



## Forthcoming Grand Chamber judgment concerning the temporary detention of a 12-year old boy

The European Court of Human Rights will be delivering a **Grand Chamber** judgment<sup>1</sup> in the case of **Blokhin v. Russia** (application no. 47152/06) at a public hearing on 23 March 2016 at 2.30 pm in the Human Rights Building, Strasbourg.

The case concerns the detention for 30 days of a 12-year old boy, who was suffering from attention-deficit hyperactivity disorder, in a juvenile temporary detention centre.

### Principal facts and complaints

The applicant, Ivan Blokhin, is a Russian national who was born in 1992 and lives in Novosibirsk (Russia). On 3 January 2005, he was arrested and taken to a police station, where he was questioned and told that he had been accused of extortion by his 9-year-old neighbour. According to Mr Blokhin, on being urged to do so by the police, he signed a confession statement, which he subsequently retracted after his grandfather, who was his guardian, had come to the police station. Mr Blokhin was 12 years old at the time, and suffered from attention-deficit hyperactivity disorder and enuresis. In December 2004 and January 2005, he was examined by two specialists who prescribed him medication and regular consultation by a neurologist and psychiatrist.

The prosecuting authorities found – relying on Mr Blokhin's confession and statements of the 9-year-old boy and his mother – that Mr Blokhin's actions contained elements of the criminal offence of extortion but, because he had not reached the age of criminal responsibility, he could not be prosecuted. However, on 21 February 2005, a district court ordered his placement for 30 days in a temporary detention centre for juveniles for "behaviour correction". The court noted that his recent delinquency had been confirmed by the statements made by the 9-year-old boy and his mother as well as by Mr Blokhin's confession statement. He was placed in the detention centre on the same day. On appeal by Mr Blokhin's grandfather – who stated, among other things, that the detention was unlawful and incompatible with his grandson's state of health – the regional court quashed the detention order in March 2005. However, in May 2006 the same court re-examined the matter, and held that the original detention order had been lawful.

Upon his release from the detention centre after 30 days, Mr Blokhin was taken to hospital, where he received treatment for neurosis and attention-deficit hyperactivity disorder.

According to Mr Blokhin's submissions, he did not receive any medical care in the detention centre for his enuresis and attention-deficit hyperactivity disorder. Access to the toilet was limited, so that he had to endure bladder pain and humiliation, given that he suffered from enuresis. Inmates in the detention centre were kept in a large empty room all day and were rarely allowed to go outside. Collective punishment was applied to the inmates. Classes in mathematics and Russian grammar were taught twice a week to a group of 20 children of different age and school levels in one class.

Relying on Article 3 of the European Convention on Human Rights, Mr Blokhin complains that the conditions in the temporary detention centre for juveniles were inhuman and that he had not been provided with adequate medical care. He also alleges that his detention was in breach of

1. Grand Chamber judgments are final (Article 44 of the Convention). All final judgments are transmitted to the Committee of Ministers of the Council of Europe for supervision of their execution. Further information about the execution process can be found here: [www.coe.int/t/dghl/monitoring/execution](http://www.coe.int/t/dghl/monitoring/execution).

Article 5 § 1 of the Convention. Lastly, relying on Article 6 §§ 1 and 3, he maintains that the proceedings against him were unfair both because he was allegedly questioned by the police in the absence of his guardian, a legal counsel or a teacher and because he was not given the opportunity to cross-examine the two witnesses, whose statements represented the only evidence against him.

## Procedure

The application was lodged with the European Court of Human Rights on 1 November 2006. The Court delivered a Chamber judgment in the case on 14 November 2013. It held, unanimously, that there had been violations of Article 3, Article 5 § 1 and Article 6 §§ 1 and 3. On 24 March 2014 the case was referred to the Grand Chamber under Article 43 (referral to the Grand Chamber) on request by the Russian Government. Third-party comments were received from the Mental Disability Advocacy Center and the League of Human Rights of the Czech Republic, which had been given leave to take part in the proceedings (under Article 36 § 2 of the Convention – third party intervention).

---

This press release is a document produced by the Registry. It does not bind the Court. Decisions, judgments and further information about the Court can be found on [www.echr.coe.int](http://www.echr.coe.int). To receive the Court's press releases, please subscribe here: [www.echr.coe.int/RSS/en](http://www.echr.coe.int/RSS/en) or follow us on Twitter [@ECHRpress](https://twitter.com/ECHRpress).

### Press contacts

[echrpress@echr.coe.int](mailto:echrpress@echr.coe.int) | tel.: +33 3 90 21 42 08

**Nina Salomon (tel: + 33 3 90 21 49 79)**

Tracey Turner-Tretz (tel: + 33 3 88 41 35 30)

Denis Lambert (tel: + 33 3 90 21 41 09)

Inci Ertekin (tel: + 33 3 90 21 55 30)

**The European Court of Human Rights** was set up in Strasbourg by the Council of Europe Member States in 1959 to deal with alleged violations of the 1950 European Convention on Human Rights.