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Contact: Ireneusz Kondak
Tel: 03.90.21.59.86

Date: 19/11/2026

DH-DD(2026)1565

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

Communication from the applicant (16/11/2026) in the case of Alengoz and Others v. Ukraine (Application No. 14500/25) (Merit group) - *appendices in Ukrainian are available at the Secretariat upon request*

Information made available under Rule 9.1 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 : 1577e réunion (décembre 2026) (DH)

Communication du requérant (16/11/2026) relative à l'affaire Alengoz et autres c. Ukraine (Requête n° 14500/25) (Groupe Merit) ***[anglais uniquement]*** **-** *des annexes en ukrainien sont disponibles auprès du Secrétariat sur demande*

Informations mises à disposition en vertu de la Règle 9.1 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

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DGI
16 NOV. 2026
SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

Committee of Ministers of the Council of Europe
Department for the Execution of Judgments
F-67075 Strasbourg Cedex, France
DGI-Execution@coe.int

Applicant: Maksym Viktorovych Drozdenko
Application no. 23310/25

COMMUNICATION UNDER RULE 9.1
Alengoz and Others v. Ukraine, judgment of 2 April 2026

1. Subject of the communication

I am the applicant in Alengoz and Others v. Ukraine, application no. 23310/25 (lead application no. 14500/25). In its final judgment of 2 April 2026 the European Court of Human Rights found violations of Article 6 § 1 and Article 13 of the Convention, awarded EUR 7,200 and recorded my criminal proceedings as pending since 11 March 2011, at one level of jurisdiction (Annex 1). I submit this communication under Rule 9.1 concerning the individual measures needed to give effect to the judgment.

The criminal case (no. 1-1048/11, current proceedings no. 1/337/1/2026) remains unresolved before the Khortytskyi District Court of Zaporizhzhia. The Court had previously found violations of Article 5 §§ 1 and 3 in my case Krasyukov and Others v. Ukraine (no. 66440/11, 3 May 2018), which is addressed in a separate communication.

2. The remedy identified by the Supreme Court has not been achieved

In § 22 of its ruling of 1 July 2026 (case no. 1-364/2011, proceedings no. 13-56zvo26, concerning the ruling of 3 June 2011), the Grand Chamber of the Supreme Court expressly stated, in substance, that the violations established by the European Court must be remedied by the first-instance court completing the criminal proceedings against me within a reasonable time and adopting a final judicial decision. It further acknowledged that the case had not been concluded on the merits (Annex 11, PDF p. 60). This is a particularly important domestic acknowledgment of the individual result required by the Alengoz judgment.

In a separate ruling of 1 July 2026 (no. 13-60zvo26, concerning a detention order of 19 October 2012), the Grand Chamber refused exceptional review, reasoning that the order had exhausted its effect and that the Strasbourg judgments did not expressly prescribe further individual measures beyond compensation (Annex 2, §§ 13–19). The position taken in § 22 of the other ruling demonstrates why refusal to reopen old procedural decisions cannot resolve the outstanding reasonable-time violation: the criminal case itself must be brought to a conclusion within a reasonable time.

The following developments demonstrate the absence of that result. On 5 June 2026, after the Strasbourg judgment, the panel changed and proceedings restarted under Article 258 of the 1960 Code of Criminal Procedure. The court reported to the Ombudsman that as at 20 July 2026 the indictments had not been read, the order of examination of evidence had not been determined, and the case remained at the preparatory stage. The hearing of 9 July had not taken place because two judges were on annual leave; my defence lawyer also requested adjournment because of another hearing. The next hearing was set for 28 August (Annex 3, PDF pp. 15–16).

On 12 October 2026 the district court itself expressly recorded that the evidentiary stage had not begun: defendants, victims and witnesses had not been examined and the evidence had not been

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directly assessed. It refused applications concerning seizure of my property and safety measures, explaining that the property issue could be determined upon the final disposition of the criminal case (Annex 7, particularly PDF p. 38). The protracted proceedings thus have concrete continuing consequences for my ability to obtain a final determination of my rights.

On 20 October 2026 the Head of the Criminal Court of Cassation refused my request for transfer of the case to Kyiv under Article 38 of the 1960 Code. The decision relied on the district court's information that the trial had not begun, the location of participants and security considerations (Annex 12, PDF pp. 62–64). On 12 November 2026 the district court refused to open review on newly discovered circumstances in respect of the ruling of 25 December 2024 (Annex 9). The proceedings remained unresolved. As at 16 November 2026 more than seven months have passed since Alengoz and more than 15 years and eight months since the starting date recorded by the European Court.

3. Efforts to secure effective individual measures

On 24 March 2026 I requested hearings at least three times per week; on 18 September I renewed the request for three hearing days per week, four hours per day. My application of 22 September 2026 specifically sought a reasoned decision on these requests, an effective schedule, identification of the obstacles and a realistic completion date (Annex 5, PDF pp. 25–28). On the same date I appealed a decision of 10 September refusing to restore the time for appeals concerning earlier compulsory-attendance and search orders (Annex 4). These documents establish my efforts to secure progress and effective protection.

The Ministry of Justice, responding to my requests of 15 May and 1 June 2026, referred to its letter of 11 June 2026 no. 86061/Д-13487/5.2.2 and confirmed that the Government Agent coordinates execution through the competent authorities and the preparation of action plans and reports (Annex 16). The Ombudsman's reply also records the Ministry's letter of 29 June 2026 no. 94904/8016-1-26/5.2.2, and that the Ministry envisaged including Alengoz in a report concerning judgments final in the second quarter of 2026 (Annex 3, PDF p. 16). These communications identify coordination mechanisms but do not identify a timetable capable of bringing my proceedings to an end.

The National Police confirmed that it received the Ministry's execution letter of 9 April 2026, registered it under no. 95194-2026, disseminated the judgment and replied to the Ministry on 17 April under no. 56880-2026. It explained that the progress of judicial proceedings and handling of motions were outside its competence (Annex 13). On 3 November the district court administration confirmed registration of my two requests of 26 October about the handling of motions and copies of decisions (EP-7008 and EP-7009); one had been forwarded to the panel, the other was still being processed. It explained that it could not instruct judges (Annexes 14–15). The documents show administrative follow-up without evidence of a practical mechanism ensuring timely completion.

The Ombudsman records earlier transfers of jurisdiction, changes of judges, a restart on 13 December 2023 and separation of proceedings against two defendants in February 2024. The authorities also cite the complexity of the case, the pandemic, martial law, absences and procedural motions (Annex 3). These circumstances must be assessed in relation to their actual impact; they make it all the more important to identify a feasible schedule, distinguish unavoidable delays from organisational delays and preserve the continuity of proceedings.

On 6 October 2026 the Shevchenkivskyi District Court of Kyiv opened civil compensation proceedings no. 333/7002/26. I submitted a reply to the Treasury's defence on 2 November. The Regional Prosecutor's Office filed a video-hearing request on 13 November for the hearing

scheduled on 16 November (Annexes 6, 8 and 10). The outcome is not established by these documents. The compensation proceedings do not themselves accelerate the criminal proceedings.

4. Execution under Article 46

Article 46 § 1 of the Convention requires the respondent State to abide by the final judgment. The obligation includes appropriate measures to end the violation and redress its consequences, as far as possible (Scozzari and Giunta v. Italy [GC], nos. 39221/98 and 41963/98, § 249). Article 10 of Ukrainian Law no. 3477-IV also provides for additional individual measures. The relevant objective in my case is the timely conclusion of proceedings with full respect for judicial independence, the rights of the defence and security.

The European Court expressly referred to Nechay v. Ukraine (no. 15360/10) in § 8 of Alengoz. Under the Committee's working methods an action plan or action report is expected within six months of finality (CM/Inf/DH(2010)45 final, item IV). The six-month period for Alengoz elapsed on 2 October 2026. I request identification of any plan or group report already submitted and an assessment of its individual measures in my case. The award of just satisfaction is a distinct measure; its payment status may be verified separately.

5. Requests

I respectfully request the Committee of Ministers to:

1. Register this communication under Rule 9.1 in respect of application no. 23310/25.

2. Request the Government to identify the applicable supervision group and relevant action plan/report, and provide updated information on individual measures: the dates and duration of hearings held or adjourned since 2 April 2026; the reasons for each delay; the current stage; outstanding procedural steps; responsible authorities; and a realistic timetable for a final domestic decision, including steps to avoid repeated restarts. Request a progress report within a defined period, preferably 60 days.

3. Invite the authorities to secure effective expedition by lawful means, including reasoned consideration of my requests for intensive hearings and remote participation, where appropriate, without prejudice to defence rights or safety. Assess the actual implementation of the remedy identified in § 22 of the Grand Chamber ruling of 1 July 2026.

4. Maintain supervision of individual measures until their sufficiency is demonstrated, and consider enhanced supervision if appropriate.

5. Clarify the recorded payment status of the EUR 7,200 award. Under Rule 8, I request that private personal information contained in the annexes be protected from public disclosure and that the annexes not be published where necessary for that purpose. The copies contain redactions of identified private information; originals can be supplied on request.

Annexes

1. Alengoz judgment, 2 April 2026 (original English text). PDF pp. 1–7.

2. Grand Chamber ruling of 1 July 2026, no. 13-60zvo26. PDF pp. 8–13.

3. Ombudsman reply referring to the court letter of 20 July 2026 and Ministry of Justice letters. PDF pp. 14–17.

4. Appeal of 22 September 2026 against refusal of 10 September 2026. PDF pp. 18–24.

5. Request for execution and intensive hearing schedule, 22 September 2026. PDF pp. 25–28.

6. Civil court ruling opening case no. 333/7002/26, 6 October 2026. PDF pp. 29–31.

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7. Criminal court ruling of 12 October 2026. PDF pp. 32–42.

8. Reply to Treasury defence of 2 November 2026 (Word copy converted to PDF). PDF pp. 43–47.

9. Criminal court ruling of 12 November 2026 (e-court HTML converted to PDF). PDF pp. 48–52.

10. Zaporizhzhia Regional Prosecutor’s Office application of 13 November 2026 in civil case no. 333/7002/26. PDF pp. 53–56.

11. Grand Chamber ruling of 1 July 2026 on the ruling of 3 June 2011, no. 13-56zvo26. PDF pp. 57–61.

12. Ruling of the Head of the Criminal Court of Cassation of 20 October 2026 (e-court HTML converted to PDF). PDF pp. 62–64.

13. National Police reply of 30 October 2026, no. 165947-2026. PDF pp. 65.

14. Khortytskyi District Court reply of 3 November 2026, no. 01-23/103/2026. PDF pp. 66–67.

15. Khortytskyi District Court reply of 3 November 2026, no. 01-23/104/2026. PDF pp. 68.

16. Ministry of Justice reply to submissions of 15 May and 1 June 2026 regarding execution of Alengoz. PDF pp. 69–70.

16 November 2026 Maksym Drozdenko _____