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

THIRD SECTION

DECISION

Application no. 70519/12
Ilya Anatolyevich VAKHONIN
against Russia

The European Court of Human Rights (Third Section), sitting on 9 November 2017 as a Committee composed of:

Luis López Guerra, *President,*
Dmitry Dedov,
Jolien Schukking, *judges,*
and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 20 October 2012,

Having regard to the observations submitted by the respondent Government,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The relevant details of the application are set out in the appended table.

The applicant was represented by M. Trepashkin, a lawyer practising in Moscow.

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"). He also raised a complaint under the Article 13 of the Convention.

THE LAW

The Court reiterates that the applicant complained about the transport conditions on multiple occasions in the period which ended on 27 March 2012 and also argued that he had not had any effective remedies in this regard. The Court further reiterates that in the absence of an effective

remedy for that grievance, the complaint about inadequate conditions of transport should have been introduced within six months of the last day of the applicant's transport (see *Idalov v. Russia* [GC], no. 5826/03, § 115, 22 May 2012; *Markov and Belentsov v. Russia* (dec.), nos. 47696/09 and 79806/12, 10 December 2013; *Norkin v. Russia* (dec.), no. 21056/11, 5 February 2013; and *Karnaushko and Others v. Russia* (dec.) [Committee], no. 17500/10, 15 December 2016).

The applicant was transported for the last time on 27 March 2012. However, he only lodged his application before the Court on 20 October 2012 which is more than six months after that last transport.

It follows that the application was submitted too late and that it therefore is inadmissible for non-compliance with the six-month rule set out in Article 35 § 1 of the Convention, and must be rejected pursuant to Article 35 § 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 30 November 2017.

Liv Tigerstedt
Acting Deputy Registrar

Luis López Guerra
President

APPENDIX

No.	Application no. Date of introduction	Applicant name Date of birth	Representative name and location	Means of transport Start and end date	Specific grievances
1.	70519/12 20/10/2012	**Ilya Anatolyevich Vakhonin** 19/02/1977	Trepashkin Mikhail Ivanovich Moscow	transit cell, van 05/05/2011 to 27/03/2012	3 hours of daily sleep because of everyday transportation, sub-zero temperature in the van, no possibility to use toilet (rather, plastic bottles), high temperature in the van in summer time, no ventilation, no possibility to have meal, the applicant suffered from digestion illnesses