



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

Published on 28 September 2026

FOURTH SECTION

Application no. 27697/22
Oleksandra Mykhaylivna SKREBETS and Sergiy Oleksandrovykh DERKO
against Russia
and 2 other applications
(see list appended)
communicated on 9 September 2026

SUBJECT MATTER OF THE CASE

The applications concern the alleged ill-treatment and unlawful detention of a number of Ukrainian prisoners of war who were reportedly captured and detained by the Russian armed forces during the full-scale invasion in Donetsk, Kharkiv and Luhansk regions, in April 2022 (see also *Ukraine and the Netherlands v. Russia* [GC], nos. 8019/16 and 3 others, §§ 68-69, 71, 9 July 2025).

The second applicant in application no. 27697/22 was captured by the Russian armed forces near Izium, Kharkiv region, on 15 April 2022. Thereafter, he was detained successively in unidentified premises resembling a penal colony (12-28 April 2022); the pre-trial detention facility (“SIZO”) no. 2 in Stry Oskol, Belgorod region, Russian Federation (28 April-13 July 2022); and an unidentified penal colony (13 July-5 December 2022). He was released as part of a prisoner exchange on 5 December 2022.

The applicant in application no. 35147/22 was captured by Russian armed forces in Myrna Dolyna, Luhansk region, on 21 June 2022. Thereafter, he was detained successively in the SIZO in Luhansk, Luhansk region (22 June 2022-24 September 2023 and 27 February-27 March 2024); the penal colony in Krasnyi Luch (renamed in Khrustalnyi on 12 May 2016), Luhansk region (24 September 2023-27 February 2024 and 27 March-18 October 2024). He was released as part of a prisoner exchange on 18 October 2024.

The applicant in application no. 56742/22 was captured by Russian armed forces in Velyka Novosilka, Donetsk region, on 11 March 2022. Thereafter, he was transferred to Melitopol, Zaporizhzhia region, in a KamAZ vehicle. Subsequently, the applicant was transferred to Sevastopol, Crimea, at the beginning of April 2022; to the SIZO in Taganrog, Rostov region, Russian Federation on 7-8 April 2022; and to the SIZO and the penal colony in Borisoglebsk, Voronezh region, Russian Federation, on 15 and 18 April 2022 respectively. He was released as part of a prisoner exchange on 31 January 2024.

The above mentioned applicants allege that they were detained in inhuman conditions and subjected to torture and constant beatings. They provided witness statements and medical certificates in that regard.

Relying on Article 3 of the Convention, the first applicant in application no. 27697/22 (the second applicant's wife) alleges that she suffered severe mental distress on account of the indifference demonstrated by the Russian authorities regarding the capture and whereabouts of her husband.

Relying on Article 3 of the Convention, the applicants in all applications, except for the first applicant in application no. 27697/22, complain that they were detained in inhuman and degrading conditions and subjected to torture by the Russian authorities. In addition, the applicant in application no. 35147/22 alleges that he was forced to shoot videos and give interviews. Invoking the procedural limb of Article 3, he complains about the failure of the Russian Federation to carry out effective investigations.

Relying on Article 5 of the Convention, the second applicant in application no. 27697/22 and the applicant in application no. 35147/22 complain that they were unlawfully detained contrary to the provisions of international humanitarian law.

Relying on Article 8 of the Convention, the applicant in application no. 35147/22 complains that Russian authorities subjected him to an absolute ban on contact with his family members and the outside world.

The applicants also allege a lack of effective remedies for the violations complained of, in breach of Article 13 of the Convention, read in conjunction with Articles 3, 5 (the applicants in applications nos. 27697/22 and 35147/22) and 8 (the applicant in application no. 35147/22) of the Convention.

Relying on Article 14, taken in conjunction with Article 3 of the Convention, the applicant in application no. 56742/22 complains that he was ill-treated on the grounds of his Ukrainian origin.

Lastly, relying on Article 34 of the Convention, the applicants in application no. 27697/22 complain that the Russian Federation failed to implement the interim measures indicated by the Court on 14 October 2022.

QUESTIONS TO THE PARTIES

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

2. Has the mental suffering of the first applicant in application no. 27697/22 in connection with the capture of her husband, and the authorities' alleged indifference in that respect and alleged failure to provide her with her husband's whereabouts, been sufficiently serious to amount to inhuman and degrading treatment within the meaning of Article 3 of the Convention? If so, has there been a breach of Article 3 of the Convention in respect of that applicant (see *Ukraine and the Netherlands v. Russia* [GC], cited above, § 1081)?

3. Were the applicants, except the first applicant in application no. 27697/22, subjected to torture or to inhuman or degrading treatment, in breach of Article 3 of the Convention (see *Ukraine and the Netherlands v. Russia* [GC], cited above, § 1076)? Have any investigations been carried out in respect of the allegations of the applicant in application no. 35147/22 of a violation of Article 3 of the Convention, as required by that provision (see *Mocanu and Others v. Romania* [GC], nos. 10865/09 and 2 others, §§ 315-26, ECHR 2014 (extracts))?

4. Were the second applicant in application no. 27697/22 and the applicant in application no. 35147/22 deprived of their liberty in breach of Article 5 § 1 of the Convention (see *Ukraine and the Netherlands v. Russia* [GC], cited above, §§ 427-30, and *Hassan v. the United Kingdom* [GC], no. 29750/09, §§ 100-07, 16 September 2014)?

5. Has there been a breach of the applicant's rights under Article 8 of the Convention in application no. 35147/22 on account of the alleged absolute ban on contact with his family (see *El-Masri v. "the former Yugoslav Republic of Macedonia"* [GC], no. 39630/09, §§ 236, 248-50, 13 December 2012, and *Khoroshenko v. Russia* [GC], no. 41418/04, § 106, 30 June 2015, with further references)?

6. Did the applicants have at their disposal an effective domestic remedy for their complaints under Articles 3, 5 (the applicants in applications nos. 27697/22 and 35147/22) and 8 (the applicant in application no. 35147/22), as required by Article 13 of the Convention (see *Ukraine and the Netherlands v. Russia* [GC], cited above, §§ 1617-21)?

7. Has the applicant in application no. 56742/22 been subjected to discrimination on grounds of his national origin, contrary to Article 14 of the

SKREBETS AND DERKO v. RUSSIA AND OTHER APPLICATIONS –
SUBJECT MATTER OF THE CASE AND QUESTIONS

Convention, read in conjunction with Article 3 of the Convention (see *Ukraine and the Netherlands v. Russia*, cited above, §§ 1606-07)?

8. Have the Government of the Russian Federation complied with the interim measures indicated on 14 October 2022 under Rule 39 of the Rules of Court in application no. 27697/22? If the answer is in the negative, was there a hindrance by the Russian Government with the effective exercise of the applicant's right of individual application, ensured by Article 34 of the Convention (see *Mamatkulov and Askarov v. Turkey* [GC], nos. 46827/99 and 46951/99, §§ 128-29, ECHR 2005-I)?

SKREBETS AND DERKO v. RUSSIA AND OTHER APPLICATIONS –
SUBJECT MATTER OF THE CASE AND QUESTIONS

APPENDIX

List of applications:

No.	Application no.	Case name	Lodged on	Applicant Year of Birth Place of Residence Nationality	Represented by
1.	27697/22	Skrebets and Derko v. Russia	08/06/2022	Oleksandra Mykhaylivna SKREBETS 1981 Kamyanske Ukrainian Sergiy Oleksandrovych DERKO 1986 Kamyanske Ukrainian	Maryna Mykolayivna KIPTILA
2.	35147/22	Butkevych v. Russia	20/07/2022	Maksym Oleksandrovych BUTKEVYCH 1977 Kyiv Ukrainian	Yuliya Volodymyrivna NAUMENKO
3.	56742/22	Kazymir v. Russia	12/12/2022	Sergiy Vasylyovych KAZYMIR 1978 Gvardijske Ukrainian	Iryna Oleksandrivna VYSHNYAKOVA