



Russia

Ratified the European Convention on Human Rights in 1998

National Judge: Dmitry Dedov

[Judges' CVs](#) are available on the ECHR Internet site;

Previous Judges: Vladimir Toumanov (1997-1998), Anatoly Kovler (1999-2012)

The Court dealt with 15,792 applications concerning Russia in 2014, of which 15,574 were declared inadmissible or struck out. It delivered 129 judgments (concerning 218 applications), 122 of which found at least one violation of the European Convention on Human Rights.

Applications processed in	2012	2013	2014
Applications allocated to a judicial formation	10746	12328	8952
Communicated to the Government	795	766	1115
Applications decided:	22358	24102	15792
- Declared inadmissible or struck out (Single Judge)	21866	23562	15108
- Declared inadmissible or struck out (Committee)	230	263	449
- Declared inadmissible or struck out (Chamber)	46	20	17
- Decided by judgment	216	257	218
Interim measures:	84	85	91
- Granted	5	21	26
- Refused (including out of scope)	79	64	65

For information about the Court's judicial formations and procedure, see the [ECHR internet site](#)

Applications pending before the court on 01/01/2015	
Total pending Applications*	14199
Applications pending before a judicial formation:	9934
Single Judge	1243
Committee (3 Judges)	2264
Chamber (7 Judges)	6422
Grand Chamber (17 Judges)	5

*including applications for which completed application forms have not yet been received

Russia and ...

Its contribution to the Court's budget

For 2015 the Court's budget amounts to approximately 69 million euros. That budget is financed by contributions from the 47 member States of the Council of Europe in accordance with scales based on population and GDP; the 2015 contribution of Russia to the Council of Europe's (EUR 306 million) budget is **EUR 32,805,837**.

The Registry

The task of the Registry is to provide legal and administrative support to the Court in the exercise of its judicial functions. It is composed of lawyers, administrative and technical staff and translators. There are currently **708** Registry staff members of whom **66** are Russian.

Noteworthy cases, judgments delivered

Grand Chamber

Svinarenko and Slyadnev v. Russia

17.07.2014

The case essentially concerned the practice of keeping remand prisoners in metal cages during hearings on their cases.

Violation of Article 3 (torture and inhuman or degrading treatment or punishment)

Violation of Article 6 § 1 (right to a fair trial within a reasonable time)

Georgia v. Russia (I)

03.07.2014

The case concerns the alleged existence of an administrative practice involving the arrest, detention and collective expulsion of Georgian nationals from the Russian Federation in the autumn of 2006.

Violation of Article 4 of Protocol No. 4 (prohibition of collective expulsion of aliens)

Violation of Article 5 § 1 (right to liberty and security)

Violation of Article 5 § 4 (right to judicial review of detention)

Violation of Article 3 (prohibition of inhuman or degrading treatment)

Violations of Article 13 (right to an effective remedy) in conjunction with Article 5 § 1 and with Article 3

Violation of Article 38 (obligation to furnish all necessary facilities for the effective conduct of an investigation)

The Court also found no violation of Article 8 (right to respect for private and family life), no violation of Article 1 of Protocol No. 7 (procedural safeguards relating to expulsion of aliens) and no violation of Articles 1 and 2 of Protocol No. 1 (protection of property and right to education).

Janowiec and Others v. Russia

21.10.2013

The case concerned complaints by relatives of victims of the 1940 Katyń massacre – the killing of several thousands of Polish prisoners of war by the Soviet secret police (NKVD) – that the Russian authorities' investigation into the massacre had been inadequate.

The Court held:

By a majority, that it had no competence to examine the complaints under Article 2 (right to life);

By a majority, that there had been no violation of Article 3 (prohibition of inhuman or degrading Treatment);

Unanimously, that Russia had failed to comply with its obligations under Article 38 (obligation to furnish necessary facilities for examination of the case).

Press release available in Polish and Russian.

Catan and Others v. Moldova and Russia (applications nos. 43370/04, 8252/05 and 18454/06)

19.10.2012

The case concerned the complaint by children and parents from the Moldovan community in Transdniestria about the effects of a language policy adopted in 1992 and 1994 by the separatist regime forbidding the use of the Latin alphabet in schools and the subsequent measures taken to enforce the policy. Those measures included the forcible eviction of pupils and teachers from Moldovan/Romanian-language schools as well as forcing the schools to close down and reopen in different premises.

No violation of Article 2 of Protocol No. 1 (right to education) to the European Convention on Human Rights in respect of the Republic of Moldova; and,

Violation of Article 2 of Protocol No. 1 in respect of the Russian Federation

[Russian version Press Release](#)

Konstantin Markin v. Russia

22.03.2012

The case concerned the Russian authorities' refusal to grant the applicant parental leave, which represented a difference in treatment compared to female military personnel.

Violation of Article 14 (prohibition of discrimination) in conjunction with article 8 (right to protection of private and family life)

No violation of Article 34 (right to an individual petition)

[Sakhnovskiy v. Russia](#)

02.11.2010

The case concerned ineffective legal assistance during appeal proceedings in a criminal case.

[Violation of Article 6 § 1 \(right to a fair trial\) in conjunction with article 6 § 3 \(right to effective legal assistance\)](#)

[Bykov v. Russia](#)

10.03.2009

The case concerns the FSB's covert operation to obtain evidence of the applicant's intention to commit murder.

[Violation of Article 8 \(right to respect for private and family life\)](#)

[Sergey Zolotukhin v. Russia](#)

10.02.2009

The case concerned imposition of administrative sanctions and criminal conviction for the same offence.

[Violation of Article 4 of Protocol No. 7 \(right not to be tried or punished twice\)](#)

[Ilaşcu and Others v. Moldova and Russia](#)

08.07.2004

Detention and ill-treatment in the unrecognised entity known as "Moldovan Republic of Transdnistria".

[Several violations of Article 3 \(prohibition of inhuman or degrading treatment\)](#)

[Russian version](#) press release.

Noteworthy cases, judgments delivered

Chamber

Cases concerning the right to life (Article 2)

Violations of Article 2

[Perevedentsev v. Russia](#)

24.04.2014

The case concerned the death of a 19-year old conscript, Mikhail Perevedentsev, during his military service. His parents, the applicants in the case, do not believe that their son committed suicide, alleging that bullying – under a system called *dedovshchina* – in the army from more senior conscripts, including extortion,

beatings and sleep deprivation, had to have played a part in his death.

[Finogenov and Others v. Russia](#)

20.12.2011

The case was brought by relatives of the victims of the tragic events in the "Dubrovka" theatre in October 2002 in Moscow (also known as the "Nord-Ost" theatre) and concerns the measures taken by the authorities to prevent the terrorist attack and the subsequent use of a narcotic gas by the Russian security services during the rescue operation.

[No violation of Article 2 concerning the decision to resolve the hostage crisis by force and use gas;](#)

[Violation of Article 2 concerning the inadequate planning and implementation of the rescue operation;](#)

[Violation of Article 2 concerning the ineffectiveness of the investigation into the allegations of the authorities' negligence in planning and carrying out the rescue operation as well as the lack of medical assistance to hostages.](#)

[Rantsev v. Cyprus and Russia](#)

07.01.2010

Cypriot and Russian authorities failed to protect a 20-year old Russian cabaret artiste from human trafficking.

[Budayeva and Others v. Russia](#)

20.03.2008

The case concerns the state's failure to protect residents of Tyrnauz hit by a succession of mudslides.

Cases concerning inhuman or degrading treatment (Article 3)

Violations of Article 3

[Mamazhonov v. Russia](#)

23.10.2014

The case concerned an Uzbek national's allegation that he would be ill-treated if he were extradited to Uzbekistan, as well as his disappearance and alleged abduction pending the examination of his case before the European Court of Human Rights. See press release in [Russian](#).

[Lyapin v. Russia](#)

24.07.2014

The case mainly concerned the practice of refusals to open criminal cases into credible

allegations of torture and inhuman treatment at the hands of the police.

[Kim v. Russia](#)

17.07.2014

The case concerned the detention of a stateless person, whom the authorities initially took to be a national of Uzbekistan, with a view to his expulsion.

[Savridin Dzhurayev v. Russia](#)

25.04.2013

Abduction and secret transfer of a man, whose extradition had been sought by the Tajik authorities and who had been granted temporary asylum in Russia, to his home country, Tajikistan, where he was subsequently prosecuted and sentenced to imprisonment for offences against national security.

[See also Russian version of press release](#)

[Iskandarov v. Russia](#)

23.09.2010

Ex-leader of the Tajik political opposition unlawfully removed from Russia to Tajikistan.

[Kopylov v. Russia](#)

29.07.2010

Severe torture in police custody and failure to investigate it effectively

[Lopata v. Russia](#)

13.07.2010

State intimidated applicant who complained about police brutality to the European Court of Human Rights

[Slyusarev v. Russia](#)

20.04.2010

Making a detainee wait for five months before returning his damaged glasses to him and another two months for his new glasses amounted to degrading treatment

[Klein v Russia](#)

01.04.2010

Applicant, criminally convicted in Colombia, arrested in Russia upon an Interpol notice.

[Aleksanyan v. Russia](#)

22.12.2008

Court ordered discontinuing of applicant's pre-trial detention due to his grave illness.

[Garabayev v. Russia](#)

07.06.2007

Insufficient guarantees against arbitrariness and no judicial review of detention pending extradition.

[Mikheyev v. Russia](#)

26.01.2006

Torture in police detention

[Kalashnikov v. Russia](#)

15.07.2002

Inhuman conditions in pre-trial detention due to overcrowding and poor hygienic and medical facilities.

[Khodorkovskiy \(no. 2\) and Lebedev \(no. 2\) v. Russia](#)

25.07.2013

Concerned criminal proceedings which ended in a judgment of September 2005 by the Moscow City Court in which Mr Khodorkovskiy and Mr Lebedev, two former top-managers and major shareholders of a large industrial group, were found guilty of large-scale tax evasion and fraud. The domestic proceedings at the heart of the present case are commonly known in Russia as "the first trial of Khodorkovskiy and Lebedev".

No violation of Article 3 (prohibition of inhuman and degrading treatment) as concerned Mr Lebedev's conditions of detention on remand but a **violation of Article 3** with regard to the humiliation of his being placed in a metal cage during court hearings on his case;

Violation of Article 5 §§ 3 and 4 (right to liberty and security) concerning the length of Mr Lebedev's detention on remand and the delayed examination of a detention order of December 2004 but **no violation as concerned the other complaints under Article 5;**

No violation of Article 6 § 1 (right to fair trial) with regard to the impartiality of the judge who presided at the applicants' trial or with regard to the time and facilities given for the preparation of their defence but a **violation of Article 6 §§ 1 and 3(c) and (d)** as concerned breaches of the lawyer-client confidentiality and the unfair taking and examination of evidence by the trial court;

No violation of Article 7 (no punishment without law) regarding the application of

the tax law to convict the applicants, which the Court considered reasonable and corresponded to a common-sense understanding of tax evasion;

Violation of Article 8 (right to respect for private and family life) on account of Mr Khodorkovskiy's and Mr Lebedev's transfer to penal colonies in Siberia and the Far North, several thousand kilometres away from Moscow and their families;

Violation of Article 1 of Protocol No. 1 (protection of property) on account of the arbitrary way in which Mr Khodorkovskiy had been ordered to reimburse tax arrears owed by Yukos to the State following his conviction;

No violation of Article 18 (limitation on use of restrictions on rights) as concerned the complaint that Mr Khodorkovskiy's and Mr Lebedev's prosecution had been politically motivated; and,

Violation of Article 34 (right of individual petition) on account of the authorities' harassment of Mr Khodorkovskiy's lawyers.
[Russian version press release.](#)

Khodorkovskiy v. Russia

31.05.2011

The case concerned the arrest and detention for several years of one of the then richest people in Russia on charges of economic crimes.

No violation of Article 3 (interdictions des traitements inhumains ou dégradants) as regards the conditions of Mikhail Khodorkovskiy's detention in the remand prison between 25 October 2003 and 8 August 2005;

Two violations of Article 3 as regards the conditions in which he was kept in court and in the remand prison after 8 August 2005;

Violation of Article 5 § 1 (b) (lawfulness of detention for non-compliance with a lawful order) as regards his apprehension on 25 October 2003;

No violation of Article 5 § 1 (c) (lawfulness of detention of a criminal suspect) as regards the lawfulness of his detention pending investigation;

Violation of Article 5 § 3 (length of detention) as regards the length of his continuous detention pending investigation and trial;

Four violations of Article 5 § 4 (judicial review of the lawfulness of pre-

conviction detention) as regards procedural flaws related to his detention; and

No violation of Article 18 (limitation of rights for improper purposes) as regards the claim that his prosecution was politically motivated.

[Russian version press release](#)

Lebedev v. Russia

25.10.2007

The case concerned the arrest and detention on remand of Mr. Lebedev, former senior manager of OAO Neftyanaya Kompaniya YUKOS, on charges of economic crimes and the fact that, between 22 March and 12 April 2003, the prison authorities had not allowed his lawyer to meet him.

Violation of Article 5 § 1 (c) concerning Mr Lebedev's unauthorised detention between 31 March and 6 April 2004;

Violation of Article 5 § 3 (right to be brought promptly before a judge) concerning the absence of Mr Lebedev's lawyers at a hearing on 3 July 2003;

Violation of Article 5 § 4 (right to have lawfulness of detention decided speedily by a court) concerning delays in the review of the detention order of 26 December 2003;

Violation of Article 5 § 4 concerning delays in the review of the detention order of 6 April 2004;

Violation of Article 5 § 4 concerning Mr Lebedev's absence from the detention hearing on 8 June 2004; and,

No failure to comply with Article 34 (right of individual petition).

OAO Neftyanaya kompaniya YUKOS v. Russia

20.09.2011

The case concerned the tax and enforcement proceedings brought against the Russian oil company, OAO Neftyanaya Kompaniya YUKOS, (YUKOS), which led to its liquidation.

In its judgment, the Court held:

By six votes to one, that the case was admissible;

By six votes to one, that there had been a violation of Article 6 §§ 1 and 3 (b) (right to a fair trial) concerning the 2000 tax assessment proceedings against YUKOS, because it had insufficient time to prepare its case before the lower courts;

By four votes to three, that there had been a violation of Article 1 of Protocol No. 1 (protection of property) to the Convention, concerning the 2000-2001 tax assessments, regarding the imposition and calculation of penalties;

Unanimously, that there had been no violation of Article 1 of Protocol No. 1, concerning the rest of the 2000-2003 tax assessments;

Unanimously, that there had been no violation of Article 14 (prohibition of discrimination), in conjunction with Article 1 of Protocol No. 1 concerning whether YUKOS had been treated differently from other companies;

By five votes to two, that there had been a violation of Article 1 of Protocol No. 1, in that the enforcement proceedings were disproportionate;

Unanimously, that there had been **no violation of Article 18** (limitation on use of restriction on rights), in conjunction with Article 1 of Protocol No. 1, concerning whether the Russian authorities had misused the legal proceedings to destroy YUKOS and seize its assets; and, Unanimously, that the question of the application of Article 41 (just satisfaction) was not ready for decision.

In its Chamber [judgment](#) adopted on 24 June 2014, the Court ruled on the question of the application of Article 41 (just satisfaction) of the Convention.

The Court held, by a majority:

-that Russia was to pay the shareholders of Yukos as they had stood at the time of the company's liquidation and, if applicable, their legal successors and heirs 1,866,104,634 euros (EUR) in respect of pecuniary damage; and,

- that Russia had to produce, in co-operation with the Council of Europe's Committee of Ministers, within six months from the date on which the judgment became final, a comprehensive plan for distribution of the award of just satisfaction.

The Court further decided, by a majority, that Russia was to pay EUR 300,000 in respect of costs and expenses to the Yukos International Foundation.

The Court also held, unanimously, that the finding of a violation constituted in itself sufficient just satisfaction for the non-pecuniary damage sustained by Yukos.

Cases concerning the right to liberty and security (Article 5)

Violations of Article 5

[Shcherbina v. Russia](#)

26.06.2014

The case concerned the detention pending extradition from Russia to Kazakhstan of a man wanted by the Kazakh authorities, and in particular the duration of the review proceedings examining the lawfulness of his detention order.

[Petukhova v. Russia](#)

02.05.2013

The applicant complained in particular that she had been unlawfully held in police custody before being transferred to hospital for an involuntary psychiatric examination.

[Vlassov v. Russia](#)

12.06.2008

The case concerned excessive length of detention pending trial.

Cases concerning Article 6

Right to a fair trial/hearing

Violations of Article 6

[Lagutin and Others v. Russia](#)

24.04.2014

The case concerned allegations by five people convicted of drug dealing that they had been victims of police entrapment.

[Matytsina v. Russia](#)

27.03.2014

The case concerned a yoga instructor's conviction of "illegal medical practice" after a participant in one of her courses in traditional Indian spiritual practices experienced serious psychological problems.

[Kasparov and Others v. Russia](#)

03.10.2013

The case concerned the arrest of a group of people ahead of an anti-government demonstration in April 2007, which had been authorised in a limited area, and their ensuing conviction of having breached the regulations on demonstrations.

[Kravchenko and 23 Other "military accommodation" cases v. Russia](#)

16.09.2010

Delayed enforcement of final judgments ordering the allocation of subsidised accommodation to end-of-carrier military officers

[Shtukaturov v. Russia](#)

27.03.2008

The applicant, mentally ill and declared officially disabled since 2003, was deprived of his legal capacity without his knowledge and confined to a psychiatric hospital upon request of his mother.

[Vanyan v. Russia](#)

15.12.2005

Right to fair trial breached as a result of police provocation having served as the only basis for conviction for drug dealing.

Right of access to court

Violation of Article 6

[Ryabykh v. Russia](#)

24.07.2003

Breach of the legal certainty requirement in civil proceedings before courts of general jurisdiction as a result of supervisory review (nadzor): this is the second major issue in terms of numbers of applications lodged and violations found; it concerns hundreds of cases.

Right to a fair trial within a reasonable time

Violation of Article 6

[Kormacheva v. Russia](#)

29.01.2004

Excessive length of court proceedings and no remedy available in Russian law to challenge that

Cases concerning private and family life (Article 8)

Violations of Article 8

[V.P. v. Russia](#) (no. 61362/12)

23.10.2014

The case concerned the enforcement of Mr V.P.'s parental rights and the return of his 6-year-old son, who had been abducted from Moldova to Russia by the boy's mother.

[Konovalova v. Russia](#)

09.10.2014

The case concerned Ms Konovalova's complaint that medical students had been allowed to observe her giving birth, without her explicit consent.

[Avilkina and Others v. Russia](#)

06.06.2013

The case concerned alleged harassment of Jehovah's Witnesses. The applicants notably complained about disclosure of their medical files to the Russian prosecution authorities following their refusal to have blood transfusions during their stay in public hospitals.

[Ageyevy v. Russia](#)

18.04.2013

The case concerned a married couple's complaint about the removal of their two adopted children and the revocation of the adoption following an incident when their son was burnt at home and had to go to hospital for treatment.

[Fadeyeva v. Russia](#)

09.06.2005

The case concerned severe environmental pollution and the right of the applicant to be relocated from the area upon a court order.

[Klyakhin v. Russia](#)

30.11.2004

Applicant's correspondence with the Court routinely opened and censored by prison authorities.

Freedom of expression cases (Article 10)

Violations of Article 10

[Reznik v. Russia](#)

04.04.2013

The case concerned defamation proceedings against the president of the Moscow City Bar for critical statements on a live TV show about the conduct of male prison warders who had searched the female lawyer representing the prominent businessman Mikhail Khodorkovskiy.

[Kudeshkina v. Russia](#)

26.02.2009

Disciplinary measures imposed on a judge for having publicly criticised the judicial system.

[Grinberg v. Russia](#)

21.07.2005

Punitive proceedings brought by public officials against journalists for value judgment statements.

No violation of Article 10

[Pasko v Russia](#)

22.10.2009

Military journalist criminally convicted and sentenced to imprisonment for treason.

Cases concerning freedom of assembly and association (Article 11)

Violations of Article 11

[Navalnyy and Yashin v. Russia](#)

04.12.2014

The case concerned the arrest of two well-known opposition leaders at a demonstration in December 2011, their subsequent detention and their conviction of an administrative offence.

[The Court further found that the applicants' punishment – for acts protected by Articles 10 and 11 of the Convention – had the potential to deter others from attending demonstrations or participating in open political debate.](#)

See press release in [Russian](#).

[Nemtsov v. Russia](#)

31.07.2014

The case concerned the arrest and detention of Boris Nemtsov, a well-known opposition leader, following his participation in a political demonstration, and his subsequent conviction for an administrative offence.

[The Court found in particular that the interference with Mr Nemtsov's right to freedom of assembly had been arbitrary and that the proceedings against him had the serious potential to deter others from participating in demonstrations and open political debate.](#)

[Alekseyev v Russia](#)

21.10.2010

The case concerned repeated unjustified ban on gay-pride marches in Moscow.

[Church of Scientology Moscow v. Russia](#)

05.04.2007

Authorities' refusal to register a religious organisation.

[Presidential Party of Mordovia v. Russia](#)

05.10.2004

Authorities' refusal to renew the registration of a political party.

Cases concerning freedom of movement (Article 2 of Protocol No. 4)

Violations of Article 2 of Protocol No. 4

[Khlyustov v. Russia](#)

11.07.2013

The case concerned the applicant's complaint about a series of six-month travel bans imposed on him by the bailiffs' service for his failure to pay a judgment debt to a private person.

[Soltysyak v. Russia](#)

10.02.2011

International travel ban on retired military officer due to his knowledge of state secrets.

[Karpacheva and Karpachev v. Russia](#)

27.01.2011

The applicants, mother and son, complained that the son, who is serving a prison sentence for drug dealing, could not take up permanent residence in Ozersk, a "closed" town in the Chelyabinsk Region where the Mayak nuclear fuel reprocessing plant is located, because of his criminal conviction.

[Tatishvili v. Russia](#)

22.02.2007

Authorities' refusal to certify applicant's residence at a chosen address substantially complicated her daily life and rendered uncertain her access to medical care.

Chechnya related cases

[Abdulkhanov and Others v. Russia](#)

03.10.2013

The case concerned a Russian military strike on a village in Chechnya in February 2000, which killed 18 of the applicants' relatives.

Violation of Article 2 (right to life)

Violation of Article 13 (right to an effective remedy)

For the first time in a case concerning the armed conflict in Chechnya, the Russian Government acknowledged that there had been a violation of Article 2, both as regards the use of lethal force and as regards the authorities' obligation to investigate its circumstances.

[Turluyeva v. Russia](#)

20.06.2013

Concerned the disappearance of a young man after last having been seen at the premises of a police regiment in Grozny (Chechnya) in October 2009.

Three violations of Article 2 (right to life) on account of Sayd-Salekh Ibragimov's presumed death, on account of the State's failure to protect his life, and, on account of the failure to conduct an effective investigation into his disappearance

Violation of Article 3 (prohibition of torture and of inhuman or degrading treatment), on account of Ms Turluyeva's suffering resulting from her inability to find out about what happened to her son

Violation of Article 5 (right to liberty and security), on account of Sayd-Salekh Ibragimov's unlawful detention

Violation of Article 13 (right to an effective remedy) in conjunction with Article 2

[Maskhadova and Others v. Russia](#) [Sabanchiyeva and Others v. Russia](#)

06.06.2013

Both cases essentially concerned the Russian authorities' refusal to return the bodies of the Chechen separatist President and insurgents to their families.

Violation of Article 8 (right to respect for private and family life) and Article 13 (right to an effective remedy) taken in conjunction with Article 8 and no violation of Article 14 (prohibition of discrimination) taken in conjunction with Article 8 in both cases as concerned the authorities' refusal to return to the applicants the bodies of their deceased relatives;

No violation of Article 2 (right to life and investigation) in the case of *Maskhadova and Others* as concerned the death of Aslan

Maskhadov, the Chechen separatist President, or the investigation into his death

in the case of *Sabanchiyeva and Others* no violation of Article 3 (prohibition inhuman or degrading treatment) as concerned the conditions in which the bodies of the applicants' relatives had been stored for identification, and, no violation of Article 38 § 1 (a) (obligation to provide necessary facilities for the examination of the case).

[Aslakhanova and Others v. Russia](#)

18.12.2012

The case concerned the disappearances of eight men in Chechnya between March 2002 and July 2004, after having been arrested in a manner resembling a security operation.

The Court found in particular violations of Articles 2 (right to life), 3 (prohibition of inhuman or degrading treatment) and 5 (right to liberty and security).

It noted that it had regularly found violations of the same rights in similar cases in more than 120 judgments, resulting from the disappearances in the Northern Caucasus since 1999. It concluded that the situation in the case of *Aslakhanova and Others* had resulted from a systemic problem of non-investigation of such crimes, for which there had been no effective remedy at national level.

The Court outlined two types of **general measures**, under Article 46 (binding force and execution of judgments), to be taken by Russia to address those problems: to alleviate the continuing suffering of the victims' families; and, to remedy the structural deficiencies of the criminal proceedings (corresponding strategy to be submitted to the Committee of Ministers without delay).

[Albekov and Others v. Russia](#)

09.10.2008

[Khamidov v. Russia](#)

15.11.2007

[Chitayev v. Russia](#)

18.01.2007

[Bazorkina v. Russia](#)

27.07.2006

[Estamirov and Others v. Russia](#)

12.10.2006

[Isayeva v. Russia](#)

24.02.2005

These are the first of a group of cases (about 210 judgments delivered so far and about 330 related cases pending) concerning events in Chechnya and in particular: indiscriminate use of lethal force, extra-judicial executions, unlawful detention, torture and ill-treatment, disappearances, damage to and destruction of property, landmines, restrictions on freedom of movement, and lack of effective domestic remedies.

In most of them at least one violation was found.

[Violations of Articles 2 \(right to life\), 3 \(prohibition of inhuman or degrading treatment\), 5 \(right to liberty and security\), 6 \(right to a fair hearing\), 8 \(right to respect for private and family life\), 13, 38 § 1 \(a\) \(obligation to furnish necessary facilities for the examination of the case\) and Article 1 of Protocol 1 \(protection of property\)](#)

Pilot judgments¹

[Gerasimov and Others v. Russia](#)

01.07.2014

The case concerned 11 applicants living in various regions of Russia from Vladivostok to Smolensk who were all victims of excessive delays in the enforcement of Russian court decisions granting them various benefits in kind (such as housing, housing maintenance and repair services, provision of a car for a disabled person, delivery of an administrative document, etc.). The Russian domestic law allowed no effective redress in respect of those complaints.

¹ Since 2004 and in response to the large number of cases deriving from systemic or structural problems in certain countries the Court has developed a pilot-judgment procedure. This consists in identifying in a single judgment systemic problems underlying a violation of the European Convention on Human Rights and indicating in that judgment the remedial measures required to resolve such situations. The pilot-judgment procedure is not only intended to facilitate effective implementation by respondent states of individual and general measures necessary to comply with the Court's judgments, but also induces the respondent State to resolve large numbers of individual cases arising from the same structural problem at domestic level, thus reinforcing the principle of subsidiarity which underpins the Convention system.

The Court held, *unanimously*, that there had been:

[a violation of Articles 6 \(right to a fair trial\) and 13 \(right to an effective remedy\), and a violation of Article 1 of Protocol No. 1 \(protection of property\)](#)

The Court also held that Russia had to set up, within one year from the date on which the judgment becomes final, an effective domestic remedy securing adequate and sufficient redress for the non-enforcement or delayed enforcement of judgments imposing obligations in kind on the Russian authorities.

As regards 600 other similar cases pending before it, the Court decided that Russia had to grant redress, within two years from the date on which the judgment becomes final, to all victims of delayed enforcement of judgments imposing obligations in kind who had lodged their applications with the European Court of Human Rights before today's judgment and whose cases were or will be communicated to the Russian Government. The Court also decided to adjourn, for a maximum of two years, the proceedings in all such cases pending the adoption of the above measures by the State.

[Ananyev and Other v. Russia](#)

10.01.2012

The case concerned the applicants' complaints that they had been detained in inhuman and degrading conditions in remand centres awaiting criminal trials against them.

[Violation of Articles 3 and 13 \(right to an effective remedy\)](#)

[Under Article 46 \(enforcement of the Court judgments\)](#), the Court held that the Russian Government had to:

- improve the material conditions of detention, by shielding the toilets in cells, removing thick netting from cell windows and increasing the frequency of showers;
- change the applicable legal framework, as well as practices and attitudes;
- ensure that pre-trial detention is only used in absolutely necessary cases;
- establish maximum capacity for each remand prison; and,
- ensure that victims can complain effectively about inadequate conditions of detention and that they obtain appropriate compensation.

In order to achieve the above, the Russian authorities had to produce, in co-operation with the Committee of Ministers of the Council of Europe, within six months from the date on which the judgment becomes final, a binding time frame for resolving the problems. They also had to provide redress, including by granting accelerated settlement to all cases brought by victims of inhuman or degrading conditions of detention in Russian remand prisons, within 12 months from the date on which today's judgment becomes final (for those cases already communicated) or from the date of communication (new cases).

[Russian version press release](#)

[Burdov \(N° 2\) v. Russia](#)

15.01.2009 [First pilot judgment](#)

Russia's non-compliance with domestic court decisions is the largest recurrent issue in all Russian applications concerning about one third of them. *Burdov No 2* is the first pilot judgment adopted in respect of Russia. It ordered the introduction of an effective domestic remedy in cases of non-enforcement of domestic judicial decisions and the settlement of similar cases pending before the Court.

[Violations of Articles 6 § 1 \(right to a fair trial\) and 13 \(right to an effective remedy\)](#)

[Decision on admissibility in post-Burdov No. 2 cases](#)

[Nagovitsyn and Nalgiyev v. Russia](#)

[Fakhretdinov and Others v. Russia](#)

24.09.2010 (Decisions)

The cases concerned either the non-enforcement of domestic court judgments in the applicants' favour (Nagovitsyn and Nalgiyev) or the excessive length of court proceedings (Fakhretdinov and Others).

[The Court decided that the remedy adopted by Russia in response to the Burdov No. 2 pilot judgment had to be exhausted before applying to the European Court of Human Rights. Applications: inadmissible.](#)

[Russian version Press Release](#)

[Other noteworthy cases, judgments delivered](#)

Chamber

[Taranenko v. Russia](#)

15.05.2014

The case concerned the detention and conviction of a participant in a protest against the politics of President Putin in 2004, organised by the National Bolsheviks Party.

[Violation of Article 5 § 3 \(right to liberty and security - entitlement to trial within a reasonable time or to release pending trial\)](#)
[Violation of Article 10 \(freedom of expression\) in the light of Article 11 \(freedom of assembly and association\)](#)

[Anchugov and Gladkov v. Russia](#)

04.07.2013

The case concerned two prisoners who complained in particular that their disenfranchisement had violated their right to vote and had prevented them from participating in a number of elections.

[Violation of Article 3 of Protocol No. 1 \(right to free elections\)](#)

[Kiyutin v. Russia](#)

10.03.2011

Refusal of a residence permit to a foreigner because he was HIV-positive

[Violation of Article 14 \(prohibition of discrimination\) taken in conjunction with Article 8 \(right to private and family life\)](#)

[Nolan and K. v. Russia](#)

12.02.2002

Expulsion of a United States citizen who was a missionary for the Unification Church

[Violation of Articles 9 \(freedom of thought, conscience and religion\) and 1 of Protocol No. 7 \(procedural safeguards relating to expulsion of aliens\)](#)

[Noteworthy pending cases](#)

Grand Chamber

[Mozer v. Republic of Moldova and Russia \(no. 11138/10\)](#)

[Grand Chamber hearing on 4 February 2015](#)

[The Chamber relinquished jurisdiction in favour of the Grand Chamber on 20 May 2014](#)

[Communicated](#) to the Moldovan and Russian Governments in March 2010

The case concerns Mr Mozer's allegations of inhuman detention conditions and insufficient medical treatment during his detention in different prisons in the

self-proclaimed "Moldovan Republic of Transdnistria".

The Court gave notice to the Moldovan and Russian Governments of Mr Mozer's application under Articles 2 (right to life), 3 (prohibition of inhuman or degrading treatment), 5 (right to liberty and security), 8 (right to private and family life), 9 (freedom of thought, conscience and religion), 13 (right to an effective remedy) and 17 (prohibition of abuse of rights) of the Convention.

Georgia v Russia (No. II) (no. 38263/08)

The formal application was received by the Court and **communicated to the Russian Government** in February 2009

A **public hearing** took place in September 2011.

Decision on admissibility 19 December 2011

The case concerns the August 2008 conflict in South Ossetia. In the context of a Rule 39 (Rules of Court) **request** by the Georgian Government, on 12 August 2008 the Court considered that the situation gave rise to a real and continuing risk of serious violations of the Convention and requested both parties to comply with their obligations under the Convention, especially under Articles 2 (right to life) and 3 (prohibition of inhuman and degrading treatment and punishment).

Blokhin v. Russia (no. 47152/06)

Case **referred** to the Grand Chamber on 24 March 2014

Grand Chamber hearing on 22 October 2014

It concerns the detention for 30 days of a mentally disturbed 12-year old boy in a juvenile temporary detention centre.

Relying on Article 3 (prohibition of inhuman or degrading treatment) of the Convention, Mr Blokhin complains that the conditions in the temporary detention centre for juveniles were inhuman and that he was not provided with adequate medical care. He also alleges that his detention was in breach of Article 5 § 1 (right to liberty and security). Lastly, relying on Article 6 §§ 1 and 3 (right to a fair trial), he maintains that the proceedings against him were unfair, both because he was allegedly questioned by the police in the absence of his guardian, counsel or a teacher and because he was not given the opportunity to cross-examine the two witnesses, whose

statements represented the only decisive evidence against him.

In its Chamber **judgment** of 14 November 2013, the Court held, unanimously, that there had been a violation of Article 3, a violation of Article 5 § 1, and a violation of Article 6 §§ 1 and 3 of the Convention.

Roman Zakharov v. Russia (no. 47143/06)

Grand Chamber hearing on 24 September 2014

The Chamber **relinquished jurisdiction** in favour of the Grand Chamber on 11 March 2014

Communicated to the Russian Government in October 2009

The case concerns in particular the compatibility with Article 8 (right to respect for private life and correspondence) of the Convention of the provisions of Russian law governing the secret interception of mobile phone communications.

Khoroshenko v. Russia (no. 41418/04)

Communicated to the Russian Government in January 2011

Grand Chamber hearing on 3 September 2014

The Chamber **relinquished jurisdiction** in favour of the Grand Chamber on 11 February 2014

The case concerns restrictions on family visits for life-long prisoners in Russia.

The applicant, who is a life prisoner, complains that these restrictions violate his right to respect for private and family life guaranteed under Article 8 of the Convention.

Chamber

Cases related to the 2014 events in Crimea and developments in the Eastern regions of Ukraine

[Ukraine v. Russia I \(no. 20958/14\)](#) and [Ukraine v. Russia II \(no. 43800/14\)](#)

Applications communicated to the Russian Government in November 2014

The first application concerns the events in Crimea from March 2014 and developments in the Eastern regions of Ukraine; the second application concerns the alleged abduction of three groups of children in Eastern Ukraine and their temporary transfer to Russia on three occasions between June and August 2014.

An interim measure² applied by the Court in the first case, calling upon both Russia and Ukraine to refrain from taking action which might lead to violations of the Convention rights of the civilian population, in particular Article 2 (right to life) and Article 3 (prohibition of torture and inhuman or degrading treatment), remains in force.

On 25 November 2014 the Court invited the Russian Government to submit its observations on the admissibility of both applications, and to comment in particular on the questions of whether the alleged violations of the Convention fall within the jurisdiction of the Russian Federation within the meaning of Article 1 (obligation to respect human rights), what legal remedies were available to the people concerned by the alleged violations of the Convention and whether these remedies were accessible and effective.

Ukraine v. Russia III (no. 49537/14)

Application lodged in July 2014

On 9 July 2014 an interim measure was requested by Ukraine in a new application lodged with the Court against Russia concerning the detention in Simferopol of Hayser Dzhemilov (the son of a Ukrainian member of Parliament). Separately, an individual application (no. 49522/14) was lodged against both Ukraine and Russia concerning the same subject-matter, accompanied by a request for an interim measure to be issued.

On 10 July 2014 the Court applied an interim measure indicating to the Governments of Russia and Ukraine that they should ensure respect for the Convention rights of Hayser Dzhemilov including, in particular, respect for security of his person and his right to legal assistance.

Related individual applications

By 25 November 2014, more than 160 individual applications had been pending before the Court, lodged against Ukraine or Russia or both. More than 20 of these

² The Court may, under Rule 39 of its [Rules of Court](#), indicate interim measures to any State party to the Convention. Interim measures are urgent measures which, according to the Court's well-established practice, apply only where there is an imminent risk of irreparable harm. Such measures are decided in connection with proceedings before the Court without prejudging any subsequent decisions on the admissibility or merits of the case in question.

applications are related to the events in Crimea. The remaining applications are related to the developments in Eastern Ukraine.

In 104 individual applications, interim measures have been applied, inviting the respective Government/s – of Russia and/or Ukraine – to ensure respect for the Convention rights of people deprived of liberty or people whose whereabouts are unknown. In 14 of the cases, individuals were released from detention and the respective interim measure was subsequently lifted.

Davydov and Others v. Russia (no. 75947/11)

[Communicated](#) to the Russian Government in March 2014

Complaints concerning the December 2011 Duma elections in Russia.

A.H. and Others and 22 other applications (no. 6033/13)

[Communicated](#) to the Russian Government in November 2013

The case concerns complaints by US nationals who were nearing the end of the process of adoption of Russian children and were eventually prevented from finalising the adoption because of the coming into force of the newly adopted Federal Law no. 272-FZ³.

Relying on Article 8 (right to respect of private and family life) of the Convention, the applicants allege that the ban on the adoption of Russian children constituted an unlawful and disproportionate interference with their family life. Furthermore, relying on Article 14 (prohibition of discrimination) taken in conjunction with Article 8 of the Convention, the applicants complain of being discriminated against on the grounds of their US nationality. Finally, relying on Article 3 (prohibition of inhuman or degrading treatment) the applicants argue that the Russian children who they were about to adopt are still in need of specialised medical care which they can only receive in the United States and are thus deprived of such care.

³ This law, also known as the "Anti-Magnitsky Law" or "Dima Yakovlev Law", entered into force in January 2013 banning the adoption of Russian children by nationals of the United States.

**Yefremenkova and Others v. Russia
(no. 19700/11)**

[Communicated](#) to the Russian Government in January 2013

The case concerns the refusal of the Russian's authorities to approve gay pride marches in St Petersburg in the years 2010 and 2011.

The applicants complain in particular that the refusals to agree to their marches, meetings and pickets were unlawful because the authorities did not propose alternative venues as they were required to do by domestic law, and that they were subjected to discrimination on account of sexual orientation.

The Court will examine the case under Article 11 (freedom of assembly and association), Article 13 (right to an effective remedy) and Article 14 (prohibition of discrimination) of the Convention read in conjunction with Article 11.

Tagayeva and Others v. Russia (no. 26562/07)

[Communicated](#) to the Russian Government in April 2012

[Chamber hearing on 14 October 2014](#)

This case arises out of a terrorist attack on a school in Beslan, North Ossetia (Russia),

in September 2004 that resulted in the deaths of some 334 civilians, including 186 children.

The applicants allege, inter alia, that the deaths in the gymnasium (which a group of heavily armed terrorists proceeded to rig with explosive devices) were the result of a disproportionate use of force by the authorities, that the authorities failed to negotiate with the assailants to secure the hostages' peaceful release and that there was no adequate plan for the treatment and medical care of victims and insufficient resources to prevent the loss of life from fire. They also alleged the lack of an effective investigation into the events.

When communicating the case, the Court put questions to the Russian Government under Articles 2 (right to life), 3 (prohibition of inhuman or degrading treatment), 6 (right to a fair trial), 8 (right to respect for private and family life), 10 (freedom of expression) and 13 (right to an effective remedy) of the Convention.

**ECHR Press Unit Contact:
+33 (0)3 90 21 42 08**