



European Court asks Ukrainian authorities to provide adequate medical treatment to former Ukrainian Prime Minister Tymoshenko

The European Court of Human Rights (the Court) decided on 15 March 2012 to indicate to the Ukrainian Government, under Rule 39¹ of the Rules of Court, to ensure that former Ukrainian Prime Minister Yuliya Tymoshenko receive adequate medical treatment in an appropriate institution.

Ms Tymoshenko, born in 1960, is the leader of *Batkivshchyna*, the main opposition party in Ukraine, and of *Yuliya Tymoshenko's Block*. She was the Prime Minister of Ukraine in 2005 and between December 2007 and March 2010. Criminal proceedings were brought against her for allegedly making an illegal order for the signing of a contract concerning gas imports. On 11 October 2011, she was convicted as charged, including of abuse of power, and sentenced to seven years' imprisonment and a three-year ban on holding public office. Her subsequent appeal on points of law is currently pending.

Her application was lodged with the Court on 10 August 2011. She alleges, in particular: that her criminal prosecution and detention were politically motivated; that there has been no judicial review of the lawfulness of her detention in Kyiv SIZO no. 13; and, that her detention conditions are inadequate, with no medical care provided for her numerous health problems. She relies principally on Article 3 (prohibition of degrading treatment or punishment), Article 5 (right to liberty and security) and Article 18 (limitation on use of restrictions on rights) of the European Convention on Human Rights.

On 30 December 2011 Ms Tymoshenko was transferred to the Kachanivska Correctional Colony in Kharkiv. On 14 March 2012 she applied before the Court for an interim measure, asking to be transferred to an appropriate medical institution in view of her health.

The Court [decided on 14 December 2011](#) to give priority to the case - [Tymoshenko v. Ukraine \(application no. 49872/11\)](#) - in view of the serious and sensitive nature of the allegations raised. Notice of the application has been given to the Ukrainian Government who have been requested to submit observations by 22 March 2012.

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Press contacts

echrpress@echr.coe.int | tel: +33 3 90 21 42 08

Kristina Pencheva-Malinowski (tel: + 33 3 88 41 35 70)

Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)

Céline Menu-Lange (tel: + 33 3 90 21 58 77)

Nina Salomon (tel: + 33 3 90 21 49 79)

¹ The Chamber or, where appropriate, its President may, at the request of a party or of any other person concerned, or of its own motion, indicate to the parties any interim measure which it considers should be adopted in the interests of the parties or of the proper conduct of the proceedings before it.

Denis Lambert (tel: + 33 3 90 21 41 09)

The European Court of Human Rights was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.