



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

FIFTH SECTION

CASE OF KRAVCHENKO AND SLABETSKYY v. UKRAINE

(Applications nos. 7725/25 and 23340/25)

JUDGMENT

STRASBOURG

24 September 2026

This judgment is final but it may be subject to editorial revision.

In the case of Kravchenko and Slabetskyy v. Ukraine,

The European Court of Human Rights (Fifth Section), sitting as a Committee composed of:

Andreas Zünd, *President*,

Vahe Grigoryan,

Sébastien Biancheri, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 3 September 2026,

Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in applications against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on the various dates indicated in the appended table.

2. The Ukrainian Government (“the Government”) were given notice of the applications.

THE FACTS

3. The list of applicants and the relevant details of the applications are set out in the appended table.

4. The applicants complained of the lack of relevant and sufficient reasons for their pre-trial detention and of its excessive length.

THE LAW

I. JOINDER OF THE APPLICATIONS

5. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

II. ALLEGED VIOLATION OF ARTICLE 5 § 3 OF THE CONVENTION

6. The applicants complained that their pre-trial detention had been unreasonably long and that there were no sufficient and relevant reasons for it. They relied on Article 5 § 3 of the Convention.

7. The Court observes that the general principles regarding the right to trial within a reasonable time or to release pending trial, as guaranteed by Article 5 § 3 of the Convention, have been stated in a number of its previous judgments (see, among many other authorities, *Kudla v. Poland* [GC], no. 30210/96, § 110, ECHR 2000-XI, and *McKay v. the United Kingdom* [GC], no. 543/03, §§ 41-44, ECHR 2006-X, with further references).

8. Furthermore, the Court reiterates that according to its established case-law under Article 5 § 3 of the Convention, the persistence of a reasonable suspicion that the person arrested has committed an offence is a condition *sine qua non* for the lawfulness of the continued detention, but after a certain lapse of time it no longer suffices. In such cases, the Court must establish whether the other grounds given by the judicial authorities continued to justify the deprivation of liberty. Where such grounds were “relevant” and “sufficient”, the Court must also ascertain whether the competent national authorities displayed “special diligence” in the conduct of the proceedings. The Court has also held that justification for any period of detention, no matter how short, must be convincingly demonstrated by the authorities. When deciding whether a person should be released or detained, the authorities are obliged to consider alternative measures for ensuring this person’s appearance at trial. The requirement for the judicial officer to give “relevant” and “sufficient” reasons for the detention – in addition to the persistence of reasonable suspicion – applies already at the time of the first decision ordering detention on remand, that is to say “promptly” after the arrest (see, among other authorities, *Buzadji v. the Republic of Moldova* [GC], no. 23755/07, §§ 87 and 102, 5 July 2016).

9. In the leading cases of *Kharchenko v. Ukraine* (no. 40107/02, 10 February 2011), *Ignatov v. Ukraine* (no. 40583/15, 15 December 2016) and *Korban v. Ukraine* (no. 26744/16, §§ 158-81, 4 July 2019), the Court already found a violation in respect of issues similar to those in the present case.

10. Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of these complaints. Having regard to its case-law on the subject, the Court considers that in application no. 23340/25 the domestic courts failed to provide relevant and sufficient reasons for the applicant’s pre-trial detention and in addition in application no. 7725/25 the length of the applicant’s pre-trial detention was excessive.

11. These complaints are therefore admissible and disclose a breach of Article 5 § 3 of the Convention.

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

12. Regard being had to the documents in its possession and to its case-law (see, in particular, *Ara Harutyunyan v. Armenia*, no. 629/11, § 66, 20 October 2016 and *Ignatov*, cited above), the Court considers it reasonable to award the sums indicated in the appended table.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Declares* the applications admissible;
3. *Holds* that these applications disclose a breach of Article 5 § 3 of the Convention concerning the excessively lengthy pre-trial detention in the absence of sufficient and relevant reasons;
4. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months, the amounts indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 24 September 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Andreas Zünd
President

KRAVCHENKO AND SLABETSKYY v. UKRAINE JUDGMENT

APPENDIX

List of applications raising complaints under Article 5 § 3 of the Convention
(excessive length of pre-trial detention)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Period of detention	Length of detention	Specific defects	Amount awarded for pecuniary and non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses per application (in euros) ²
1.	7725/25 28/02/2025	Sergiy Petrovych KRAVCHENKO 1994	Musiyenko Volodymyr Viktorovych Kropyvnytskyy	11/07/2023 to 16/07/2025	2 year(s) and 6 day(s)	Failure to examine the possibility of applying other measures of restraint; excessive length of detention on remand in view of the lack of diligence on the part of domestic authorities	1,300	250
2.	23340/25 17/07/2025	Oleksandr Mykolayovych SLABETSKYY 1983	Voynikanis-Myrskyy Yan Sergiyovych Kyiv	28/03/2025 to 08/09/2025	5 month(s) and 12 day(s)	Fragility of the reasons employed by the courts; fragility and repetitiveness of the reasoning employed by the courts as the case progressed	600	250

¹ Plus any tax that may be chargeable to the applicants.

² Plus any tax that may be chargeable to the applicants.