

## Reforming the penitentiary system of Ukraine

Despite the challenges associated with the full-scale armed aggression of the Russian Federation, Ukraine has not stopped the process of reforming its penitentiary system. On the contrary, its reform has become one of the key priorities, reflecting a commitment to the European vector of development.

This path was chosen consciously, as our country has faced deep-seated systemic problems in this area for decades. These include inadequate detention conditions, cases of cruel treatment, problems with medical care, personnel shortages, a lack of digitalization, and a low level of resocialization.

All of this has led to numerous decisions by the European Court of Human Rights against Ukraine, which have established violations.

Violations of Article 3 and Article 13 of the European Convention on Human Rights have been found in about 190 cases, 133 of which were under intensified supervision by the Committee of Ministers of the Council of Europe, causing the state not only financial losses but also serious reputational risks.

- **Adoption of the Strategy for Reforming the Penitentiary System until 2026**

Thus, in 2022, with the aim of creating a humanistic system for the execution of criminal sentences that will guarantee public safety and ensure the social adaptation of convicted persons and those taken into custody, the Strategy for Reforming the Penitentiary System until 2026 was approved.

The Strategy is being implemented through operational plans for its implementation in 2022-2024, 2025, and 2026.

***In the context of a full-scale war and with limited resources, significant progress has been made in the implementation of the Strategy and its operational plan for 2022-2024.***

The operational plan has been 75% completed. 81% of the expected results have been achieved. ***Among the most important achievements are:***

- more than 7.4 thousand new places of detention have been created in correctional facilities and almost 600 in pre-trial detention centers;
- thanks to the "Paid Cells" project, UAH 25 million was received by the state budget, which was used to repair about 3000 more places in pre-trial detention centers;
- legislative changes have been adopted to strengthen responsibility for torture;
- a new type of punishment has been introduced - probation supervision, which is already applied to over 2.8 thousand people;
- more than a third of convicted persons are involved in work thanks to cooperation with business;
- a Unified Register of Convicted and Detained Persons has been created.

Currently, the Ministry of Justice has prepared and submitted for consideration by the Cabinet of Ministers of Ukraine a draft of a new operational plan for the implementation of the Strategy in 2025-2026, which was developed taking into account the previously achieved results, the devastating consequences of the war, and will include measures necessary to achieve the goals of the Strategy.

One of the priority measures of the draft plan to ensure proper conditions of detention for persons taken into custody and convicted persons is ***the implementation of public investment projects for the reconstruction and construction of correctional facilities and pre-trial***

***detention centers, including the construction of a new Kyiv pre-trial detention center for more than 1000 places, which will meet the requirements of international standards.***

The draft plan also includes measures for the restoration of penitentiary system facilities damaged by the war. It is envisioned to ensure the possibility for convicted persons to submit applications for compensation for damage from the armed aggression of the Russian Federation.

- **Roadmap on the Rule of Law**

The reform of the penitentiary system is not only an internal need but also part of Ukraine's international obligations, particularly in the field of European integration.

In May of this year, the government of Ukraine approved the Roadmap on the Rule of Law, which is a key document for Ukraine in the field of European integration.

In its third block, "Fundamental Rights," under the area "3.2 Prevention of Torture and Inhuman or Degrading Treatment and the Penitentiary System," there are measures for reforming the penitentiary system, which, among others, include the measures provided for in the Operational Plan for the implementation of the Strategy for 2025-2026. ***These are the creation of proper detention conditions for 3000 convicted persons and persons taken into custody, the start of construction of a pre-trial detention center for 1072 places, as well as the creation of 134 detention places for extradited persons that comply with international and national standards.***

These measures are aimed at relieving the overcrowding of correctional facilities - a problem that international partners, including the Committee of the Council of Europe and the European Court of Human Rights, often point out in their decisions.

- **As of today**

In Ukraine, 91 correctional facilities are functioning, holding more than 35 thousand people taken into custody and convicted. The youngest of these facilities is over 70 years old.

This creates certain challenges both in the field of human rights protection and in terms of ensuring a proper level of security for staff and convicted persons. Meticulous work is being carried out to bring correctional facilities into line with modern European norms and standards. The limited state budget does not allow for a large-scale modernization of these outdated facilities, as Ukraine is currently in extremely difficult conditions.

***The full-scale armed aggression of the Russian Federation against Ukraine has created additional, unprecedented challenges.***

Unfortunately, 10 facilities have been temporarily occupied since 2022. 34 facilities have been temporarily occupied since 2014.

***We were forced to evacuate people from 12 correctional facilities located in frontline regions (close to the border with the Russian Federation).*** Currently, 16 correctional facilities are located in 5 frontline regions.

***In total, from March 2022 to September 2025, 5461 people were relocated and evacuated.*** Among them: 50 women, 7 minors, and 329 people sentenced to life imprisonment.

This was made possible thanks to prompt management decisions and interaction with military command and military administrations.

Along with this, the transfer of convicted persons and persons taken into custody from facilities located in frontline regions to facilities further from the front line is carried out on a permanent basis, with the aim of relieving such facilities, their rational population, and as an additional measure in preparation for evacuation (if necessary).

Also, as a result of the war, the number of prisoners is increasing, which creates even greater pressure on an already overloaded system.

***A separate category that requires attention is military personnel who return to civilian life after participating in hostilities.*** In this regard, a policy is being developed to provide the specified category of people with a stay in specialized rehabilitation facilities, where they can receive the necessary psychological assistance, social support, and undergo adaptation. This issue is considered extremely important both in the humanitarian and social dimensions. ***In this area, Ukraine needs the help of international partners to ensure the effective adaptation of military personnel after returning from the front. We are open to cooperation.***

Ukraine is consciously moving from outdated practices to humanistic standards, from isolation to resocialization, from a repressive logic to a human rights protection logic.

Therefore, the key priorities are currently the renewal of infrastructure, bringing detention conditions in line with international standards, and creating mechanisms for rehabilitation and social adaptation for military personnel and people serving sentences.

***We are grateful to our international partners and count on your continued comprehensive support, which is critically important for overcoming all the challenges facing our state and the penitentiary system in particular.***