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

THIRD SECTION

DECISION

Application no. 8251/18
Aleksandr Nikolayevich KULACHINSKIY
against Russia
(see appended table)

The European Court of Human Rights (Third Section), sitting on 6 October 2022 as a Committee composed of:

Darian Pavli*, President,*
Andreas Zünd*,*
Frédéric Krenc*, judges,*
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 9 January 2018,

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 Article 3 of the Convention concerning the inadequate conditions of detention during transport were communicated to the Russian Government ("the Government"). Complaints based on the same facts were also communicated under Article 13 of the Convention.

THE LAW

The applicant complained under Article 3 of the Convention about conditions of transport by van and train on 15 July 2017 (see the appended table for further detail). Having examined the materials submitted by the parties and bearing in mind the "practical demands of imprisonment", the Court is unable to conclude that the applicant was subjected to distress or hardship of an intensity "exceeding the unavoidable level of suffering inherent in detention". It concludes that the facts complained of do not disclose a violation of Article 3 of the Convention in the light of its

well-established case-law (see *Idalov v. Russia* [GC], no. 5826/03, §§ 103-08, 22 May 2012, and *Tomov and Others v. Russia*, nos. 18255/10 and 5 others, 9 April 2019).

The Court finds that these complaints are manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

In so far as the applicant referred to Article 13 of the Convention, the Court, having regard to its conclusion concerning Article 3, finds that no separate issue arises under this provision. It finds that this complaint is manifestly ill-founded within the meaning of Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 27 October 2022.

Viktoriya Maradudina	Darian Pavli
Acting Deputy Registrar	President

APPENDIX

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

Application no. Date of introduction	Applicant's name Year of birth	Means of transport Start and end date	Other inadmissible complaints
8251/18 09/01/2018	**Aleksandr Nikolayevich KULACHINSKIY** 1972	van, train 15/07/2017 to 15/07/2017	Art. 13 - lack of any effective remedy in domestic law - in respect of inadequate conditions of transport