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

FOURTH SECTION

DECISION

Application no. 40599/17
Hrachya BOYAJYAN
against Armenia

The European Court of Human Rights (Fourth Section), sitting on 3 October 2024 as a Committee composed of:

Anne Louise Bormann*, President*,
Sebastian Răduleţu,
Mateja Đurović*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 30 May 2017,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant was represented by Mr A. Zalyan, a lawyer practising in Vanadzor.

The applicant's complaint under Article 5 § 3 of the Convention concerning the lack of relevant and sufficient reasons for detention was communicated to the Armenian Government ("the Government"). A complaint based on the same facts was also communicated under Article 5 § 5 of the Convention.

THE LAW

A. The complaint under Article 5 § 3 of the Convention (alleged lack of relevant and sufficient reasons for detention)

In the present application, having examined all the material before it, the Court considers that the applicant's complaint concerning the alleged lack of relevant and sufficient reasons for his detention is inadmissible.

In particular, the Court considers that, in the light of the principles established in its case-law under Article 5 § 3 (see *Ara Harutyunyan*

v. Armenia, no. 629/11, §§ 48-53, 20 October 2016) the applicant's detention was based on relevant and sufficient reasons, in particular in view of the applicant being at flight risk (for further details see the appended table). The Court also does not discern any delays on the part of the authorities while dealing with the applicant's detention.

In view of the above, the Court finds that this complaint is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

B. The remaining complaint

The applicant also raised a complaint under Article 5 § 5 of the Convention based on the same facts.

However, in the light of all the material in its possession and in so far as the matter complained of is within its competence, the Court considers that this complaint does not disclose any appearance of a violation of the rights and freedoms enshrined in the Convention (see *N.C. v. Italy* [GC], no. 24952/94, § 49, ECHR 2002-X).

It follows that this part of the application must be rejected in accordance with Article 35 § 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 24 October 2024.

Viktoriya Maradudina Acting Deputy Registrar	Anne Louise Bormann President

APPENDIX

Application raising complaints under Article 5 § 3 of the Convention (lack of relevant and sufficient reasons for detention)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Period of detention	Court which issued detention order/ examined appeal	Other complaints under well-established case-law
40599/17 30/05/2017	**Hrachya BOYAJYAN** 1986	Zalyan Arayik Vanadzor	01/11/2016 - 01/01/2017	Arabkir and Kanaker-Zeytun District Court of Yerevan Criminal Court of Appeal	Art. 5 (5) - lack of, or inadequate compensation, for the violation of Article 5 § 3 of the Convention