

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

THIRD SECTION

DECISION

Application no. 33589/05
Aleksandr Aleksandrovich SHANSKOV against Russia
and 4 other applications
(see list appended)

The European Court of Human Rights (Third Section), sitting on 30 June 2016 as a Committee composed of:

Helena Jäderblom, *President,*
Dmitry Dedov,
Branko Lubarda, *judges,*
and Hasan Bakırcı, *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 applicant and the relevant details of the applications are set out in the appended table.

The applicants' complaints under Article 6 § 1 of the Convention concerning the excessive length of civil proceedings and Article 13 of the Convention concerning the existence of effective domestic remedies to complain about the length of civil proceedings were communicated to the Russian Government ("the Government"). The applicants also raised other complaints under the 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. Complaints under Article 6 § 1 of the Convention (excessive length of civil proceedings)

In the present applications, having examined all the material before it, the Court considers that for the reasons stated below, the respondent Government cannot be held liable for delays which occurred in the process of the examination of the applicants' civil cases.

In particular, the Court notes that having regard to the overall length of the proceedings, the relevant complexity of the cases, the applicants' conduct and that of the authorities, including the diligence they displayed while dealing with the cases, and the levels of jurisdiction involved, the length of the proceedings was not excessive and met the "reasonable time" requirement (see, among other authorities, *Vasilchenko v. Russia*, no. 34784/02, §§ 41-43, 23 September 2010; *Danilina v. Russia* (dec.), no. 5727/04, 11 March 2010; *Kuznetsova v. Russia* (dec.), no. 9839/03, 24 May 2007; *Antonov v. Russia* (dec.), no. 38020/03, 3 November 2011; *Markin v. Russia* (dec.), no. 59502/00, 16 September 2004; and *Kuznetsov v. Russia* (dec.), no. 73994/01, 17 June 2004).

In view of the above, 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.

C. Complaints under Article 13 of the Convention (lack of an effective remedy to complain about the excessive length of the proceedings)

The applicants also complained that they did not have at their disposal an effective remedy to complain about the excessive length of the proceedings in their civil cases. The Court reiterates in this respect that this provision only applies to those with an arguable claim under the Convention (see *Silver and Others v. the United Kingdom*, 25 March 1983, § 113, Series A no. 61). Given that the applicants' complaint under Article 6 was rejected for being manifestly ill-founded, the complaint under Article 13 should also be declared manifestly ill-founded and rejected under Article 35 §§ 3 and 4 of the Convention.

In view of the above, 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.

D. Remaining complaints

The applicants also raised other complaints under various provisions of the Convention.

The Court has examined the applications listed in the appended table 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 applications must be rejected in accordance with Article 35 § 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 21 July 2016.

Hasan Bakırcı
Deputy Registrar

Helena Jäderblom
President

APPENDIX

No.	Application no. Date of introduction	Applicant name Date of birth/Date of registration	Representative name and location	Start of proceedings	End of proceedings	Total length Level of jurisdiction	Other complaints under well-established case-law
1.	33589/05 15/08/2005	**Aleksandr Aleksandrovich SHANSKOV** 24/10/1971	**Vereshchagina Natalya Mikhaylovna** Moscow	19/04/2001	24/02/2005	3 year(s) and 10 month(s) and 6 day(s) 2 level(s) of jurisdiction	Art. 13 - lack of any effective remedy in domestic law in respect of excessive length of civil proceedings
2.	22753/06 12/05/2006 (4 applicants)	**Lyudmila Fedorovna BAL** 22/05/1951 **Sergey Olegovich BAL** 19/05/1950 **Natalya Sergeyevna BAL** 22/08/1972 **Andrey Sergeyevich BAL** 01/02/1976	**Sivoldayev Ilya Vladimirovich** Voronezh	10/12/2001	24/11/2005	3 year(s) and 11 month(s) and 15 day(s) 2 level(s) of jurisdiction	Art. 13 - lack of any effective remedy in domestic law in respect of excessive length of civil proceedings
3.	26337/06 29/04/2006	**Nikolay Vladimirovich SOROKIN** 04/06/1939		04/10/2004	14/03/2006	1 year(s) and 5 month(s) and 11 day(s) 1 level(s) of jurisdiction	Art. 13 - lack of any effective remedy in domestic law in respect of excessive length of civil proceedings

No.	Application no. Date of introduction	Applicant name Date of birth/Date of registration	Representative name and location	Start of proceedings	End of proceedings	Total length Level of jurisdiction	Other complaints under well-established case-law
4.	2737/07 23/11/2006	**Natalya Vladimirovna ANDRUSENKO** 03/05/1984	**GORBUNOVA Lyubov Petrovna** Omsk	27/04/2004 23/05/2006	28/12/2005 06/09/2006	1 year(s) and 8 month(s) and 2 day(s) 2 level(s) of jurisdiction 3 month(s) and 15 day(s) 2 level(s) of jurisdiction	Art. 13 - lack of any effective remedy in domestic law in respect of excessive length of civil proceedings
5.	12238/07 14/02/2007	**Aleksandr Mikhaylovich LEBEDEV** 23/09/1961		01/12/2004	02/10/2008	3 year(s) and 10 month(s) and 2 day(s) 2 level(s) of jurisdiction	Art. 13 - lack of any effective remedy in domestic law in respect of excessive length of civil proceedings