



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

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FOURTH SECTION

Applications nos. 1663/17 and 1722/17
Sergiy Viktorovych ANTONENKO against Russia
and Yevgeniy Igorovych BUTOV against Russia
lodged on 23 December 2016
communicated on 2 September 2026

SUBJECT MATTER OF THE CASE

The applications concern alleged restrictions on the applicants' right to freedom of movement between Crimea and mainland Ukraine, resulting from the Russian Federation's *de facto* transformation of the administrative boundary line into a state border following its assertion of jurisdiction over Crimea (see *Ukraine v. Russia (re Crimea)* [GC], nos. 20958/14 and 38334/18, § 1175, 25 June 2024).

The applicants are Ukrainian nationals who travelled from mainland Ukraine to Crimea for personal or work-related purposes on various dates in 2016. They allege that their identity documents, including Ukrainian passports and migration cards, were stolen during their stay in Crimea. Subsequently, the applicants reported the incidents to the local police and were issued with certificates confirming the theft of their documents.

On 25 June 2016 Mr Antonenko attempted to leave Crimea but was refused passage by Russian border guards because he lacked valid ID documents. In order to return to mainland Ukraine, he had to travel to the Consulate General of Ukraine in Rostov-on-Don in Russia, where he obtained a certificate for return to Ukraine. On 1 July 2016 Mr Antonenko successfully returned to Kyiv.

Mr Butov, who was in the same situation as Mr Antonenko, contacted the Consulate General of Ukraine in Rostov-on-Don by e-mail and was advised to visit the Consulate to obtain a temporary travel document. Having also

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learned from publicly available sources of Mr Antonenko's experience, he believed that he would not be allowed to leave Crimea without the necessary documents. He therefore travelled directly to the Consulate, obtained the requisite documents, and returned to mainland Ukraine on 7 September 2016.

The applicants complain under Article 2 of Protocol No. 4 to the Convention about the restrictions imposed by the Russian authorities on their movement between Crimea and mainland Ukraine. Specifically, they argue that the Russian Federation's control over entry and exit to Crimea, and especially the prohibition on leaving Crimea due to the absence of certain documents, amounted to interference with the applicants' freedom of movement within the territory of the State of their nationality. They further complain under Article 13 of the Convention that they had no effective remedy in respect of the alleged violation.

QUESTIONS TO THE PARTIES

1. Have the applicants complied with the admissibility requirements set forth in Article 35 § 1 of the Convention?

2. Has there been a violation of the applicants' right to liberty of movement under Article 2 § 1 of Protocol No. 4 to the Convention (see *Ukraine v. Russia (re Crimea)*, cited above, §§ 1174-75)?

In particular, did the Russian authorities impose a *de facto* restriction on Mr Butov's right to leave Crimea?

3. Did the applicants have an effective domestic remedy in respect of their complaint under Article 2 of Protocol No. 4, as required by Article 13 of the Convention?

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APPENDIX

List of cases:

No.	Application no.	Case name	Lodged on	Applicant Year of Birth Nationality	Represented by
1.	1663/17	Antonenko v. Russia	23/12/2016	Sergiy Viktorovich ANTONENKO 1978 Ukrainian	Sergiy Anatoliyovych ZAYETS
2.	1722/17	Butov v. Russia	23/12/2016	Yevgeniy Igorovich BUTOV 1983 Ukrainian	