



## Grand Chamber hearing concerning Russian prisoner's complaint about conditions and length of detention on remand

The European Court of Human Rights is holding a Grand Chamber hearing today **Wednesday 19 October 2011 at 9 15 a.m.** in the case of **Idalov v. Russia** (Application no. 5826/03)

The case concerns a complaint by a prisoner about the conditions and length of his detention on remand and about the criminal proceedings against him.

*The hearing will be broadcast from 2.30 p.m. on the Court's Internet site ([www.echr.coe.int](http://www.echr.coe.int)). After the hearing the Court will begin its deliberations, which will be held in private. Its ruling in the case will, however, be made at a later stage.*

The applicant, Timur Idalov, is a Russian national who was born in 1967 and is currently in a detention facility in Tavda, in the Sverdlovsk Region.

Arrested on suspicion of abduction, Mr Idalov was placed in detention on 11 June 1999 and was officially charged one week later. His detention on remand was subsequently extended on a number of occasions until, in July 2001, he was released on bail. The same month, his case was submitted to the Khamovnicheskiy District Court of Moscow for trial. In October 2002, the court discontinued the bail and ordered his detention.

The first hearing was held in September 2003. During that hearing, Mr Idalov was removed from the courtroom for contempt of court. Between September and November 2003, another five hearings took place, during which the court examined witnesses and studied documents in the case file. After the examination of evidence was finished and the prosecutor and Mr Idalov's representative had made their pleadings, Mr Idalov was admitted to the courtroom to make his final statement.

On 24 November 2003, the District Court convicted him of abduction, extortion, illegal acquisition and storage of firearms and illegal acquisition and storage of drugs and sentenced him to 15 years' imprisonment. By an appeal judgment of 18 May 2004, Moscow City Court excluded the charge of illegal acquisition and storage of drugs for lack of evidence. It upheld in substance the conviction in respect of the other charges and reduced the sentence to ten years' imprisonment.

Between October 2002 and December 2003, Mr Idalov was detained in Moscow remand centre IZ-77/2, where he was transferred between cells on many occasions. According to Mr Idalov, the cells were stuffy, dirty, noisy, infested and severely overcrowded.

Relying on Article 3 (prohibition of inhuman and degrading treatment), Mr Idalov complains that the conditions of his detention and transport were appalling. Relying on Article 5 (right to liberty and security), he complains about the length, unlawfulness and shortcomings in the review of his detention on remand. Relying on Article 6 (right to a fair trial), he maintains in particular: that the proceedings in his case were excessively long; that, being removed from the courtroom, he was deprived of the right to defend himself in person. He also complains, under Articles 8 (right to respect for private and family life) and 34 (individual applications), that his correspondence with the European Court of Human Rights was viewed by the administration of one of the detention facilities where he was kept.

## Procedure

The application was lodged with the European Court of Human Rights on 6 February 2003. On 17 May 2011 the Chamber relinquished jurisdiction in favour of the Grand Chamber.<sup>1</sup>

## Composition of the Court

The case will be heard by a Grand Chamber, composed as follows:

Jean-Paul **Costa** (France), *PRESIDENT*,  
 Nicolas **Bratza** (the United Kingdom),  
 Françoise **Tulkens** (Belgium),  
 Josep **Casadevall** (Andorra),  
 Nina **Vajić** (Croatia),  
 Dean **Spielmann** (Luxembourg),  
 Peer **Lorenzen** (Denmark)  
 Anatoly **Kovler** (Russia),  
 Elisabeth **Steiner** (Austria),  
 Ján **Šikuta** (Slovakia),  
 Luis **López Guerra** (Spain),  
 András **Sajó** (Hungary),  
 Mirjana **Lazarova Trajkovska** ("The former Yugoslav Republic of Macedonia"),  
 Ann **Power-Forde** (Ireland),  
 Işıl **Karakaş** (Turkey),  
 Guido **Raimondi** (Italy),  
 Julia **Laffranque** (Estonia), *JUDGES*,  
 Mihai **Poalelungi** (Moldova),  
 Zdravka **Kalaydjieva** (Bulgaria),  
 Nebojša **Vučinić** (Montenegro), *SUBSTITUTE JUDGES*,

and also Vincent **Berger**, *JURISCONSULT*.

## Representatives of the parties

### Government

Nikolay **Mikhaylov**, *DEPUTY HEAD OF THE OFFICE OF THE REPRESENTATIVE OF THE RUSSIAN FEDERATION AT THE EUROPEAN COURT OF HUMAN RIGHTS*,  
 Tatyana **Korolkova**, Yana **Tsimbalova** and Anatoliy **Korolkov**, *ADVISERS*

### Applicant

Karinna **Moskalenko**, *COUNSEL*,  
 Natasha **Lisman**, Oxana **Preobrazhenskaya**, Maria **Samorodkina** et Irina **Gerasimova**, *ADVISERS*.

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<sup>1</sup> Under Article 30 of the European Convention on Human Rights, "Where a case pending before a Chamber raises a serious question affecting the interpretation of the Convention or the Protocols thereto, or where the resolution of a question before the Chamber might have a result inconsistent with a judgment previously delivered by the Court, the Chamber may, at any time before it has rendered its judgment, relinquish jurisdiction in favour of the Grand Chamber, unless one of the parties to the case objects. "

**Press contacts**

[echrpress@echr.coe.int](mailto:echrpress@echr.coe.int) | tel: +33 3 90 21 42 08

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

Emma Hellyer (tel: + 33 3 90 21 42 15)

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

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

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

Petra Leppee Fraize (tel: + 33 3 88 41 29 07)

**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.