

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

FIFTH SECTION

# CASE OF GRIGORYAN v. ARMENIA

*(Application no. 14875/23)*

JUDGMENT

STRASBOURG

28 August 2025

*This judgment is final but it may be subject to editorial revision.*



**In the case of Grigoryan v. Armenia,**

The European Court of Human Rights (Fifth Section), sitting as a Committee composed of:

Andreas Zünd*, President*,
Diana Sârcu,
Mykola Gnatovskyy*, judges*,
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having deliberated in private on 3 July 2025,

Delivers the following judgment, which was adopted on that date:

# PROCEDURE

1. The case originated in an application against Armenia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 11 April 2023.

2. Notice of the application was given to the Armenian Government ("the Government").

# THE FACTS

3. The applicant's details and information relevant to the application are set out in the appended table.

4. The applicant complained under Article 3 of the Convention that he did not receive adequate medical care in detention and that the conditions of his detention, including restricted access to the sanitary facilities and lack of dietary food, was incompatible with his health.

# THE LAW

## I. ALLEGED VIOLATION OF ARTICLE 3 OF THE CONVENTION

5. The applicant complained principally that he was not afforded adequate medical treatment in detention and that the conditions of his detention were incompatible with his state of health. He relied on Article 3 of the Convention.

6. The Court notes that the applicant suffered from serious medical conditions, as indicated in the appended table, which affected his everyday functioning. Therefore, he could have experienced considerable anxiety as to whether the medical care provided to him was adequate.

7. The Court reiterates that the "adequacy" of medical assistance remains the most difficult element to determine (see *Blokhin v. Russia* [GC], no. 47152/06, § 137, ECHR 2016). It has clarified in this context that the authorities must ensure that diagnosis and care are prompt and accurate (see, for example, *Gorbulya v. Russia*, no. 31535/09, § 62, 6 March 2014, with

further references, and *Pokhlebin v. Ukraine*, no. 35581/06, § 62, 20 May 2010, with further references) and that – where necessitated by the nature of a medical condition – supervision is regular and systematic and involves a comprehensive therapeutic strategy aimed at successfully treating the detainee's health problems or preventing their aggravation (see, *inter alia*, *Ukhan v. Ukraine*, no. 30628/02, § 74, 18 December 2008, with further references, and *Kolesnikovich v. Russia*, no. 44694/13, § 70, 22 March 2016, with further references). The Court stresses that medical treatment within prison facilities must be appropriate and comparable to the quality of treatment which the State authorities have committed themselves to providing for the entirety of the population. Nevertheless, this does not mean that each detainee must be guaranteed the same level of medical treatment that is available in the best health establishments outside prison facilities (see, for instance, *Sadretdinov v. Russia*, no. 17564/06, § 67, 24 May 2016, with further references, and *Konovalchuk v. Ukraine*, no. 31928/15, § 52, 13 October 2016, with further references).

8. Having examined all the material submitted to it, the Court has identified the shortcomings in the applicant's medical treatment, which are listed in the appended table. The Court has already found a violation in respect of issues similar to those in the present case (see *Ashot Harutyunyan v. Armenia,* no. 34334/04, §§ 101-16, 15 June 2010, and *Shirkhanyan v. Armenia,* no. 54547/16, §§ 149-74, 22 February 2022). Bearing in mind its case-law on the subject, the Court considers that in the instant case the applicant did not receive comprehensive and adequate medical care whilst in detention. Furthermore, the applicant's situation was further exacerbated by the conditions of his detention which were inadequate in view of his restricted access to sanitary facilities (for further details see appended table) (see *Shirkhanyan,* cited above*,* §§ 166-69).

9. These complaints are therefore admissible and disclose a breach of Article 3 of the Convention.

10. In view of the findings above, the Court concludes that it has already determined the main legal issues arising in the present case and that accordingly there is no need to examine separately the applicant's additional complaints under Article 3 of the Convention about the conditions of his detention, including those about the alleged lack of dietary food (see, *mutatis mutandis*, *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* [GC], no. 47848/08, § 156, ECHR 2014).

## II. APPLICATION OF ARTICLE 41 OF THE CONVENTION

11. Regard being had to the documents in its possession and to its case-law (see, in particular, *Shirkhanyan*, cited above, § 216), the Court considers it reasonable to award the sums indicated in the appended table.

## FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Declares* admissible the complaints about the inadequate medical assistance in detention and the restricted access to sanitary facilities rendering the detention conditions incompatible with the state of the applicant's health, as indicated in the appended table, and *finds* that it is not necessary to examine separately the remaining part of the application;

2. *Holds* that the application discloses a violation of Article 3 of the Convention;

3. *Holds*
   (a) that the respondent State is to pay the applicant, within three months, the amounts indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
   (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 28 August 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

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| Viktoriya Maradudina | Andreas Zünd |
| Acting Deputy Registrar | President |

# APPENDIX

## Application raising complaints under Article 3 of the Convention (inadequate medical treatment in detention)

| Application no.<br>Date of introduction | Applicant's name<br>Year of birth | Representative's name and location | Principal medical condition | Shortcomings in medical treatment<br>Dates | Prison facility; Period of imprisonment | Description of the detention conditions | Amount awarded for non-pecuniary damage per applicant (in euros)[1] | Amount awarded for costs and expenses per application (in euros)[2] |
|---|---|---|---|---|---|---|---|---|
| 14875/23<br>11/04/2023 | **Sergey GRIGORYAN**<br>1958 | Ghazaryan Arayik<br>Yerevan | Diabetes with a severe course, heart condition | Lacking/delayed drug therapy; lack of/delay in medical testing; failure to/delay in transfer to a specialised medical facility; lack of/delay in consultation by a specialist; lack of requisite assistance in administration of medication and other routine medical procedures<br><br>05/05/2023-pending;<br><br>More than 2 years and 15 days | Armavir (05/05/2023-26/06/2023), Vardashen (26/06/2023-Present) | The applicant, a person with serious mobility problems, had been restricted in the use of sanitary facilities; the facilities were not adapted and thus not accessible for persons with such medical restrictions; he was deprived of daily assistance with his needs such as administration of medication and maintaining personal hygiene; he has been assisted by inmates with his daily sanitary and medical needs | 10,000 | 4,350 |

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