



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

FIFTH SECTION

CASE OF PRODAN v. UKRAINE

(Application no. 30897/25)

JUDGMENT

STRASBOURG

22 October 2026

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

In the case of Prodan 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 1 October 2026,

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

PROCEDURE

1. The case originated in an application against Ukraine lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on 17 September 2025.

2. The applicant was represented by Mr A. Kadochnikov, a lawyer practising in Vinnytsya.

3. The Ukrainian Government (“the Government”) were given notice of the application.

THE FACTS

4. The applicant’s details and information relevant to the application are set out in the appended table.

THE LAW

I. ALLEGED VIOLATION OF ARTICLE 3 OF THE CONVENTION

5. The applicant complained of the ineffective investigation into ill-treatment inflicted by private parties. He relied in substance on Article 3 of the Convention.

6. The Court notes at the outset that the treatment in question fell within the scope of the above Article. The Court reiterates that Article 3 of the Convention requires that the authorities conduct an effective official investigation of alleged ill-treatment, even if such treatment has been inflicted by private individuals (see *M.C. v. Bulgaria*, no. 39272/98, § 151, ECHR 2003-XII, and *Denis Vasilyev v. Russia*, no. 32704/04, § 99, 17 December 2009). The minimum standards of effectiveness laid down by the Court’s case-law include the requirements that the investigation must be independent, impartial and subject to public scrutiny, and that the competent authorities must act with exemplary diligence and promptness (see, *mutatis mutandis*, *Menesheva v. Russia*, no. 59261/00, § 67, ECHR 2006-III).

7. The procedural requirements of Article 3 go beyond the preliminary investigation stage when the investigation leads to legal action being taken before the national courts: the proceedings as a whole, including the trial stage, must meet the requirements of Article 3. This means that the domestic judicial authorities must on no account be prepared to let the physical or psychological suffering inflicted go unpunished. This is essential for maintaining the public's confidence in, and support for, the rule of law and for preventing any appearance of the authorities' tolerance of or collusion in unlawful acts (see, *mutatis mutandis*, *Okkalı v. Turkey*, no. 52067/99, § 65, ECHR 2006 XII (extracts)).

8. Reviewing the facts of the present case in the light of the above principles, the Court considers that the authorities, who were empowered to open and conduct a criminal investigation, did not make a genuine attempt to take a prompt and thorough examination of the matter, establish the facts and, if necessary, bring those responsible to account. The specific shortcomings are indicated in the appended table.

9. In the leading case of *Muta v. Ukraine* (no. 37246/06, 31 July 2012) 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 the investigation failed to meet the criteria of effectiveness.

11. These complaints are therefore admissible and disclose a breach of Article 3 of the Convention under its procedural limb.

II. 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, *Pobokin v. Ukraine*, no. 30726/14, 6 April 2023), the Court considers it reasonable to award the sums indicated in the appended table.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* the application admissible;
2. *Holds* that this application discloses a breach of Article 3 of the Convention concerning the ineffective investigation into ill-treatment inflicted by private parties;

3. *Holds*

- (a) that the respondent State is to pay the applicant, 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 22 October 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Andreas Zünd
President

APPENDIX

Application raising complaints under Article 3 of the Convention
(ineffective investigation into ill-treatment inflicted by private parties or in
circumstances that exclude involvement of State agents)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Background to the case and domestic proceedings	Key issues	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses per application (in euros) ²
30897/25 17/09/2025	Maksym Yuriyovych PRODAN 1987	Kadochnikov Andriy Olegovych Vinnytsya	On 18/07/2014 the applicant was stabbed by B. and A., sustaining cut wounds to the right side of his face and right shoulder. A forensic medical examination conducted in September 2014 classified the injuries as light bodily harm. On the same date criminal proceedings were instituted on suspicion of the intentional infliction of light bodily injuries causing a short-term health disorder. The applicant maintained that, despite his repeated requests, the investigating authorities failed to take any meaningful investigative measures. On 23/12/2020 the criminal proceedings were discontinued. However, on 05/07/2021 the Vinnytsia Local Court quashed that decision, criticising the police for their failure to carry out necessary investigative steps and to address the applicant's requests. Between 2021 and 2026, only limited investigative activity took place. In particular, the applicant repeatedly sought information regarding the progress of the investigation, and two new groups of investigators were appointed. The proceedings remain pending before the investigative authorities. Most recently, on 20/02/2026 an investigator ordered measures to establish the whereabouts of the alleged perpetrators to secure their participation in investigative actions.	failure to take the necessary steps to investigate the case thoroughly (<i>Skorokhodov v. Ukraine</i> , no. 56697/09, §§ 34-35, 14 November 2013), groundless decisions to close or suspend the case (<i>Aleksandr Nikonenko v. Ukraine</i> , no. 54755/08, § 45, 14 November 2013), overall protracted character of the investigation and court proceedings (<i>Muta v. Ukraine</i> , no. 37246/06, § 65, 31 July 2012), shortcomings recognised by the national authorities themselves (<i>Muta v. Ukraine</i> , no. 37246/06, § 65, 31 July 2012)	3,000	250

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

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