



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

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FIFTH SECTION

Applications nos. 29365/25 and 765/26
Oleksandr Sergiyovych PERESYPKO against Ukraine
and Valeriy Viktorovych DRONOV against Ukraine
lodged on 4 September 2025 and 30 December 2025 respectively
communicated on 19 August 2026

SUBJECT MATTER OF THE CASE

The applications concern the denial of special remuneration for seriously wounded servicemen to which the applicants were allegedly entitled pursuant to Government's Resolution No. 168 of 28 February 2022.

Following the Russian Federation's full-scale military attack on Ukraine in February 2022, both applicants were conscripted into the Ukrainian armed forces. On various dates both sustained injuries in combat. Maintaining that they were seriously wounded, they brought claims before domestic courts seeking payment of special remuneration under the above Resolution for the duration of their medical treatment and rehabilitation (100,000 Ukrainian hryvnias or approximately 2,500 euros per month).

The applicant in application no. 29365/25 relied on a certificate issued by a military medical commission stating that his injuries were "of severe degree" (*«важкого ступеня»*). The domestic courts dismissed his claim, holding that the certificate did not indicate that the injuries were "serious" (*«тяжкими»*), as required by the relevant domestic regulations. The courts did not explain how those two characterisations differed in substance.

The applicant in application no. 765/26 relied on two certificates issued by a military medical commission stating that his injuries were "serious". The courts dismissed his claim on the basis of an earlier certificate in which the same injuries had been classified as "minor". According to the applicant, the courts did not examine his arguments concerning the erroneous classification

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of his injuries in the first certificate and did not specify why the first certificate had precedence over the subsequent conclusions of medical commissions. The courts held that the issue of classification of injuries fell within the discretionary powers of military medical commissions and was not amenable to judicial review.

The applicants complain under Article 1 of Protocol No. 1 to the Convention that they were denied special remuneration owing to the authorities' failure to properly classify their injuries. They further complain under Article 6 § 1 of the Convention (the applicant in application no. 29365/25 relies on this provision in substance) that the domestic proceedings were unfair as the courts failed to address their pertinent and important arguments.

In addition, the applicant in application no. 765/26 complains under Article 6 § 1 and Article 13 of the Convention about the alleged insufficiency of the scope of judicial review in his case and the lack of effective domestic remedies in respect of his Convention complaints.

Further individual details are set out in the Appendix.

QUESTIONS TO THE PARTIES

1. Did the applicants have a “legitimate expectation” to obtain special remuneration in connection with the sustained injuries pursuant to Resolution No. 168 of 28 February 2022 within the meaning of Article 1 of Protocol No. 1 to the Convention (see *Bélané Nagy v. Hungary* [GC], no. 53080/13, §§ 80-86, 13 December 2016)?

2. If so, has there been an interference with the applicants' peaceful enjoyment of possessions, within the meaning of Article 1 of Protocol No. 1? Has that interference been in the public interest, and in accordance with the conditions provided for by law, and, if so, did it impose an excessive individual burden on the applicants? In particular, did the competent authorities act in good time, in an appropriate manner and with utmost consistency (see, for example, *Grobelyny v. Poland*, no. 60477/12, §§ 67-68, 5 March 2020)?

3. Did the applicants have a fair hearing in the determination of their civil rights and obligations, in accordance with Article 6 § 1 of the Convention? In particular:

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- Did the domestic courts provide sufficient reasons for their decisions and were their decisions “arbitrary” and/or “manifestly unreasonable” (both applications) (see *Bochan v. Ukraine (no. 2)* [GC], no. 22251/08, §§ 61-64, ECHR 2015; *Pronina v. Ukraine*, no. 63566/00, § 25, 18 July 2006)?

- Did the judicial review carried out by the domestic courts extend to all questions of fact and law relevant to the dispute (application no. 765/26) (see *Ramos Nunes de Carvalho e Sá v. Portugal* [GC], nos. 55391/13 and 2 others, §§ 176-86, 6 November 2018; *I.D. v. Bulgaria*, no. 43578/98, §§ 45-55, 28 April 2005; *Pişkin v. Turkey*, no. 33399/18, §§ 130-35, 15 December 2020)?

4. Did the applicant in application no. 765/26 have at his disposal an effective domestic remedy for his complaints, as required by Article 13 of the Convention?

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APPENDIX

No.	Application no. Case name Introduction date	Applicant's name Year of birth Place of residence Nationality	Facts relevant to the applicant's case
1.	29365/25 Peresypko v. Ukraine 04/09/2025	Oleksandr Sergiyovych PERESYPKO 1997 Novoselivka Odesa region Ukrainian	Dates when injuries were sustained: 1 October 2022 and 12 December 2022 Injuries sustained: shrapnel wounds to buttocks, the elbow joint and the lower jaw Period for which the benefit was sought: January – February 2023 Date of the final domestic decision: 8 May 2025
2.	765/26 Dronov v. Ukraine 30/12/2025	Valeriy Viktorovych DRONOV 1998 Kharkiv Ukrainian	Date when injuries were sustained: 21 December 2022 Injuries sustained: multiple fractures of foot bones caused by shrapnel Period for which the benefit was sought: 21 December 2022 – 8 June 2023 Date of the final domestic decision: 11 September 2025