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

FIFTH SECTION

DECISION

Application no. 46584/13
Viktoriya Viktorovna KHMELNITSKAYA
against Ukraine

The European Court of Human Rights (Fifth Section), sitting on 9 December 2021 as a Committee composed of:

Lətif Hüseynov, *President,*
Lado Chanturia,
Arnfinn Bårdsen, *judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 24 June 2013,

Having regard to the observations submitted by the respondent Government,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant's complaints under Articles 3 and 13 of the Convention concerning the inadequate conditions of detention and the lack of any effective remedy in domestic law were communicated to the Ukrainian Government ("the Government").

THE LAW

A. Complaints under Articles 3 and 13 of the Convention (inadequate conditions of detention and lack of any effective remedy in domestic law)

In the present application, having examined all the material before it, the Court considers that for the reasons stated below, the applicant's complaints that she had been detained in allegedly poor conditions and that she did not have an effective remedy in that regard are inadmissible.

In particular, the Court notes that the applicant's detention ended on 16 August 2011, while she only lodged her application with the Court on 24 June 2013. It follows that the respective complaints were lodged more than six months after the end of the situation in which the State could be held responsible for the inadequate conditions of detention and the lack of any effective remedy in domestic law.

In view of the above, the Court finds that this part of the application must be rejected pursuant to Article 35 §§ 1 and 4 of the Convention for having been lodged too late.

B. Remaining complaints

The applicant also raised other complaints under various articles of the Convention.

The Court has examined the application and 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.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 13 January 2022.

Viktoriya Maradudina Acting Deputy Registrar	Lətif Hüseynov President

APPENDIX

Application raising complaints under Articles 3 and 13 of the Convention (inadequate conditions of detention)

Application no. Date of introduction	Applicant's name Year of birth	Facility Start and end date Duration	Specific grievances
46584/13 24/06/2013	**Viktoriya Viktorovna KHMELNITSKAYA** 1970	Rokytne Pre-Trial Detention Facility 13/05/2011 to 16/08/2011 3 months and 4 days	Vaguely formulated complaints of inadequate physical conditions and lack of medical assistance