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

THIRD SECTION

DECISION

Application no. 1858/17
Rustam Mugutdinovich ABDULLAYEV and Others against Russia
and 10 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 4 February 2021 as a Committee composed of:

Darian Pavli, *President,*
Dmitry Dedov,
Peeter Roosma, *judges,*
and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having regard to the formal declarations accepting a friendly settlement of the cases,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants' complaints under Article 8 of the Convention concerning the allocation or transfer to a remote penal facility irrespective of family life considerations were communicated to the Russian Government ("the Government"). In some of the applications, complaints based on the same facts were also communicated under other provisions of the Convention.

The Court received the friendly-settlement declarations, signed by the parties, under which the applicants agreed to waive any further claims against Russia in respect of the facts giving rise to these applications, subject to an undertaking by the Government to pay them the amounts detailed in the appended table. These amounts will be converted into the currency of the respondent State at the rate applicable on the date of payment, and will be payable within three months from the date of notification of the Court's decision. In the event of failure to pay these

amounts within the above-mentioned three-month period, the Government undertake to pay simple interest on them, from the 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 will constitute the final resolution of the cases.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

The Court 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 the Protocols thereto and finds no reasons to justify a continued examination of the applications.

In view of the above, it is appropriate to strike the cases out of the list.

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.

Done in English and notified in writing on 25 February 2021.

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Liv Tigerstedt Acting Deputy Registrar	Darian Pavli President

APPENDIX

List of applications raising complaints under Article 8 of the Convention
(allocation or transfer to a remote penal facility irrespective of family life considerations)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Other complaints under well-established case-law	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant/ household (in euros)[1]
1.	1858/17 19/11/2016 (7 applicants)	Household **Rustam Mugutdinovich ABDULLAYEV** 1987 **Amir Rustamovich ABDULLAYEV** 2018 **Mugutdin Magomedovich ABDULLAYEV** 1963 **Ruslan Rustamovich ABDULLAYEV** 2011 **Cristina Vladimirovna ABDULLAYEVA** 1983 **Muminat Gadzhimuradovna ABDULLAYEVA** 1965 **Zinfira Mugutdinovna MAMEDOVA** 1996		Art. 13 - lack of any effective remedy in domestic law - in respect of allocation to a remote colony.	03/07/2020	05/01/2021	6,000

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Other complaints under well-established case-law	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant/ household (in euros)[1]
2.	40323/18 24/07/2018	**Pavel Valeryevich ARTEMYEV** 1984	Andreyev Ashot Aleksandrovich Syktyvkar	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention during transport- and allocation to a remote correctional colony, Art. 3 - inadequate conditions of detention during transport - Train, transit cell, van (20/05/2018-20/05/2018; 03/04/2018-04/06/2018); overcrowding, lack of fresh air, Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention, Art. 3 - inadequate conditions of detention after conviction - detention in Ik-23 Murmansk Region since 23/05/2015 and on-going, less than 2 sq m of personal space; bunk beds, lack of privacy for toilet, inadequate temperature, no or restricted access to warm water, lack of or insufficient natural light, lack of or insufficient electric light, lack of fresh air, infestation of cell with insects/rodents, shower once a week, insufficient toiletries, poor quality of food, overcrowding.	09/10/2020	05/01/2021	13,700
3.	50940/18 17/10/2018	**Gasan Adilovich GUSEYNOV** 1967	Andreyev Ashot Aleksandrovich Syktyvkar	Art. 13 - lack of any effective remedy in domestic law in respect of inadequate conditions of detention - and in respect of allocation to a remote facility, Art. 3 - inadequate conditions of detention after conviction - detention in IK-23 Murmansk Region since 01/06/2015 and pending; 2.3 sq m of personal space; overcrowding, inadequate temperature, infestation of cell with insects/rodents, lack of fresh air, no or restricted access to shower, lack of or inadequate hygienic facilities, poor quality of food, inadequate clothing allowance, insufficient number of toilets and wash basins, lack of privacy for toilet.	09/10/2020	05/01/2021	13,000

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Other complaints under well-established case-law	Date of receipt of Government's declaration	Date of receipt of Applicant's declaration	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant/ household (in euros)[1]
4.	30736/19 20/05/2019 AND 34256/19 07/06/2019	Household **Vitaliy Vladimirovich TOLSTOKOROV** 1983 **Mariya Vladimirovna TOLSTOKOROVA** 1987			22/09/2020	01/07/2020	6,000
5.	59261/19 22/10/2019	**Igor Viktorovich BAZHIN** 1977			07/12/2020	23/07/2020	6,000
6.	59294/19 30/10/2019	**Viktor Aleksandrovich MOLODOV** 1955			07/12/2020	03/08/2020	6,000
7.	59575/19 31/10/2019	**Vail Vakilevich KHABIBULLIN** 1973		Art. 13 - lack of any effective remedy in domestic law - in respect of allocation to a remote colony.	07/12/2020	24/07/2020	6,000
8.	2432/20 18/12/2019	**Andrey Gennadyevich PAKHALENKOV** 1975		Art. 13 - lack of any effective remedy in domestic law - in respect of allocation to a remote colony.	20/10/2020	21/12/2020	6,000
9.	3012/20 26/12/2019	**Isa Abbasovich YANAYEV** 1986		Art. 13 - lack of any effective remedy in domestic law - in respect of allocation into remote colony.	07/12/2020	20/08/2020	6,000
10.	5148/20 09/01/2020	**Sergey Vadimovich MURAVYEV** 1981		Art. 13 - lack of any effective remedy in domestic law - in respect of allocation to a remote colony.	01/12/2020	16/12/2020	6,000

[1] Plus any tax that may be chargeable to the applicants.