

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

THIRD SECTION

DECISION

Applications nos. 20888/14 and 60277/14
Nikolay Aleksandrovich KARYY against Russia
and Sandro Georgiyevich RAMISHVILI against Russia

The European Court of Human Rights (Third Section), sitting on 9 November as a Committee composed of:

Luis López Guerra, *President,*
Dmitry Dedov,
Jolien Schukking, *judges,*
and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

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 applications are set out in the appended table.

The applicants' complaints under Articles 3 and 13 of the Convention concerning the inadequate medical treatment in detention and the lack of any effective remedy in domestic law were communicated to the Russian Government ("the Government").

THE LAW

A. Joinder of the applications

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

B. Complaints under Articles 3 of the Convention

The applicants complained that they had not received adequate medical treatment in respect of their medical conditions listed in the appended table. They relied on Article 3 of the Convention, which reads as follows:

> "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

The Court observes that the general principles regarding the quality of medical care in detention have been stated in a number of its previous judgments (see, among many other authorities, *Blokhin v. Russia* [GC], no. 47152/06, §§ 135-140, ECHR 2016, and *Ivko v. Russia*, no. 30575/08, §§ 91-95, 15 December 2015).

Turning to the circumstances of the present cases, the Court concludes that the applicants received essential medical treatment in respect of their conditions. The defects in the quality of medical care alleged by the applicants are either insignificant, or not supported by sufficiently strong evidence. Therefore they cannot be accepted by the Court.

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

C. Complaints under Article 13 of the Convention

The Court reiterates that Article 13 requires domestic remedies only with regard to complaints arguable in terms of the Convention (see *Boyle and Rice v. the United Kingdom*, 27 April 1988, § 52, Series A no. 131).

Since the Court has found above that the applicants' complaints about the quality of medical treatment in detention are manifestly ill-founded, no issue under Article 13 of the Convention arises in their cases.

It follows that the complaints under Article 13 are also manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 (a) and 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 30 November 2017.

Liv Tigerstedt
Acting Deputy Registrar

Luis López Guerra
President

APPENDIX

No.	Application no. Date of introduction	Applicant name Date of birth	Representative name and location	Principal medical condition	Main medical procedures undertaken by domestic authorities
1.	20888/14 05/09/2014	**Nikolay Aleksandrovich Karyy** 04/12/1956	Markov Eduard Valentynovych Budapest	jaw fracture	Two surgeries performed in September 2013 and in the end of 2014; treatment in respect of the tooth inflammation in a prison hospital as soon as the inflammation had occurred in March 2015
2.	60277/14 10/08/2014	**Sandro Georgiyevich Ramishvili** 01/02/1974	Markov Eduard Valentinovich Budapest	retinal detachment	Examination by the head of the medical unit after the applicant's extradition to Russia and placement in detention; regular consultations by an ophthalmologist; prescription of the cataract treatment followed through by the detention authorities; forensic medical examination noting serious defects in the applicant's treatment prior to his extradition to Russia which could not be remedied by any radical medical procedures, such as a surgery.