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

THIRD SECTION

DECISION

Application no. 73042/17
Sergey Vladimirovich SYAZIN against Russia
and 2 other applications
(see appended table)

The European Court of Human Rights (Third Section), sitting on 5 December 2024 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 3 of the Convention concerning the inadequate conditions of detention after conviction were communicated to the Russian Government ("the Government"). Complaints based on the same facts in applications nos. 73042/17 and 11679/18 were also communicated under Article 13 of the Convention.

THE LAW

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

Having examined the complaints under Article 3 of the Convention concerning conditions of the applicants' detention, the Court is of the view that there is no longer any justification for examining these complaints for the reasons set out below.

The Court notes that, as matters stand, the material facts complained of by the applicants have ceased to exist. They are no longer detained in the

conditions complained of. It further notes that it was open to the applicants to make resort to a new compensatory remedy, introduced by the Russian Federation on 27 January 2020, in respect of their complaints concerning the conditions of detention in breach of the national legislation (see *Shmelev and Others v. Russia* ((dec.), nos. 41743/17 and 16 others, 17 March 2020).

Regard being had to its findings in *Shmelev and Others* (cited above) that the said remedy presents, in principle, an adequate and effective avenue for redress and offers reasonable prospects of success (ibid., § 54), and having regard to the fact that following their release the applicants did not inform the Court of their whereabouts, the Court considers it is no longer justified to continue the examination of this part of the applications (Article 37 § 1 (c) of the Convention) and that respect for human rights as defined in the Convention and the Protocols thereto does not require it to continue the examination of those complaints under Article 37 § 1 in fine.

Accordingly, this part of the applications should be struck out of the list.

As regards the remainder of the complaints lodged by the applicants, the Court has examined the applications 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.

Accordingly, the cases should be struck out of the list.

For these reasons, the Court, unanimously,

Decides to join the applications;

Decides to strike the part of the applications out of its list of cases as regards the complaints about poor conditions of detention;

Declares the remainder of the applications inadmissible.

Done in English and notified in writing on 16 January 2025.

Viktoriya Maradudina Acting Deputy Registrar	Diana Kovatcheva President

APPENDIX

List of applications raising complaints under Article 3 of the Convention (inadequate conditions of detention after conviction)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Facility Start and end date Duration	Inmates per brigade Sq. m per inmate Number of toilets per brigade	Alleged grievances
1.	73042/17 27/09/2017	**Sergey Vladimirovich SYAZIN** 1971	Butrimenko Marianna Dmitriyevna Volgograd	IK-9 Volgograd Region 11/07/2008 to 27/05/2020 11 year(s) and 10 month(s) and 17 day(s)	100 inmate(s) 1.2 m² 3 toilet(s)	inadequate temperature, lack of fresh air, lack of or inadequate hygienic facilities, lack of or insufficient natural light, lack of privacy for toilet, no or restricted access to shower, no or restricted access to warm water, overcrowding
2.	11679/18 23/01/2018	**Aleksandr Sergeyevich KOMLEV** 1994	Prokofyeva Viktoriya Pavlovna St Petersburg	IK-6 St Petersburg 09/07/2015 to 25/07/2017 2 year(s) and 17 day(s)	110 inmate(s) less than 2 m² 4 toilet(s)	overcrowding, lack or inadequate furniture, no or restricted access to shower, lack of or poor quality of bedding and bed linen, poor quality of food, lack of or insufficient physical exercise in fresh air, no or restricted access to warm water
3.	19837/18 09/04/2018	**Soslan Alanovich SABANOV** 1978		IK-11 Nizhniy Novgorod Region 14/08/2017 to 10/01/2019 1 year(s) and 4 month(s) and 28 day(s)	123 inmate(s) 1.6 m² 7 toilet(s)	infestation of cell with insects/rodents, lack of or inadequate hygienic facilities, lack of or insufficient physical exercise in fresh air, lack or insufficient quantity of food, overcrowding, poor quality of food, no or restricted access to toilet, no or restricted access to shower