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

THIRD SECTION

DECISION

Application no. 40332/21
Anastasiya Igorevna KRIVENKO against Russia
and 2 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 13 February 2025 as a Committee composed of:

Diana Kovatcheva*, President*,
Úna Ní Raifeartaigh,
Mateja Đurović*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicants is set out in the appended table.

The applicants' complaints under Article 11 of the Convention concerning the disproportionate measures against organisers and participants of public assemblies were communicated to the Russian Government ("the Government"). In all applications, complaints based on the same facts were also communicated under other provisions of the Convention.

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. Application no. 40332/21

The Court reiterates that under Article 35 of the Convention it shall not deal with any application that is substantially the same as a matter that it has already examined.

The Court notes that the complaint about the disproportionate measures taken against the applicant as a participant in the rally on 31 January 2021, as well as other complaints based on the same facts, are substantially the same as the matter already examined by the Court (see *Kinzhabayeva and Others v. Russia* [Committee], nos. 35579/21 and 19 others, §§ 7-13 and line 8 of the Appendix, 11 April 2024, concerning application no. 41461/21 lodged on 5 August 2021 by Ms Anastasiya Igorevna Krivenko).

It follows that the application must be rejected pursuant to Article 35 §§ 2 (b) and 4 of the Convention.

C. Remaining applications

The applicants complained about the termination of their participation in public assemblies and subsequent administrative-offence proceedings against them.

The Court reiterates that, as a rule, the six-month time-limit runs from the date of the final decision in the process of exhaustion of domestic remedies (see *Varnava and Others v. Turkey* [GC], nos. 16064/90 and 8 others, § 157, ECHR 2009). In cases under the Code of Administrative Offences of the Russian Federation, the appeal judgment must be considered when applying both the exhaustion of domestic remedies requirement and the six-month rule outlined in Article 35 § 1 of the Convention (see *Smadikov v. Russia* (dec.), no. 10810/15, §§ 41-51, 31 January 2017).

The Court notes that the applicants' complaints were lodged with the Court more than six months following the final domestic decisions adopted in the administrative-offence proceedings (see the appended table). Accordingly, their complaints are belated and must be rejected under Article 35 §§ 1 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 6 March 2025.

Viktoriya Maradudina Acting Deputy Registrar	Diana Kovatcheva President

APPENDIX

List of applications raising complaints under Article 11 of the Convention
(disproportionate measures against organisers and participants of public assemblies)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Name of the public event Location Date	Administrative / criminal offence	Penalty	Final domestic decision Court Name Date	Other inadmissible complaints
1.	40332/21 30/07/2021	**Anastasiya Igorevna KRIVENKO** 1999	Memorial Human Rights Centre Moscow	Rally "Free Navalnyy" Tambov 31/01/2021	article 20.2 § 6.1 of CAO	detention for 7 days	Tambov Regional Court 17/02/2021	Art. 5 (1) - unlawful detention - escorting to and detention at the police station for compiling an offence record between 1.20 p.m. on 31/01/2021 and noon on 01/02/2021; Art. 6 (1) - lack of impartiality of the tribunal in view of the absence of a prosecuting party in administrative-offence proceedings; Art. 6 (1) - and Art. 6 (3) (d) - unfair trial in view of restrictions on the right to examine witnesses - inability to cross-examine in the trial the police officers on whose written statements the applicant's conviction was based; Prot. 7 Art. 2 - delayed review of conviction by a higher tribunal - the sentence of administrative detention imposed on the applicant was executed immediately, on account of the lack of suspensive effect of an appeal under the CAO.
2.	53762/21 22/10/2021	**Anastasiya Yuryevna SALINA** 1981	Memorial Human Rights Centre Moscow	Rally "Free Navalnyy" Moscow 31/01/2021	article 20.2 § 5 of CAO	fine of RUB 10,000	Moscow City Court 14/04/2021	Art. 5 (1) - unlawful detention - escorting to and detention at the police station for compiling an offence report from 3.30 p.m. on 31/01/2021 until 12.30 a.m. on 01/02/2021; Art. 6 (1) - lack of impartiality of the tribunal in view of the absence of a prosecuting party in administrative-offence proceedings; Art. 6 (1) - and Art. 6 (3) (d) - unfair trial in view of restrictions on the right to examine witnesses - inability to cross-examine in the trial the police officers on whose written statements the applicant's conviction was based.

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Name of the public event Location Date	Administrative / criminal offence	Penalty	Final domestic decision Court Name Date	Other inadmissible complaints
3.	55523/21 31/10/2021	**Dmitriy Viktorovich KOROLEV** 1978	Memorial Human Rights Centre Moscow	Rally "Free Navalnyy" Tambov 21/04/2021	article 20.2 § 6.1 of CAO	detention for 10 days	Tambov Regional Court 30/04/2021	Art. 5 (1) - unlawful detention - escorting to and detention at the police station after compiling an offence report from 7.40 p.m. on 21/04/2021 until 11 a.m. on 22/04/2021; Art. 6 (1) - lack of impartiality of the tribunal in view of the absence of a prosecuting party in administrative-offence proceedings; Art. 6 (1) - and Art. 6 (3) (d) - unfair trial in view of restrictions on the right to examine witnesses - inability to cross-examine in the trial the police officers on whose written statements the applicant's conviction was based; Prot. 7 Art. 2 - delayed review of conviction by a higher tribunal - the sentence of administrative detention imposed on the applicant was executed immediately, on account of the lack of suspensive effect of an appeal under the CAO.