicant's case, in due course.

In particular, in their most recent Action plan of 23 October 2025⁶ the Ukrainian authorities informed that the pre-trial investigation in criminal proceedings No. 42015050000000053 of 05 February 2015 under part 2 Article 365 of the Criminal Code of Ukraine is conducted by the Territorial Department of the SBI in Kramatorsk. Information was also provided on the investigative and procedural measures taken during the pre-trial investigation.

The pre-trial investigation in the criminal proceedings is pending, and all possible measures are being taken to establish a comprehensive and objective examination of *corpus delicti*.

During 2026, a number of investigative measures were carried out to establish the circumstances of the case. In particular, the victim, Mr Buglov, was re-interrogated, and the whereabouts of part of the witnesses – former police officers and prosecutors – were established.

⁴ [https://hudoc.exec.coe.int/eng?i=DH-DD\(2026\)1216E](https://hudoc.exec.coe.int/eng?i=DH-DD(2026)1216E)

⁵ <https://reyestr.court.gov.ua/Review/139479556>

⁶ [https://hudoc.exec.coe.int/?i=DH-DD\(2025\)1320E](https://hudoc.exec.coe.int/?i=DH-DD(2025)1320E)

They were re-interrogated as the witnesses. The prosecutor has ordered a number of investigative measures to be carried out in another jurisdiction with the aim of re-interrogating witnesses.

In addition, during 2026, investigative measures were carried out to identify former staff members of the pre-trial detention centre and the temporary detention facility who may have been involved in the case, including attesting witnesses in the criminal proceedings against Mr Buglov, an expert and former prosecutors. The operational unit has been ordered to determine the whereabouts of witnesses whose current whereabouts are unknown.

In order to determine the degree of severity of Mr Buglov's bodily injuries, a forensic medical examination has been ordered on the basis of the materials available in the criminal proceedings. The expert's report is currently awaited.

Regarding Mr Buglov's examination using a polygraph and his access to the examination materials

During the investigation of the criminal proceedings No. 42015050000000053, in accordance with Article 40 of the Code of Criminal Procedure of Ukraine, the Internal Control Department of the State Bureau of Investigations was ordered to conduct a polygraph examination of Mr Buglov. The report on the results of his psychophysiological examination, of 01 June 2026, has been attached to the materials of criminal proceedings.

On 04 August 2026, the investigator provided Mr Buglov with the materials of the criminal proceedings, including a report on the results of a polygraph examination of 01 June 2026.

On the same day, 04 August 2026, Mr Buglov submitted a request to the investigator for digital copies of the video materials, polygraph records and the list of questions stored on electronic data storage device No. 06/10-12-ДСК of 17 December 2019.

On 21 August 2026, the investigator provided Mr Buglov with a copy of the video materials of the polygraph examination on a USB flash device.

As the other requested materials were not in the investigator's possession (they were held by the Polygraph Testing Unit of the Internal Control Department of the State Bureau of Investigations), copies of them were sent to Mr Buglov on 21 September 2026.

The Government emphasises that all possible investigative measures are currently being taken to establish the full circumstances of the offence; however, a number of objective factors are currently complicating this. In particular, the events took place in 2000 in the city of Donetsk, which has been temporarily occupied since 2014. The original documents relating to the criminal proceedings against Mr Buglov remain in the temporary uncontrolled territory of Ukraine, in the building of the Donetsk Regional Court of Appeal in the city of Donetsk, and are considered as lost.

The pre-trial investigation in criminal proceedings No. 42015050000000053 is currently pending.

In accordance with part 5 Article 40 of the Code of Criminal Procedure of Ukraine, an investigator, in exercising his or her powers in accordance with the requirements of this Code, is independent in his or her procedural activities, and interference in such activities by individuals who do not have the lawful authority to do so is prohibited.

At the same time, according to Part 1 of Article 36 of the Code of Criminal Procedure of Ukraine, a prosecutor, in exercising their powers in accordance with the requirements of this Code, is independent in their procedural activities, and interference in such activities by individuals who do not have the lawful authority to do so is prohibited.

In this regard, the Ministry of Justice of Ukraine is not authorised to assess procedural decisions and actions taken within the framework of the criminal proceedings, or to determine the procedure for their implementation.

The information provided in Mr Buglov's letters was sent to the Office of the Prosecutor General and the State Bureau of Investigations for consideration.

In accordance with the received responses, the information was brought to the attention of prosecutors and investigators for consideration during the further pre-trial investigation.

The Government will keep the Committee of Ministers informed on the status and/or results of the pre-trial investigation in the applicant's case in their further submissions in the *Kaverzin/Afanasyev/Belousov* groups.

Yours sincerely,

Marharyta SOKORENKO
Agent before
the European Court of Human Rights