

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

THIRD SECTION

DECISION

Application no. 43830/14
Aleksandr Borisovich ABRAMOVICH against Russia
and 9 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 20 October 2022 as a Committee composed of:

Darian Pavli*, President,*
Andreas Zünd*,*
Frédéric Krenc*, judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

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

Having regard to the observations submitted by the respondent Government,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

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

The applicants' complaints under Article 11 of the Convention concerning the restrictions on location, time or manner of conduct of public events were communicated to the Russian Government ("the Government").

THE LAW

A. Joinder of the applications

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

B. Complaints under Article 11 of the Convention (restrictions on location, time or manner of conduct of public events)

In the present applications, the applicants complained about the ban on different public events. They referred to Article 11 of the Convention, which reads as follows:

Article 11

"1. Everyone has the right to freedom of peaceful assembly ...

2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others ..."

As regards the authorities' decisions to ban holding public assemblies in Russia, the Court has already found in *Alekseyev v. Russia* (nos. 4916/07 and 2 others, §§ 99 and 100, 21 October 2010) that the judicial remedy of a post-hoc character the applicants had recourse to in the present case, was incapable of providing adequate redress in respect of the alleged violation of Article 11 of the Convention and found a violation of Article 13 of the Convention on this account.

The Court further considers that, at the time of the events in question, the applicants were well aware of the absence of effective domestic remedies for their complaints. Accordingly, in the Court's view, its findings in *Alekseyev* should have enabled the applicants to reasonably anticipate the application of the exhaustion and six-months' requirements in their cases.

The Court therefore concludes that the applicants' complaints about the ban on the rally should have been lodged within six months of the date of the refusal of the authorities to approve the proposed venue (for similar approach, see most recently, *Alekseyev and Others v. Russia* (dec.) [Committee], no. 31782/15, 30 June 2020 and *Komarova v. Russia* (dec.) [Committee], no. 44570/11, 26 May 2020).

It follows that the applications are inadmissible for non-compliance with the six-month rule set out in Article 35 § 1 of the Convention and thus must be rejected in accordance with Article 35 §§ 1 and 4 of the Convention

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 10 November 2022.

Viktoriya Maradudina Acting Deputy Registrar	Darian Pavli President

APPENDIX

List of applications raising complaints under Article 11 of the Convention
(Restrictions on location, time or manner of conduct of public events)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Location Date of the public event planned	Refusal Date Authority
1.	43830/14 26/05/2014	**Aleksandr Borisovich ABRAMOVICH** 1962		Bolotnaya square, Moscow Numerous notifications between 15/09/2012 and 04/10/2012	Department of Regional Security Refusals sent between September 2012 and October 2012
2.	72330/14 22/10/2014 (4 applicants)	**Ivan Aleksandrovich YELAYEV** 1959 **Olga Safronovna TARASOVA** 1960 **Viktor Anatolyevich TARASOV** 1966 **Vasiliy Viktorovich ALESHIN** 1972		Saransk, Sovestkaya Square 29/03/2014	Saransk Town Administration 19/03/2014
3.	59109/15 10/11/2015	**Ivan Aleksandrovich YELAYEV** 1959 **Vasiliy Viktorovich ALESHIN** 1972		Saransk, Sovestkaya Square 28/02/2015	Saransk Town Administration 24/02/2015
4.	12261/16 17/02/2016	**Ivan Aleksandrovich YELAYEV** 1959		Saransk, Sovestkaya Square 20/11/2014	Ministry of Culture and Tourism of Mordovia 17/11/2014
5.	18539/16 05/12/2014 (4 applicants)	**Ivan Aleksandrovich YELAYEV** 1959 **Olga Safronovna TARASOVA** 1960 **Viktor Anatolyevich TARASOV** 1966 **Vasiliy Viktorovich ALESHIN** 1972		Saransk, Sovetskaya Square 09/03/2014	Saransk Town Administration 27/02/2014
6.	18541/16 05/01/2015	**Ivan Aleksandrovich YELAYEV** 1959		Saransk 23/05/2014	Saransk Town Administration 16/05/2014

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Location Date of the public event planned	Refusal Date Authority
7.	18543/16 22/12/2014	**Ivan Aleksandrovich YELAYEV** 1959		Saransk, Sovetskaya Square 01/05/2014	Saransk Town Administration 17/04/2014
8.	18544/16 22/12/2014	**Ivan Aleksandrovich YELAYEV** 1959		Saransk, Sovestkaya Square 22/04/2014	Saransk Town Administration 09/04/2014
9.	36138/16 15/06/2016	**Aleksandr Vladlenovich SHCHELOV** 1992	Glushkova Tatyana Sergeyevna Moscow	Moscow 07/10/2013	Deputy Prefect 07/10/2013
10.	26997/18 16/05/2018	**Anton Sergeyevich GRACHEV** 1980		Gatchina, Sobornaya street between buildings 9 and 10 18/11/2017	Administration of Gatchina Municipal District 14/11/2017