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

THIRD SECTION

DECISION

Application no. 32876/17
Filipp Filippovich VAAL
against Russia

The European Court of Human Rights (Third Section), sitting on 5 February 2026 as a Committee composed of:

Úna Ní Raifeartaigh*, President*,
Mateja Đurović,
Vasilka Sancin*, judges*,
and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 20 April 2017,

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.

On 11 August 2016 the Justice of the Peace of Circuit No. 3 of the Marksovskiy District of the Saratov Region found the applicant guilty of an administrative offence and sentenced him to a fine of 30,000 roubles and suspension of his driving licence for one year and six months.

The applicant did not appeal against that judgment to a court of appeal. Instead, he lodged two review applications, first before the Regional Court and then before the Supreme Court of Russia. On 31 January and 23 March 2017 the Saratov Regional Court and the Supreme Court, respectively, dismissed his applications.

The applicant's complaint under Article 6 § 1 of the Convention concerning the lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings was communicated to the Government.

THE LAW

Complaint under Article 6 § 1 of the Convention (lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings)

The Court notes that the applicant did not lodge any appeal against the judgment of 11 August 2016. Instead, he lodged two review applications, first before the Regional Court and then before the Supreme Court. The proceedings at issue concerned an administrative offence and were governed, as regards both the substance and procedure, by the provisions of the Code of Administrative Offences of 2001 ("the CAO"), as in force after legislative amendments in 2008 in respect of the review procedure. The Court also notes that both applications were rejected in their entirety. Thus, the judgment of 11 August 2016 remained intact and final.

The Court has held that the recourse to the review procedure under the CAO was not subject to any ascertainable time-limit and thus could not be considered as a remedy for the purpose of Article 35 § 1 of the Convention (see *Smadikov v. Russia* (dec.), no. 10810/15, 31 January 2017).

The Court therefore concludes that neither of the two review decisions in the present case should be taken into consideration for the purpose of applying the six-month rule. It follows that this application was introduced on 20 April 2017 out of time and must be rejected in accordance with Article 35 §§ 1 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 26 February 2026.

Viktoriya Maradudina
Acting Deputy Registrar

Úna Ní Raifeartaigh
President

APPENDIX

Application raising complaints under Article 6 § 1 of the Convention (lack of impartiality of the tribunal in view of the absence of the prosecuting party in administrative-offence proceedings)

Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Penalty
32876/17 20/04/2017	**Filipp Filippovich VAAL** 1990	Vologin Aleksey Borisovich Volsk	administrative fine of RUB 30,000, suspension of driving licence, 1 year 6 months 11 August 2016 the Justice of the Peace of Circuit no. 3 of the Marksovskiy District of the Saratov Region