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

THIRD SECTION

DECISION

Application no. 17500/10
Yevgeniy Anatolyevich KARNAUSHKO and Others
against Russia

The European Court of Human Rights (Third Section), sitting on 15 December 2016 as a Committee composed of:

Helena Jäderblom, *President,*
Dmitry Dedov,
Branko Lubarda, *judges,*
and Hasan Bakırcı, *Deputy Section Registrar,*

Having regard to the above application lodged on 28 February 2010,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicants,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants and the relevant details of the application are set out in the appended table.

The applicants were represented by Mr E. Mezak, a lawyer practising in Syktyvkar.

The applicants' complaint under Article 3 of the Convention concerning the inadequate conditions of their detention was communicated to the Russian Government ("the Government"). They also raised a complaint under Article 13 of the Convention.

THE LAW

In the present application, the applicants complained about poor conditions of their detention in the same facility in Syktyvkar on different dates between 3 November 2008 and 11 August 2009. They also argued that

they did not have an effective remedy to complain about the inadequate detention conditions.

The Court reiterates in this respect that in the absence of an effective remedy for that grievance, the complaint about inadequate conditions of detention should have been introduced within six months of the last day of the applicants' detention (see *Norkin v. Russia* (dec.), no. 21056/11, 5 February 2013, and *Markov and Belentsov v. Russia* (dec.), nos. 47696/09 and 79806/12, 10 December 2013). The most recent period of the detention complained of had ended on 11 August 2009. However, the applicants only introduced their application with the Court on 28 February 2010, that is more than six months after the end of the detention.

It follows that the application was submitted too late and that it thus is inadmissible for non-compliance with the six-month rule set out in Article 35 § 1 of the Convention, 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 12 January 2017.

Hasan Bakırcı
Deputy Registrar

Helena Jäderblom
President

APPENDIX

Application raising complaints under Article 3 of the Convention
(inadequate conditions of detention)

No.	Application no. Date of introduction	Applicant name Date of birth	Representative name and location	Facility Start and end date Duration	Specific grievances	Other complaints under well-established case-law
1.	17500/10 28/02/2010 (8 applicants)	**Yevgeniy Anatolyevich KARNAUSHKO** 26/01/1979 **Andrey Aleksandrovich PAKHTUSOV** 08/01/1984 **Vladimir Vladimirovich BIBIKOV** 06/06/1963 **Valeriy Pavlovich USTINOV** 09/01/1965 **Taras Nikolayevich SHPORTKO** 20/10/1983 **Sergey Vyacheslavovich PODVOLOTSKIY** 30/11/1978 **Valeriy Grigoryevich PROSOLOV** 24/01/1958 **Sergey Nikolayevich CHUKHLOMIN** 17/12/1971	**Mezak Ernest Aleksandrovich** Syktyvkar	Detention centre for administratively arrested persons Syktyvkar; different dates between 03/11/2008 to 11/08/2009	overcrowding, lack of privacy for toilet, lack of or poor quality of bedding and bed linen, lack of or insufficient physical exercise in fresh air	Art. 13 - lack of any effective remedy in respect of inadequate conditions of detention