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

THIRD SECTION

DECISION

Application no. 2172/21
Pavel Rashidovich POTERYAYEV
against Russia

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 application lodged on 10 December 2020,

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

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Pavel Rashidovich Poteryayev, is a national of Kazakhstan born in 1990. He was represented by Ms M.B. Polyanina, a lawyer practising in Sredneuralsk.

On 6 November 2019 the Rylskiy District Court of the Kursk Region ordered the applicant's expulsion to Kazakhstan. No appeal had been lodged against that decision. Since at the moment of the arrest the applicant had no identification documents, a request was sent to the Embassy of Kazakhstan in December 2019. Following their reply in March 2020 the readmission procedure had been initiated.

In July 2020 the applicant sought termination of the removal and detention, which was refused by the final judgment of the Kursk Regional Court on 10 September 2020. On 10 November 2020 the applicant was removed to Kazakhstan.

The applicant's complaints under Article 5 § 1 (f) of the Convention concerning the unlawful detention (deprivation of liberty) were communicated to the Russian Government.

THE LAW

The Court notes, firstly, that no appeal had been lodged against the decision ordering the applicant's detention pending expulsion and, secondly, that during the applicant's detention pending expulsion the Russian authorities diligently pursued the removal proceedings and nothing indicates that the detention had been arbitrary (see *Khlaifia and Others v. Italy* [GC], no. 16483/12, §§ 88-92, 15 December 2016).

In view of the above, the Court finds that the application is inadmissible and must be rejected in accordance with Article 35 §§ 1, 3 (a) and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 6 March 2025.

Viktoriya Maradudina Acting Deputy Registrar	Diana Kovatcheva President