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

THIRD SECTION

DECISION

Application no. 10851/09
Vladimir Ilyich IVANOV
against Russia

The European Court of Human Rights (Third Section), sitting on 20 September 2016 as a Committee composed of:

Branko Lubarda, *President,*
Pere Pastor Vilanova,
Georgios A. Serghides, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above application lodged on 17 September 2008,

Having regard to the observations submitted by the respondent Government,

Having deliberated, decides as follows:

THE FACTS

The applicant, Mr Vladimir Ilyich Ivanov, is a Russian national, who was born in 1956.

The Russian Government ("the Government") were represented by Mr G. Matyushkin, the Representative of the Russian Federation at the European Court of Human Rights.

Mr Ivanov was the defendant in criminal proceedings. He was detained in the IZ-47/1 remand prison in St Petersburg. On 17 September 2008 an application form was introduced on his behalf and signed by Ms Maria Zhiglaeva. No authority form was enclosed.

COMPLAINT

The applicant complained under Article 3 of the Convention about the inhuman and degrading conditions of his detention.

THE LAW

The Government submitted that, in the absence of a valid authority form or the applicant's original signature, the application was inadmissible *ratione personae*.

The Court asked the applicant to comment on the Government's submissions but did not receive any reply.

The Court reiterates that, where the application is not lodged by the victims themselves, Rule 45 § 3 of the Rules of Court requires a written authority to act, duly signed, to be produced. It is essential for representatives to demonstrate that they have received specific and explicit instructions from the alleged victim on whose behalf they purport to act before the Court (see *Lambert and Others v. France* [GC], no. 46043/14, § 91, ECHR 2015 (extracts), with further references).

In the instant case, the application form was not signed by Mr Ivanov who was listed as the applicant. No authority form authorising Ms Zhiglaeva to act on his behalf has been provided. Moreover, there have been no apparent reasons to consider that Mr Ivanov was a vulnerable person who was not able to lodge complaints to the Court himself (compare *Isakov v. Russia* (dec.), no. 52286/14, § 39 et seq., 5 July 2016, and *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* ([GC], no. 47848/08, ECHR 2014).

Regard being had to the above, the Court concludes that Ms Zhiglaeva did not have standing to introduce the application on behalf of Mr Ivanov. It follows that the application is incompatible *ratione personae* with the provisions of the Convention pursuant to Article 35 § 3 (a) and must be rejected pursuant to Article 35 § 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 13 October 2016.

Fatoş Aracı
Deputy Registrar

Branko Lubarda
President