



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

FIFTH SECTION

CASE OF SHYNKOVSKA AND OTHERS v. UKRAINE

*(Applications nos. 12002/23 and 3 others –
see appended list)*

JUDGMENT

STRASBOURG

11 June 2026

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

In the case of Shynkovska and Others 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 21 May 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.

THE LAW

I. JOINDER OF THE APPLICATIONS

4. 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 3 OF THE CONVENTION

5. The applicants complained of the life sentence with no prospect of release. They relied on Article 3 of the Convention.

6. The Court reiterates that the Convention does not prohibit the imposition of a life sentence on those convicted of especially serious crimes, such as murder. Yet to be compatible with Article 3 such a sentence must be reducible *de jure* and *de facto*, meaning that there must be both a prospect of release for the prisoner and a possibility of review. The basis of such review must extend to assessing whether there are legitimate penological grounds for the continuing incarceration of the prisoner. These grounds include punishment, deterrence, public protection and rehabilitation. The balance between them is not necessarily static and may shift in the course of a

sentence, so that the primary justification for detention at the outset may not be so after a lengthy period of service of sentence. The importance of the ground of rehabilitation is underlined, since it is here that the emphasis of European penal policy now lies, as reflected in the practice of the Contracting States, in the relevant standards adopted by the Council of Europe, and in the relevant international materials (see *Vinter and Others v. the United Kingdom* [GC], nos. 66069/09 and 2 others, §§ 59-81, ECHR 2013 (extracts)).

7. In the leading case of *Petukhov v. Ukraine* (no. 2), (no. 41216/13, 12 March 2019), the Court already found a violation in respect of issues similar to those in the present case. In the case of *Medvid v. Ukraine* (no. 7453/23, 10 October 2024), it further established that such a situation of uncertainty with a lack of any clear and realistic prospects of early release persisted until 3 March 2023 – the date on which the new release on parole mechanism became fully operational and offered the applicants the realistic opportunity to have their life sentences reviewed within the well-defined timeframe and under clear conditions.

8. 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 the complaints raised by the applicants in the case at hand. The Court observes that after 3 March 2023 the newly established release on parole mechanism offered the applicants the realistic opportunity to have their life sentences reviewed within the well-defined timeframe and under clear conditions. Thus, this part of the applicants' complaints related to the period after 3 March 2023 is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention (see for similar reason, *Medvid*, cited above, § 61). At the same time, the complaints, in so far as they related to the period prior to 3 March 2023, are admissible and disclose a breach of Article 3 of the Convention from the date of the applicants' final sentencing to life imprisonment (see the appended table) to 3 March 2023.

III. APPLICATION OF ARTICLE 41 OF THE CONVENTION

9. Regard being had to the documents in its possession and to its case-law (see, in particular, *Petukhov* (no. 2), cited above, § 201), the Court considers that the finding of a violation constitutes in itself sufficient just satisfaction for any non-pecuniary damage that may have been sustained by the applicants.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Declares* the complaints about irreducibility of life sentence under Article 3 of the Convention in respect of the period of the applicants' detention between their final sentencing to life imprisonment and 3 March 2023 admissible and the remainder of the applications inadmissible;
3. *Holds* that these applications disclose a violation of Article 3 of the Convention on account of the irreducibility of life sentence during the period of the applicants' detention between their final sentencing to life imprisonment and 3 March 2023;
4. *Holds* that the finding of a violation constitutes in itself sufficient just satisfaction for any non-pecuniary damage sustained by the applicants.

Done in English, and notified in writing on 11 June 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Andreas Zünd
President

SHYNKOVSKA AND OTHERS v. UKRAINE JUDGMENT

APPENDIX

List of applications raising complaints under Article 3 of the Convention
(life sentence with no prospect of release)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Name of the trial court Date of the life sentence	Judicial decision upholding the conviction
1.	12002/23 06/02/2023	Nataliya Oleksandrivna SHYNKOVSKA 1976	Radkovska Svitlana Mykolayivna Vinnytsya	Supreme Court of the Autonomous Republic of Crimea, 12 November 1997, sentenced to death	Supreme Court of Ukraine, 5 February 1998; Supreme Court of the Autonomous Republic of Crimea, 26 June 2000, commuted to life sentence
2.	15032/23 15/03/2023	Svitlana Anatoliyivna KRYVONOS 1963	Preobrazhenskaya Oxana Strasbourg	Kyiv City Court, 25/11/1999, sentenced to death	Supreme Court of Ukraine, 22/06/2000, upheld but commuted to life imprisonment
3.	17280/23 30/03/2023	Oleksandr Mykolayovych BAKHMACH 1962	Gnatyuk Galyna Ivanivna Cherkasy	Cherkasy Regional Court of Appeal, 25/05/2010	Supreme Court of Ukraine, 07/12/2010
4.	18601/23 19/04/2023	Sergiy Stepanovych KLYUCHNIK 1966	Chekaryov Yevgen Volodymyrovych Kyiv	Kyiv Regional Court, 19 March 2001	Supreme Court of Ukraine, 27 September 2001