

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

THIRD SECTION

CASE OF MOSKOVKO v. RUSSIA

(Application no. 2276/21)

JUDGMENT

STRASBOURG

13 November 2025

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



In the case of Moskovko v. Russia,

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

Úna Ní Raifeartaigh*, President*,
Mateja Đurović,
Vasilka Sancin*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having deliberated in private on 23 October 2025,

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

PROCEDURE

1. The case originated in an application against Russia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") on 6 December 2020.

2. The applicant was represented by Mr A. Vlasov, a lawyer practising in Tula.

3. The Russian Government ("the Government") were given notice of the application.

THE FACTS

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

5. The applicant complained of the lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings. He also raised other complaints under the provisions of the Convention.

THE LAW

I. JURISDICTION

6. The Court observes that the facts giving rise to the alleged violations of the Convention occurred prior to 16 September 2022, the date on which the Russian Federation ceased to be a party to the Convention. The Court therefore decides that it has jurisdiction to examine the present application (see *Fedotova and Others v. Russia* [GC], nos. 40792/10 and 2 others, §§ 68-73, 17 January 2023).

II. ALLEGED VIOLATION OF ARTICLE 6 § 1 OF THE CONVENTION

7. The applicant complained of the lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings. He relied on Article 6 § 1 of the Convention.

8. The relevant principles of the Court's case-law concerning the requirement of impartiality under Article 6 § 1 of the Convention can be found in the leading case of *Karelin v. Russia* (no. 926/08, §§ 51-57, 20 September 2016, with further references). In that case the Court assessed the national rules of administrative procedure and concluded that the statutory requirement allowing for the national judicial authorities to consider an administrative offence which falls within the ambit of Article 6 of the Convention under its criminal limb, in the absence of a prosecuting authority, was incompatible with the principle of objective impartiality set out in Article 6 of the Convention.

9. Having examined all the material submitted to it, and having taken into account the issue of compliance with the six-month time-limit under Article 35 § 1 of the Convention (see *Saakashvili v. Georgia* (dec.), nos. 6232/20 and 22394/20, §§ 46-59, 1 March 2022), the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of these complaints.

10. These complaints are therefore admissible and disclose a breach of Article 6 § 1 of the Convention.

III. REMAINING COMPLAINTS

11. The applicant also raised other complaints. Having examined these complaints, the Court considers that, in the light of all the material in its possession and in so far as the matters complained of are within its competence, these complaints either do not meet the admissibility criteria set out in Articles 34 and 35 of the Convention or do not disclose any appearance of a violation of the rights and freedoms enshrined in the Convention or the Protocols thereto.

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

IV. APPLICATION OF ARTICLE 41 OF THE CONVENTION

12. Regard being had to the documents in its possession and to its case-law (see, in particular, *Kuratov and Others v. Russia* [Committee], nos. 24377/15 and 2 others, 22 October 2019), the Court considers it reasonable to award the sum indicated in the appended table.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Holds* that it has jurisdiction to deal with this application as it relates to the facts that took place before 16 September 2022;

2. *Declares* the complaint under Article 6 § 1 of the Convention concerning the alleged impartiality of the domestic courts admissible and dismisses the remaining complaints as inadmissible;

3. *Holds* that this application discloses a breach of Article 6 § 1 of the Convention concerning the lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings;

4. *Holds*
   (a) that the respondent State is to pay the applicant, within three months, the amount 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 amount 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 13 November 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina Acting Deputy Registrar	Úna Ní Raifeartaigh President

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention (lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Penalty	Date of final domestic decision Name of court	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros)[1]
2276/21 06/12/2020	**Dmitriy Valeryevich MOSKOVKO** 1972	Vlasov Aleksey Valeryevich Tula	fine of RUB 10,000	05/06/2020 Tula Regional Court	1,000

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