



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

## FIRST SECTION

### DECISION

Application no. 15338/06  
Andrey Vladimirovich OKHAPKIN against Russia  
and fifteen other applications  
(see list appended)

The European Court of Human Rights (First Section), sitting on 17 June 2014 as a Committee composed of:

Khanlar Hajiyeu, *President*,

Julia Laffranque,

Dmitry Dedov, *judges*,

and André Wampach, *Deputy Section Registrar*,

Having regard to the above applications lodged on the dates listed in the appendix,

Having regard to the declarations submitted by the Government and the applicants' acceptance of their terms,

Having deliberated, decides as follows:

## FACTS AND PROCEDURE

1. A list of the applicants is set out in the appendix.
2. The Russian Government ("the Government") were represented by Mr G. Matyushkin, the Representative of the Russian Federation at the European Court of Human Rights.
3. The applicants complained, in particular, about the conditions of their detention in Russian penitentiary facilities, the conditions of their transport, and an excessive length of their detention on remand.
4. By letters submitted on various dates, the Government informed the Court that they proposed to make a declaration with a view to resolving the issues raised by the applications. They acknowledged that the applicants had been detained or transported in the conditions which did not comply with the requirements of Article 3 of the Convention, and that the length of certain applicants' detention had been excessive in the light of the requirements of Article 5 § 3 of the Convention. The Government stated their readiness to pay the following amounts to the applicants as just

satisfaction: 3,500 euros (EUR) to Mr Okhapkin, EUR 4,805 to Mr Rasskazov, EUR 4,090 to Ms Molkova, EUR 9,940 to Mr Maksimov, EUR 15,940 to Mr Ibragimov, EUR 4,500 to Mr Safarov, EUR 8,125 to Mr Deryugin, EUR 14,500 to Mr Inozemtsev, EUR 7,475 to Mr Belous, EUR 4,000 to Mr Fazlutdinov, EUR 4,200 to Mr Filippov, EUR 4,740 to Mr Kravchenko, EUR 5,750 to Mr Kundilovskiy, EUR 6,077 to Mr Ryzhkov, EUR 3,500 to Mr Sokolov, and EUR 4,675 to Mr Shestakov. The payment was to cover any pecuniary and non-pecuniary damage, together with any costs and expenses incurred, as well as any tax that may be chargeable. It would be effected within a period of three months from the date of notification of the decision taken by the Court. In the event of failure to pay within that period, the Government undertook to pay simple interest on it, from expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points. The payment would constitute the final resolution of the cases.

5. In their letters of different dates, the applicants informed the Court that they agreed to the terms of the Government's declarations.

## THE LAW

6. Having regard to the similarity of the main issues under the Convention in the above cases, the Court decides to join the applications and examine them in a single decision.

7. The Court considers that the applicants' agreement to the terms of the declarations made by the Government shall be considered as a friendly settlement between the parties (see *Cēsnieks v. Latvia* (dec.), no. 9278/06, § 34, 6 March 2012, and *Bakal and Others v. Turkey* (dec.), no. 8243/08, 5 June 2012).

8. The Court therefore takes note of the friendly settlement reached between the parties. It is satisfied that the settlement is based on respect for human rights as defined in the Convention and its Protocols and finds no reasons to justify a continued examination of the applications.

9. In view of the above, it is appropriate to strike the cases out of the list in accordance with Article 39 of the Convention.

For these reasons, the Court unanimously

*Decides* to join the applications,

*Decides* to strike the applications out of its list of cases in accordance with Article 39 of the Convention.

André Wampach  
Deputy Registrar

Khanlar Hajiyev  
President

## APPENDIX

No	Application No	Lodged on	Applicant Date of birth Place of residence	Represented by
1.	15338/06	28/02/2006	<b>Andrey Vladimirovich OKHAPKIN</b> 10/09/1981 Severniy	
2.	18533/06	14/03/2006	<b>Vladimir Valeryevich RASSKAZOV</b> 03/11/1979 Schuya	
3.	42913/06	03/10/2006	<b>Zinaida Nikiforovna MOLKOVA</b> 07/11/1967 Cheboksary	Nikolay Anatolyevich MULYAKOV
4.	10855/07	20/01/2007	<b>Aleksandr Yuryevich MAKSIMOV</b> 26/05/1969 Bor	Sergey Ivanovich KIRYUKHIN
5.	23258/07	07/04/2007	<b>Rushan Zubairovich IBRAGIMOV</b> 07/01/1963 Astrakhan	Margarita Vladimirovna GORDEYEVA
6.	47545/08	04/10/2008	<b>Marufkhodzha Ismoilovich SAFAROV</b> 17/06/1962 Ocher	Boris Ivanovich PONOSOV
7.	49410/08	03/09/2008	<b>Aleksandr Viktorovich DERYUGIN</b> 21/09/1981 Zamishevo	Viktor Petrovich GAVRILENKO
8.	49555/08	20/08/2008	<b>Mikhail Yuryevich INOZEMTSEV</b> 01/06/1983 Orenburg	

No	Application No	Lodged on	Applicant Date of birth Place of residence	Represented by
9.	7022/10	05/01/2010	<b>Aleksandr Sergeyevich BELOUS</b> 01/01/1981 Yekaterinburg	
10.	51206/10	17/06/2010	<b>Ruslan Rustamovich FAZLUTDINOV</b> 13/07/1985 Ivanayevo	
11.	5361/12	27/12/2011	<b>Dmitriy Anatolyevich FILIPPOV</b> 24/11/1985 Tomsk	
12.	9062/12	11/01/2012	<b>Maksim Valeryevich KRAVCHENKO</b> 21/12/1982 St Petersburg	
13.	17746/12	24/01/2012	<b>Eduard Vitalyevich KUNDILOVSKIY</b> 24/10/1977 Bataysk	
14.	20146/12	16/03/2012	<b>Aleksandr Vladimirovich RYZHKOV</b> 24/05/1983 St Petersburg	Aleksey Vladimirovich DOBRODEYEV
15.	34302/12	14/12/2007	<b>Vladimir Nikolayevich SOKOLOV</b> 26/04/1957 Startsevo	
16.	59398/12	30/07/2007	<b>Yuriy Gennadyevich SHESTAKOV</b> 18/06/1979 Perm	