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Date: 19/11/2026

DH-DD(2026)1567

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: 1577th meeting (December 2026) (DH)

Reply from the authorities (18/11/2026) following a communication from the applicant (17/09/2026) concerning the case of Sklyarenko v. Ukraine (Application No. 18277/18) (Yuriy Illarionovich Shchokin 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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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 : 1577e réunion (décembre 2026) (DH)

Réponse des autorités (18/11/2026) suite à une communication du requérant (17/09/2026) relative à l'affaire Sklyarenko c. Ukraine (Requête n° 18277/18) (Groupe Yuriy Illarionovich Shchokin) ***[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.

DH-DD(2026)1567: Rule 9.5 Communication from Ukraine
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.

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

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Mr Pavlo Pushkar

Head of Division
Department for the Execution of judgments of the European Court of Human Rights
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As to the execution of the Court's judgment in the case of Sklyarenko v. Ukraine

Dear Mr Pushkar,

As regards the execution of the Court's judgment in the case of *Sklyarenko v. Ukraine* (application no. 18277/18, final on 30 April 2026) the Government of Ukraine would like to provide information concerning the applicant's representative, Mr Yagunov, letter of 17 September 2026, raising issues regarding individual measures.

The *Sklyarenko v. Ukraine* case (application no. 18277/18, final on 30 April 2026) is included in the *Yuriy Illarionovich Shokin* group of cases (application no. 4299/03, final on 03 January 2014) that mainly concern deaths and ill-treatment of the applicants or their relatives resulting from violence by their fellow inmates, with the authorities' alleged involvement in some instances, in temporary detention facilities, pre-trial detention facilities and a penitentiary colony,

СЕД АСКОД
Міністерство юстиції України
№ 173382/190325-21-26/5.2.1 від 17.11.2026
Підписувач Сокоренко Маргарита Степанівна
Сертифікат 514B5C86A1E5DA1104000000AFB10000BA990F05
Дійсний з 15.12.2025 12:40:11 по 15.12.2026 12:40:11

during 2000-2016, as well as the lack of effective investigations into these events (substantive and procedural violations of Articles 2 and 3).

In their most recent Action plan of 25 March 2025[1] the Government informed the Committee of Ministers regarding execution of the Courts' judgments in the *Yuriy Illarionovich Shokin* group and *Matushevskyy and Matusheska* case.

As the Court's judgment in the *Sklyarenko* case became final on 30 April 2026, the Government would like to provide information on the current status of the pre-trial investigation in the criminal proceedings No. 12017100100000005 of 02 January 2017 under part 3 Article 345 of the Criminal Code of Ukraine on the fact of inflicting bodily injuries during the performance of his duties by Mr Sklyarenko, a junior inspector at the State Institution "Kyiv Pre-Trial Detention Centre".

During the pre-trial investigation, a number of investigative actions were carried out; however, in order to resolve existing inconsistencies and establish the circumstances of the case, on 20 December 2024, the investigator ordered a panel forensic medical examination, the results of which were necessary to ensure the completeness and thoroughness of the investigation.

On 23 December 2024, the materials of the criminal proceedings No. 12017100100000005, together with the medical records and physical evidence, were sent to the State Specialised Institution "Kyiv City Bureau of Forensic Medical Examination". In order to activate the examination, two letters were sent to the State Specialised Institution "Kyiv City Bureau of Forensic Medical Examination" on 25 July 2025 and 15 April 2026 requesting information on the timeframe for completion of the examination.

In accordance with the ruling of the Shevchenkivskyi District Court of Kyiv of 09 April 2026[2], the application of lawyer, to set procedural time limits in criminal proceedings No. 12017100100000005, was partially granted. The prosecutor has been given a period of 2 months to carry out the procedural actions necessary and sufficient to complete the pre-trial investigation (in accordance with Article 114 of the Code of Criminal Procedure of Ukraine).

In order to activate the pre-trial investigation in the criminal proceedings No. 12017100100000005, the prosecutor in accordance with Article 36 of the Code of Criminal Procedure of Ukraine issued written instructions to the investigator.

On 29 May 2026, a request was sent to the State Specialised Institution "Kyiv City Bureau of Forensic Medical Examination" regarding the possibility of completing the expert examination within the timeframe, set the ruling of the Shevchenkivskyi District Court of Kyiv of 09 April 2026.

According to the response from the State Specialised Institution "Kyiv City Bureau of Forensic Medical Examination", the forensic medical examination in criminal case No. 12017100100000005 was awaiting processing and the examination could not be carried out until 09 June 2026 for the following reasons.

[1] https://hudoc.exec.coe.int/eng?i=DH-DD(2025)364E
[2] https://reyestr.court.gov.ua/Review/135911347

The Ministry of Health of Ukraine has adopted a decision regarding the reorganisation of the State Specialised Institution "Kyiv City Bureau of Forensic Medical Examination" by merging it with the State Institution "Institute of Forensic Psychiatry and Forensic Medicine of the Ministry of Health of Ukraine" (Order of the Ministry of Health of Ukraine No. 452 of 03 April 2026 "On the reorganisation of the State Specialised Institution "Kyiv City Bureau of Forensic Medical Examination"[3]).

In view of the expiry of the time limit, set by the court for carrying out the procedural actions necessary and sufficient to complete the pre-trial investigation, all the materials in criminal proceedings No. 12017100100000005 were returned from the expert institution without the performance of the examination.

Following an assessment of the evidence available in the criminal proceedings No. 12017100100000005 as a whole, the investigator decided on 08 June 2026 to terminate the criminal proceedings on the basis of paragraph 2 of part 1 of Article 284 of the Code of Criminal Procedure of Ukraine; a copy of this decision was sent to Mr. Sklyarenko and his representative, Mr. Yagunov.

By a ruling of the Shevchenkivskyi District Court of Kyiv of 19 June 2026[4], the investigator's decision of 08 June 2026 to terminate criminal proceedings No. 12017100100000005 was dismissed. In order to activate the pre-trial investigation in the criminal proceedings No. 12017100100000005, the prosecutor, in accordance with Article 36 of the Code of Criminal Procedure of Ukraine, issued written instructions to the investigator.

On 06 October 2026, a forensic medical examination was ordered to determine the mechanisms by which the bodily injuries were inflicted, their location, nature and severity, and the cause of the injuries, as well as the adequacy and timeliness of the diagnosis and treatment of Mr. Sklyarenko.

Measures are also being taken to re-interview the witness in order to establish further details of the incident

The pre-trial investigation in criminal proceedings No. 12017100100000005 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.

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[3] https://moz.gov.ua/uk/decrees/nakaz-moz-ukrayini-vid-03-04-2026-452-pro-reorganizaciyu-derzhavnoyi-specializovanoyi-ustanovi-kiyivske-miske-byuro-sudovo-medichnoyi-ekspertizi
[4] https://reyestr.court.gov.ua/Review/137537434

Nevertheless, the information provided in Mr Yagunov letter was sent to the Office of the Prosecutor General for consideration.

In accordance with the received response, the information was brought to the attention of relevant 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 *Yuriy Illarionovich Shokin* group of cases.

Yours sincerely,

Marharyta SOKORENKO
Agent before
the European Court of Human Rights