



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

FIRST SECTION

Application no. 11100/10  
Yevgeniy Ivanovich MURUGOV against Russia  
and 2 other applications  
(see list appended)

**STATEMENT OF FACTS**

The applicants are Russian nationals. Mr I. Katsiv (application no. 54155/10) also has the nationality of Israel.

The facts of the cases, as submitted by the applicants, may be summarised as follows.

**1. Application no. 11100/10** lodged on 9 February 2010 by Yevgeniy Ivanovich MURUGOV who was born on 11 March 1972 and lived before his arrest in Rostov-on-Don.

The applicant is the director of the branch office “Rostovskiy” of a joint stock company “Impeksbank”.

**A. The applicant’s detention on remand**

On 3 April 2008 the applicant was arrested on suspicion of a large-scale fraud. The prosecution’s case was that in 2006 he had organised a stable criminal group within which, having acted in the name of at least 53 companies, had borrowed money from his branch office without any intention to repay those loans.

Two days later the Leninskiy District Court of Rostov-on-Don authorised the applicant’s placement in custody, having accepted the investigator’s arguments that the applicant was liable to abscond given the gravity of the charges against him, to reoffend, to destroy evidence or, in any other way, obstruct justice. The latter conclusion was based on the investigator’s assertion that employees of the applicant’s branch office had refused to

open the entrance door to the police and had continued destroying documents while the police was attempting to break the entrance door.

On 29 May 2008 the District Court extended the applicant's detention until 3 August 2008, having again relied on the risk of the applicant's absconding, colluding and reoffending.

A further extension until 3 October 2008 followed on 30 July 2008 when the District Court ruled that the applicant was charged with 53 episodes of a particularly grave criminal offence, that the investigation had portrayed the applicant as the organiser of the criminal group, that the members of the group had destroyed a number of documents prior to the search in the office and that the applicant was prone to reoffend, abscond and interfere with the investigation. In addition, the District Court examined the applicant's health complaints supported by medical evidence, including opinions by a cardiologist and psychiatrist, and found no evidence that the applicant's health precluded his stay in the conditions of an ordinary detention facility.

On 29 September 2008 the Leninskiy District Court again extended the applicant's detention, having reasoned, in so far as relevant, as follows:

“Thus, it was established in the court hearing, that the pre-trial investigation in the case had been extended until 17 December 2008 to perform necessary investigative actions, in particular to identify and interview witnesses who had worked for a large number of companies used by members of the organised criminal group to carry out their criminal activities in other regions of the Russian Federation; to schedule and perform economic expert examinations of financial and business activities of those companies, and finally to serve every defendant with the full version of the bill of indictment and to allow the defendants and their lawyers to study the case file materials. [The applicant's] measure of restraint cannot be changed to a more lenient one as he is charged with having committed, within an organised criminal group, for a long time and in many regions of the Russian Federation, a large number of grave serious offences every one of which is punishable by a large term of imprisonment. This fact attests to the applicant's liability to abscond for a purpose of avoiding criminal liability. It was established in the course of the pre-trial investigation that [the applicant] is charged with grave criminal offences committed with assistance of a large number of companies governed by the organised criminal group; those companies were established fraudulently to perform unlawful activities in various regions of the Russian Federation; therefore, there is ground to believe that [the applicant], if released, may continue criminal activities. Moreover, the circumstances and grounds which governed the decision to take [the applicant] in custody did not cease to exist; the court examined the argument of [the applicant] being the breadwinner for three minor children and his state of health in the hearings when the measure of restraint was chosen and subsequently extended. [The defence] did not provide the court with a complex medical report in support of their argument that the [applicant's] health makes his detention impossible.

In those circumstances, it is impossible to change [the applicant's] measure of restraint to a more lenient one.”

Having once again relied on the necessity to interview witnesses and perform other investigative actions and having cited the risks of the applicant absconding, reoffending and colluding, on 17 December 2008 the District Court once again extended the applicant's detention, until 17 March 2009.

Another detention order was issued on 2 March 2009 with the District Court having considered that the gravity of the charges, as well as the applicant's liability to abscond, reoffend and tamper with witnesses, outweighed the arguments in support of his release, in particular, his caring

for minor children, having the permanent place of residence, absence of any criminal record and the state of his health. The District Court also dismissed the defence's proposal to pose bail and considered that there was no evidence that the applicant could not stay in the ordinary detention facility or that he would not receive adequate medical care in detention, if needed.

That decision was upheld on appeal on 19 March 2009, when the Rostov Regional Court fully endorsed the District Court's reasoning.

On 31 March 2009 the Rostov Regional Court authorised a further extension of the applicant's detention until 17 July 2009, having ruled as follows:

"Having heard parties to the proceedings, the court considers it necessary to accept the [investigator's] request in full. Having considered the information on the defendant's personality and the reasons for extending the detention, the court finds the present case exceptional: [the applicant] is charged with having committed particularly grave criminal offences. Given the abovementioned, there is sufficient evidence to conclude that, if released, he will obstruct the proceedings in the criminal case, [will interfere] with the search for stolen property, will abscond the investigation and trial. Given the particular complexity of the criminal case, the extension of the period of detention for an additional three months and fourteen days does not run contrary to [the requirements of the domestic law] ...

The court does not accept the arguments by the defence pertaining to the lack of grounds for the extension of the detention, the lack of an intention, on [the applicant's] part, to interfere with the investigation and to abscond, as well as the possibility to choose such a measure of restraint as bail in the amount of 5,000,000 roubles, as those arguments are refuted by the materials presented by the investigators. The court does not see any reason to doubt the materials presented by the investigating bodies. Taking into account the sum of stolen money in the amount of 1,301,052,630 roubles, the proposed sum of the bail in the amount of 5,000,000 roubles does not correspond to the requirement of reasonableness.

The defence's argument that [the applicant's] state of health precludes his detention is manifestly ill-founded.

In fact, as follows from the report of the expert examination performed upon the defence's request, the combination of [the applicant's] illnesses prevents his participating in the investigative actions and his detention on remand.

At the same time, according to the information provided by facility no. UCH-398/19 and the medical unit of temporary detention facility no. IZ-61/1, [the applicant's] state of health is satisfactory, stable and does not call for the application of urgent measures of medical nature; [the applicant] is therefore fit to take part in the investigative actions."

On 14 July 2009, by an identically worded decision, the Rostov Regional Court accepted another request from the investigation and extended the applicant's detention until 3 October 2009. Acting on appeal, the Supreme Court of the Russian Federation upheld the detention order on 21 September 2009, having also accepted that the gravity of the charges and the risks of the applicant obstructing justice outweighed his pleas for liberty.

In the meantime, on 14 August 2008 the applicant was served with the final version of the bill of indictment and started studying the case-file materials on 31 August 2009.

On 1 October 2009 the Regional Court again extended the applicant's detention, until 17 January 2010, having employed similar reasoning to the one in its two previous detention orders. The decision became final on

2 December 2009 when the Supreme Court of the Russian Federation held that the applicant and his defence team had not finished reading 600 volumes of the criminal case file and that the risk of his colluding persisted.

A subsequent detention order issued by the Regional Court on 13 January 2010 was based on the similar considerations of the defence's failure to finish reading 900 volumes of the case file and the persistent risks posed by the applicant to justice in case of his release. The Regional Court found insufficient the applicant's arguments of his family situation and his health condition, as well as written guarantees for the applicant's release posed by a number of respected members of the business community.

On 2 April 2010 the applicant and his five co-defendants were committed to stand trial before the Kirovskiy District Court of Rostov-on-Don. Two weeks later the District Court scheduled the first trial hearing and, having studied the defendants' motions for release, dismissed them and ordered that the detention should be extended for six months. The presiding judge held that the defendants were charged with a number of particularly serious criminal offences and the gravity of the charges made it more than probable that, if released, they would reoffend or abscond. On 15 June 2010 the decision was upheld on appeal by the Rostov Regional Court, which had found convincing the District Court's reasoning. The Regional Court pointed out that the defendants' release on health grounds was impossible as there was no evidence supporting their assertion of deteriorating health.

On 11 June 2010 the prosecution dropped a number of charges against the defendants, including the applicant, having cited the expiration of the limitation period for bringing them. At the same time, they asked the District Court to extend the defendants' detention given that the remaining charges were still very serious.

On 22 September 2010 the Kirovskiy District Court accepted the prosecutor's request and collectively extended the defendants' detention until 2 January 2011. The District Court found that the gravity of the charges were the primary evidence of the defendants' liability to abscond. It also held that the defendants could interfere with the proceedings given that the judicial inquiry was still pending. The defendants' complaints about the conditions of detention and lack of medical assistance in the temporary detention facility were considered unsubstantiated. Having been convinced by the District Court's reasoning, the Supreme Court upheld the detention order on 2 November 2010.

Having authorised a further extension of the defendants' detention on 28 December 2010, the Kirovskiy District Court held as follows:

"At the present time the judicial investigation is still pending; the authorised period of [the defendants'] detention will expire on 2 January 2011; the measure of restraint in respect of [the defendants] was chosen lawfully and reasonably; the grounds indicated in the arrest warrant for placing [the defendants] in custody did not cease to exist; [the defendants] are charged with particularly grave, grave and moderately grave criminal offences punishable by long terms of imprisonment; the defendant K. does not have an official employment, that is he does not have a permanent legal source of income; he is an Israeli national; defendant T. does not have a registered place of residence in the Rostov Region; the court takes those facts into account in compliance with Article 99 of the Russian Code of Criminal Procedure; therefore, the [court] finds well-founded the arguments that, if released, [the applicant, defendants K. and T.] can abscond the court, given the gravity of the charges against them and

their wiliness to avoid the punishment. The court was not provided with objective data showing that the defendants only live of legal sources of income; therefore, [the court] is convinced by the prosecutor's argument that, if released, the defendants may commit new crimes. The court also takes into account that, given that the judicial investigation, is still pending, the defendants may tamper with prosecution witnesses [and] may influence the court's findings when it is to issue the judgment.

The court was also not provided with any evidence that [the defendants] cannot be detained in the temporary detention facility in view of their poor state of health; [the detention facility] has the medical unit ...

Therefore, the court considers it necessary to maintain the measure of restrain in the form of detention applied to [the defendants], having also extended their detention by three months ...”

The applicant and his lawyers appealed, having argued that there were no grounds for the applicant's continued detention. They also proposed to pose bail, including by using as a surety his parents' house which had been appraised at more than 15,000,000 Russian roubles. The applicant cited his difficult family situation (his being the breadwinner for three minor children one of whom suffered from a serious heart condition; his having disabled parents and a seriously ill wife) and his precarious health as arguments in support of his release. He further argued that the trial proceedings were pending since April 2010, but no hearings were held in the last three months. The applicant pointed out that he had already remained in detention for two years and eight months without any valid reasons explaining such a lengthy period.

Having accepted that the District Court had not examined certain defence motions, including the one related to bail, on 1 February 2011 the Rostov Regional Court, nevertheless, upheld the detention order of 28 December 2010. The Regional Court stated that those defects in the District Court's reasoning did not affect the lawfulness of its decision to extend the defendants' detention.

On 31 March 2011, by an identically worded detention order as the one issued on 28 December 2010, the District Court collectively extended the defendants' detention until 2 July 2011. The detention order became final on 31 May 2011 with the Regional Court's decision to uphold it on appeal.

Another extension of the defendants' detention was authorised by the District Court on 30 June 2011. The detention order was based on the similar reasons as those cited in the previous orders. On 19 July 2011 the Regional Court upheld the decision on appeal.

On 27 September 2011, having used identical reasoning, the District Court again extended the defendants' detention for three months, until 2 January 2012. The Rostov Regional Court found no flaws in the District Court's reasoning and upheld the order on 15 November 2011.

By a decision of 28 February 2012 the Regional Court upheld the detention order of 27 December 2011 by which the defendants' detention was extended until 2 April 2012. The Regional Court was not convinced by medical evidence and the defendants' arguments put in support of their claims for liberty.

It appears that the defendants still remain in detention with the proceedings pending before the trial court.

## **B. The applicant's state of health**

As follows from medical certificates presented by the applicant, he suffers from the following conditions: congenital heart disease in the form of bicuspid aortic valve with the functional defect (cardiac failure of the first degree); abnormal cardiac rhythm in the type of supraventricular extrasystole and recurrent re-entrant tachycardia with the syndrome of paroxysmal condition; arterial hypertension of the second degree in the first stage complicated by frequent crises of the first type; depressive episodes of the moderate degree with somatic symptoms; asthenia of the hypertensive type with the cardiac syndrome; encephalopathy of the second degree with the syndrome of the transitory ischemic attacks; jugular osteochondrosis; secondary immunodeficiency disorder; persistent herpes viral infection; a cyst of the left maxillary sinus; nodular euthyroid goiter; chronic gastroduodenitis; duodenum ulcer in the acute state; nasal septum deviation with the respiratory impairment; arteriomotor rhinitis; initial manifestations of hepatosis.

The applicant argued that he was unable to receive necessary medical treatment in detention and that despite his numerous requests and medical opinions calling for his admission to a hospital for treatment, the transfer had never been effected. In particular, he relied on a letter sent by the head of detention facility no. IZ-61/1 on 2 September 2009. The relevant part of the letter read as follows:

“I inform you that by virtue of Section 3 of Regulation on State facility no. IZ-61/1 in the Rostov Region the detention facility does not have a task or right to perform medical examinations [of a detainee] to determine the possibility of keeping him in custody. Moreover, a forensic medical commission comprising experts from the North-Caucasus Department of the Ministry of Interior has already performed a medical examination [of the applicant] and issued report no. 1510 according to which [the applicant] cannot remain in detention, his placement in a hospital with a cardiology department was recommended.”

The applicant attached a copy of medical expert report no. 1510 in support of the assertion that his health condition called for his immediate transfer to a hospital.

## **C. Conditions of detention**

The applicant submitted that for all those years he remained in facility no. IZ-61/1, having been kept in cell no. 43 measuring approximately ten square metres. Three inmates shared the cell with applicant. The cell was not equipped with the artificial ventilation system. It was extremely hot in summers and cold in winters. The food was poor and scarce.

The applicant's complaints under Article 6 related to the merits of the criminal proceedings against him will not be communicated being premature as the criminal proceedings are still pending.

**2. Application no 54155/10** lodged on 22 July 2010 by Iosif Aronovich KATSIV who was born on 27 December 1955 and lived until his arrest in Rostov-on-Don. He is represented by Ms L. Kolesnik, a lawyer practising in Rostov-on-Don.

### **A. The applicant's detention**

On 3 April 2008 the applicant was arrested on suspicion of a large-scale fraud. The prosecution's case was that he had taken part in a stable criminal group within which he had embezzled money of the bank's branch office.

Two days later the Leninskiy District Court of Rostov-on-Don authorised the applicant's placement in custody, having accepted the investigator's arguments that the applicant was liable to abscond given the gravity of the charges against him, to reoffend, to destroy evidence or, in any other way, to obstruct justice.

The subsequent facts pertaining to the extension of the applicant's detention were similar to those outlined in the statement of facts for application no. **11100/10** lodged by the applicant's co-defendant, Mr Y. MURUGOV (see above). While extending the applicant's detention, the Russian courts cited his liability to abscond, reoffend and obstruct justice, which, in addition to considerations cited in the orders for detention of Mr Murugov, the courts tied to the applicant's Israeli nationality and the lack of the permanent employment. The applicant's arguments of a very poor health and difficult family situation were dismissed by the courts as irrelevant.

### **B. The applicant's attempts to obtain release and his state of health**

The applicant did not cease to complain to a court about the authorities' failure to guarantee his right to liberty. He also argued that his health was rapidly deteriorating in the absence of proper medical assistance.

In particular, in September 2010 the applicant's lawyer lodged a request with the Kirovskiy District Court to subject the applicant to a forensic medical examination to assess the state of his health and his eligibility for release on health grounds. On 22 September 2010 the District Court dismissed the request, having stated that the lawyer had not provided any evidence in support of the argument that the applicant was not feeling well or that the expert examination was necessary to assess whether the applicant was fit to take part in court hearings. Seven days later the same court refused to examine the applicant's motion for release and another request for a medical examination. Having noted that the motion was typed and therefore could not be submitted by the applicant through the detention facility administration, but rather by his lawyers, the court considered it unnecessary to continue with the examination.

The applicant submitted that he is a seriously ill person and with his condition having gravely deteriorated, in the end of May 2009 he was transferred to medical facility no. UCH-398/19 in the prison tuberculosis hospital where he remained until 1 September 2009. As follows from an extract from the applicant's medical record drawn up by a deputy head of the medical facility on 13 July 2009, the applicant was diagnosed with

“ischemic disease, exertional angina of the second functional type; heart failure of the second functional type; essential hypertension of the second degree, arterial hypertension in the third degree, risk of type 4; ventricular hypertrophy with signs of dilatation; cholelithiasis; chronic cholecystitis in the stage of unstable remission; chronic pancreatitis in the stage of unstable remission; obesity of the second degree, hepatosis; stones in both kidneys; cysts of both kidneys; clinical renal failure of the first degree”. The deputy head also noted that it was recommended to subject the applicant to a forensic medical examination in view of the fact that the hospital medical commission considered on 24 June 2009 that he had “limited vital activities”.

Relying on various medical certificates, the applicant submitted that in 2011 he was also diagnosed with insulin dependent diabetes of the second type in the phase of decompensation and grave progress; diabetic retinal angiopathy of both eyes; diabetic angioneuropathy of both legs.

The applicant also provided the Court with a copy of a letter sent to the Kirovskiy District Court by his dentist in December 2010. According to the letter, he needed complex dental care which could not be provided in the detention facility. The dentist stated that the applicant required urgent services by a dentist-surgeon and treatment in a specialised dental facility. The doctor also noted that should his recommendations be ignored, the applicant would require very complex medical procedures, involving, among other things, bone tissue transplants.

On 13 January 2011 a judge from the Kirovskiy District Court, relying on the dentist’s letter, ordered the head of detention facility no. IZ-61/1 to ensure the applicant’s transfer to a dental hospital for treatment if such care could not be provided in the detention facility. Four days later the applicant’s lawyers informed the head of the detention facility of their readiness to bear costs of the applicant’s transfer to the hospital and treatment there. The head of the detention facility replied on 26 January 2011 that the detention facility could not ensure the transfer before the applicant’s conviction. By a handwritten note the head of the facility also dismissed the lawyer’s request for the applicant’s medical examination. Similar responses refusing the applicant’s transfer to a hospital for dental treatment were sent by the convoy service of the Rostov Department of the Ministry of Interior.

On 9 June 2011 the Kirovskiy District Court accepted the lawyer’s request for the applicant’s transfer to a civil hospital for an in-depth medical assessment and treatment. The court, in particular, noted that the trial proceedings were delayed in view of the applicant’s poor health and that a number of trial hearings were adjourned following the applicant having suffered another attack of the illness and an ambulance having been called to the courthouse.

On 23 June 2011 the applicant was sent for a day to the cardiology department of the Rostov Town Emergency Aid hospital where his suffering from ischemic disease, postinfarction cardio sclerosis and hypertension of a very high risk was confirmed. The applicant was recommended a complex drug regimen. At the same time, the doctors declared that his condition was not included in the list of illnesses



precluding detention and that his admission for in-patient treatment was not necessary.

The subsequent trial hearings on 30 June and 6 July 2011 were adjourned as the applicant suffered a stroke and was advised admission to a hospital for treatment by emergency doctors called to the courthouse. Having considered that it was unable to take a decision on the basis of contradictory medical evidence both in favour and against the applicant's inpatient treatment, the District Court authorised the applicant's forensic medical examination on 6 July 2011.

As follows from an expert report issued by a forensic medical commission following the assessment of the applicant between 18 October 2011 and 14 February 2012, the commission confirmed the previous diagnosis and also found that the applicant could be treated out-patiently. However, the commission warned that there was a serious risk of the clinical attacks of the illness which would require urgent placement of the applicant in a hospital having both the cardiology and endocrinology departments. At the same time, it concluded that the applicant's treatment prior to the examination corresponded to all medical norms and requirements which had positively affected the course of the illnesses. The experts' final conclusion was that the applicant's condition, at its current manifestation, did not preclude his detention.

In August 2011 and May 2012 the applicant's lawyers' attempts to obtain his early release on health grounds failed with the courts' conclusion that his state of health did not warrant his release and did not outweigh reasons calling for his detention.

### **C. Proceedings pertaining to the length of the criminal case**

In 2012 the applicant lodged an action seeking compensation for the excessively lengthy criminal proceedings. On 29 August 2012 the Rostov Regional Court dismissed the action, having stated that the criminal case had been opened on 17 December 2007 and was pending before the trial court since 2 April 2010. The Regional Court also noted that the case was complex and required examination of voluminous evidence, interrogation of a large number of witnesses and performing expert examinations, that hearings were adjourned in view of the judge's involvement in other proceedings, witnesses' and the parties' failure to attend or the defendants' inability to take part given their poor state of health. Having cited the European Court's practice in the length-of-proceedings cases, the Regional Court found the applicant's claim unsubstantiated.

The decision was upheld on appeal by the Appellate Division of the Rostov Regional Court on 15 November 2012.

### **D. Conditions of detention**

The applicant argued that for the entire period of his detention he was detained in extremely poor conditions with his having been detained until 1 January 2010 in cells measuring no more than nine square metres and accommodating between 3 and 12 inmates. After 1 January 2010 he was kept in a cell of 30 square metres which he shared with 12 to 30 inmates. He

stated that he had no privacy at any times, as a lavatory pan was not separated from the living area. He was allowed to take a shower once a week for no more than thirty minutes when at least twelve inmates had to share eight shower heads. He could take a one-hour daily walk in a concrete yard of 9 square metres and in the company of up to ten inmates.

The applicant's complaints under Article 6 related to the merits of the criminal proceedings against him will not be communicated being premature as the criminal proceedings are still pending.

**3. Application no 48822/11** lodged on 19 July 2011 by Yuriy Borisovich TURKEVICH who was born on 31 May 1939 and lives in Rostov-on-Don. He is represented by Ms O. Matrosova, a lawyer practising in Rostov-on-Don.

On 3 April 2008 the applicant was arrested on suspicion of a large-scale fraud. The prosecution's case was that he had taken part in a stable criminal group within which he had embezzled money of the bank's branch office.

Two days later the Leninskiy District Court of Rostov-on-Don authorised the applicant's placement in custody, having accepted the investigator's arguments that the applicant was liable to abscond given the gravity of the charges against him, to reoffend, to destroy evidence or, in any other way, to obstruct justice.

The subsequent facts pertaining to the extension of the applicant's detention were similar to those outlined in the statement of facts for application no. **11100/10** lodged by the applicant's co-defendant, Mr Y. MURUGOV (see above). While extending the applicant's detention, the Russian courts cited his liability to abscond, reoffend and obstruct justice, which, in addition to considerations cited in the orders for detention of Mr Murugov, the courts tied to the fact that the applicant did not have a registered place of residence in the Rostov Region. The applicant's arguments of a poor health in view of his advanced age were dismissed by the courts as irrelevant.

The applicant's complaints under Article 6 related to the criminal proceedings against him will not be communicated being premature as the criminal proceedings are still pending.

## COMPLAINTS

The applicants complain about the excessive length of their pre-trial detention and criminal proceedings against them. They also argue that the proceedings are unfair.

### **Applications nos. 11100/10 and 54155/10**

The applicants in those two cases complain under Article 3 of the Convention of the poor conditions of their detention and the lack of proper medical assistance.

### **COMMON QUESTIONS**

1. Was the length of the applicant's detention on remand in breach of the "reasonable time" requirement of Article 5 § 3 of the Convention? In particular, were the domestic courts' decisions extending the applicant's detention founded on "relevant and sufficient" reasons and were the proceedings conducted with a "special diligence" (see *Olstowski v. Poland*, no. 34052/96, § 78, 15 November 2001; *Ilykov v. Bulgaria*, no. 33977/96, § 81, 26 July 2001)?
2. Was the length of the criminal proceedings in the present case in breach of the "reasonable time" requirement of Article 6 § 1 of the Convention?

### **CASE SPECIFIC QUESTIONS**

#### **Applications nos. 11100/10 and 54155/10**

1. Were the conditions of the applicant's detention in breach of Article 3 of the Convention?
2. The Government are requested to comment on the specific grievances raised by the applicant and support their submissions with documentary evidence, including the population registers, floor plans, colour photographs of the cells and sanitary facilities, etc., reports from supervising prosecutors or regional ombudspersons concerning the conditions of detention in facility no. IZ-61/1 in Rostov-on-Don.
3. Taking into account the applicant's medical history, have the Government met their obligation to ensure that that applicant's health and well-being are being adequately secured by, among other things, providing him with the requisite medical assistance (see *McGlinchey and Others v. the United Kingdom*, no. 50390/99, § 46, ECHR 2003-V), as required by Article 3 of the Convention, in the present case.
4. The Government are requested to produce a typed copy of the applicant's complete medical record drawn up after his arrest, including dental records for the applicant in case no. 54155/10.

**APPENDIX**

| No. | Application<br>no. | Lodged on  | Applicant name<br>date of birth<br>place of residence                | Represented by               |
|-----|--------------------|------------|--|------------------------------|
| 1.  | 11100/10           | 09/02/2010 | <b>Yevgeniy Ivanovich<br/>MURUGOV</b><br>11/03/1972<br>Rostov-on-Don |                              |
| 2.  | 54155/10           | 22/07/2010 | <b>Iosif Aronovich<br/>KATSIV</b><br>27/12/1955<br>Rostov-on-Don     | Leyla Olegovna KOLESNIK      |
| 3.  | 48822/11           | 19/07/2011 | <b>Yuriy Borisovich<br/>TURKEVICH</b><br>31/05/1939<br>Rostov-on-Don | Olga Aleksandrovna MATROSOVA |