



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

Communicated on 28 August 2014

FIRST SECTION

Application no. 74568/12
Yevgeniy Vladimirovich FRUMKIN against Russia
and 6 other applications
(see list appended)

STATEMENT OF FACTS

A list of the applicants is set out in the appendix.

The applicants were detained on suspicion of having disobeyed a lawful order of the police during the mass disorders that allegedly took place at a political rally held on 6 May 2012 at Bolotnaya Square in Moscow. They were arrested at the site of the demonstration, detained and convicted of administrative offences.

Their submissions on the circumstances in which a demonstration took place and was dispersed by the authorities are set out in Section A below. The facts relating to the individual applicants' arrest and detention, and their complaints, are set out in Section B.

A. Background facts

On 23 April 2012 five individuals submitted a notice of a public demonstration to the mayor of Moscow stating the date, time and route of the intended march. It was to begin at 4 p.m. on 6 May 2012, with an estimated number of about 5,000 participants, who would march from Kaluzhskaya Square down Bolshaya Yakimanka Street and Bolshaya Polyanka Street, followed by a meeting at Bolotnaya Square. The meeting was to end at 7.30 p.m. The notice stated that the proposed demonstration was intended "to express protest against abuses and falsifications in the course of the elections to the State Duma and of the President of the Russian Federation, and to express a demand for fair elections, respect for human rights, the rule law and the international obligations of the Russian Federation".

On 4 May 2012 the deputy mayor of Moscow charged the Tsentralnyy district prefect with assisting the organisers of the demonstration in maintaining public order and security during the event.

On 5 May 2012 a plan of the intended demonstration was officially published, which included a map of the area designated for the march and the meeting. The centre of Bolotnaya Square was indicated on it as the place of the meeting.

On 6 May 2012 all of Bolotnaya Square, except a narrow strip along its embankment, was barred with metal barriers and cordoned off by the riot police. The strip was left to serve as a corridor leading to the entrance to the meeting venue, and it was equipped with 15 metal detectors.

The march began as planned at 4 p.m. The turnout exceeded the expectations, but there is no consensus as to the exact numbers. The organisers of the demonstration considered that about 25,000 people took part in the event. The police stated the number of participants was 8,000, and the estimates given in different media varied between 45,000 and 120,000 people.

The march down Yakimanka Street and Bolshaya Polyanka Street went peacefully without any disruption. However, when the marchers arrived at the corridor, which was substantially narrower than the streets by which they had arrived, a stampede and panic occurred. Apparently some protestors attempted to break through the police cordon, but they were forced back to the restricted area and clashes between them and the police began. The police allegedly used truncheons, electric shock and teargas against the protestors.

According to the official sources 436 protestors were arrested at the site of the demonstration, but the organisers considered their number underestimated and claimed that there had been about 650 persons taken into custody.

On the same day the Investigative Committee of the Russian Federation opened criminal proceedings to investigate the suspected mass disorders and violent acts against the police (Articles 212 § 2 and 318 § 1 of the Criminal Code).

On 28 May 2012 the investigation was also launched into the criminal offence of organising mass disorders (Article 212 § 1 of the Criminal Code). The two criminal cases were joined on the same day.

On 22 June 2012 the Investigative Committee set up an investigation group of 27 investigators and put them in charge of the criminal file concerning the events of 6 May 2012.

On unidentified date two human rights activists filed a request with the Investigative Committee to open criminal investigation into the conduct of the police in the above events, in particular their alleged suppression of the lawful public demonstration. There is no information about the follow-up to this request.

Another petition was filed, also on unidentified date, by 44 human rights activists and members of NGOs, calling for curbing repression against the protestors arrested and prosecuted in relation to the events of 6 May 2012 and denying that mass riots had taken place during the demonstration.

In 2012-2014 several individuals were prosecuted and convicted of criminal offences for having taken part in mass disorders and violent offences against the police, and two activists were convicted for having organised mass disorders.

B. The applicants' individual cases

1. The application of Mr Frumkin (no. 74568/12)

The applicant claims that on 6 May 2012 he arrived at Bolotnaya Square at about 6 p.m. to take part in the peaceful demonstration, however, between 7 and 7.30 p.m. he was arbitrarily arrested by the police as they were dispersing the demonstration. According to the applicant, before his arrest he has not received any warning or orders from the police. They took the applicant to the police van where he waited for an hour before it left Bolotnaya Square for the Krasnoselskiy District police station.

At police station an on-duty officer drew a report on administrative offence on the basis of a report by a police officer Y. who had allegedly arrested the applicant. The applicant was charged with having obstructed the traffic and then having disobeyed a lawful order of the police, an offence under Article 19.3 of the Code of Administrative Offences. He was detained on remand at the Krasnoselskiy District police station until 8 May 2012. He claims that he was detained together with five detainees in a cell measuring 12 sq. m, that he had no sleeping place and spent two nights sitting on a narrow gridded bench, and that he was not provided with food. On 7 May 2012 the applicant was taken to the court, but his case was not examined; after having spent the day in a transit van without food or drink the applicant was taken back to the cell at the Krasnoselskiy District police station.

On 8 May 2012 the applicant was brought before the Justice of the Peace of the circuit no. 100 of the Yakimanka District who examined the charges. The applicant requested to adjourn the case on the grounds of his poor state after the detention in appalling conditions without possibility to sleep; he also requested to open the hearing to the public and to examine two police officers as witnesses. These requests were rejected. A further request to examine several eyewitnesses was partly refused and partly granted. On the basis of the report of policeman Y the court established that the applicant had disobeyed the lawful order of the police to disperse. It has rejected two eyewitnesses' testimonies that the police had not given the applicant any orders or warnings before arresting him as unreliable. The applicant was found guilty of having disobeyed the lawful order of the police, and was sentenced under Article 19.3 of the Code of Administrative Offences to a 15-days' administrative detention.

On 11 May 2012 the Zamoskvoretskiy District Court of Moscow examined the applicant's appeal. It dismissed the video recording on the grounds that it did not contain the date and the time of events but found that the applicant's guilt had been proven by other evidence. It upheld the first-instance judgment.

2. The application of Mr Navalnyy and Mr Gunko (no. 75186/12)

The applicants were both arrested at the site of the demonstration at Bolotnaya Square and charged with administrative offences.

(a) Mr Navalnyy

Mr Navalnyy claims that he was arrested at about 6.10 p.m. on his way to the stage as he intended to address the meeting with a speech. According to the applicant, before his arrest he had not received any warning or orders from the police. During his arrest the policeman forced the applicant's arm behind his back causing pain and pushing him to bend forwards, although the applicant did not resist the arrest. The policeman pushed the applicant all the way to the nearby Yakimanka District police station while twisting his arm and forcing him to bend forwards. The applicant provided a video recording of his arrest.

On the same day the police drew a report on the administrative offence on the basis of statements of two policemen who had allegedly arrested the applicant. He was charged with having disobeyed a lawful order of the police.

On 7 May 2012 the Justice of the Peace of the circuit no. 100 of the Yakimanka District examined the charges under Article 19.3 of the Code of Administrative Offences. The Justice of the Peace examined the video recording submitted by the applicant and the statements of two policemen and established that at about 6.30 p.m. on 6 May 2012 the applicant had attempted to go on the stage despite the police order not to do so and had called on the protestors not to leave the venue of the meeting. It was further found that two policemen had ordered him to follow them to the police van to draw an administrative offence report, but the applicant shouted "Russia without Putin!", pushed them away and resisted the arrest. The applicant was found guilty of having disobeyed the lawful order of the police, in breach of Article 19.3 of the Code of Administrative Offences, and was sentenced to a fine of 1,000 roubles (RUB, an equivalent of about 20 euros at the material time).

On 19 July 2012 the Zamoskvoretskiy District Court examined the applicant's appeal and upheld the first-instance judgment.

The applicant alleges that the court hearings both before the Justice of the Peace and the district court have been conducted in the absence of the party for the prosecution, because the administrative procedure does not require that the charges be presented by the prosecutor's office, and the courts themselves discharged this function.

(b) Mr Gunko

Mr Gunko was arrested at about 6.50 p.m. because, according to the police, he was obstructing the traffic. The applicant claims that the venue had been cordoned off by the police and there had been no traffic.

On the same day a police report on the administrative offence was drawn on the basis of statements of two policemen who had allegedly arrested the applicant. He was charged with having disobeyed a lawful order of the police, an offence under Article 19.3 of the Code of Administrative Offences.

On 7 May 2012 the Justice of the Peace of the circuit no. 396 of the Yakimanka District examined the charges. On the basis of the statements of two policemen the applicant was found guilty of having attempted to break through the cordon and of having disobeyed the lawful order of the police to

stop. He was found in breach of Article 19.3 of the Code of Administrative Offences, and was sentenced to a 24-hour administrative detention.

On 17 May 2012 the Zamoskvoretskiy District Court examined the applicant's appeal and upheld the first-instance judgment.

The applicant alleges that the court hearings both before the Justice of the Peace and the district court have been conducted in the absence of the party for the prosecution, because the administrative procedure does not require that the charges be presented by the prosecutor's office, and the courts themselves discharged this function.

3. The application of Mr Aristov (no. 76191/12)

The applicant claims that at about 6 p.m. on 6 May 2012 he was arrested at the site of the demonstration at Bolotnaya Square. At the time of arrest he was filming on video camera and was not causing any disorder. He submitted the video recording to the Court. According to the applicant, before his arrest he has not received any warning or orders from the police. He alleges that he was beaten up during the arrest.

On the same day a police report on the administrative offence was drawn on the basis of statements of two policemen who had allegedly arrested the applicant. He was charged with having disobeyed a lawful order of the police, an offence under Article 19.3 of the Code of Administrative Offences.

On 7 May 2012 the Justice of the Peace of the circuit no. 100 of the Yakimanka District examined the charges. The Justice of the Peace examined the video recording submitted by the applicant, cross-examined two eyewitnesses and dismissed this evidence as inconclusive and unreliable. Based on the written statements of two policemen that had not been examined despite the applicant's request, the Justice of the Peace established that the applicant had been shouting slogans, had attempted to break through the police cordon and had disobeyed the order of the police to stop these actions. He was found guilty of having disobeyed the lawful order of the police, in breach of Article 19.3 of the Code of Administrative Offences, and was sentenced to a 24-hour administrative detention.

On 22 May 2012 the Zamoskvoretskiy District Court examined the applicant's appeal and upheld the first-instance judgment.

The applicant alleges that the court hearings both before the Justice of the Peace and the district court have been conducted in the absence of the party for the prosecution, because the administrative procedure does not require that the charges be presented by the prosecutor's office, and the courts themselves discharged this function.

4. The application of Mr Shchekin (no. 78045/12)

On 6 May 2012 the applicant took part in the demonstration at Bolotnaya Square and was arrested afterwards when he was walking away from the venue. According to the applicant, at about 9.40 p.m. he was heading to the metro station among other people leaving Bolotnaya Square and when he was few metres away from the entrance to the Novokuznetskaya metro station the police arrived and he heard a loud order "Take them all!" The applicant was forcefully apprehended by policemen who had not introduced

themselves and had not given any warning or order to the applicant. He claims that excessive force has been used against him. The applicant was taken to a police van and pushed into it, along with about 30 others. The applicant spent some time in the van when it was stationary and about one hour in transfer to the police station. He claims that the van was overcrowded and that there had been no access to toilet or drinking water.

At about 11.40 p.m. on the same day the applicant was brought to the Yaroslavl District police station in Moscow and detained for an hour in a function hall of the station. After that, a police report on the administrative offence was drawn whereby the applicant was charged with having disobeyed a lawful order of the police, an offence under Article 19.3 of the Code of Administrative Offences.

The applicant was released from the police station at 7 a.m. on 7 May 2012. On 18 May 2012 he travelled back home to Novosibirsk.

On 1 June 2012 the Justice of the Peace of the circuit no. 2 of the Sovetskiy District of Novosibirsk began to examine the charges against the applicant, but it appears that the proceedings were adjourned.

On 13 June 2012, at the next hearing, the Justice of the Peace sent a request to a court in Moscow to take testimonies of the two policemen about the circumstances of the applicant's arrest. They were examined by Khoroshevskiy District Court of Moscow on 20 June 2012.

On 18 June 2012, at the following hearing by the Justice of the Peace, the applicant requested to call and examine two eyewitnesses, but the Justice of the Peace granted the request in respect of only one. The applicant's request to admit written statements of these eyewitnesses was dismissed. The Justice of the Peace sent a request to a court in Moscow to take testimonies of the eyewitness about the circumstances of the applicant's arrest. He was examined by the Justice of the Peace of the Circuit no. 268 of Youzhnoportovyy District of Moscow on 24 July 2012.

On 22 June 2012 the applicant seized the Sovetskiy District Court of Novosibirsk with a complaint about the allegedly unlawful arrest and detention on 6 May 2012 and the lack of access to lawyer. On unidentified date he sent similar complaints to the prosecutor's office, the Investigative Committee and the Ministry of the Interior.

On 30 July 2012 the Justice of the Peace of the circuit no. 2 of the Sovetskiy District of Novosibirsk resumed the proceedings in the applicant's administrative case. She refused to admit the video recording submitted by the applicant, as evidence. On the basis of the testimonies of the policemen she found the applicant guilty of having disobeyed the lawful order of the police, in breach of Article 19.3 of the Code of Administrative Offences, and sentenced him to a fine of RUB 500.

On 25 September 2012 the Sovetskiy District Court of Novosibirsk examined the applicant's appeal. The applicant requested to admit as evidence the video recording a copy of which had allegedly been sent to the court, but the court stated that it had not received it and refused the request. It appears that the court admitted the written statement of the second eyewitness requested by the applicant. The court dismissed the applicant's argument that the charges against him could not be examined before the decision is taken concerning the lawfulness of the police conduct which the

applicant had challenged in separate proceedings. It examined and dismissed the applicant's appeal and upheld the first-instance judgment.

There is no information about the outcome of the proceedings brought by the applicant against the police on 22 June 2012.

5. The application of Mr Gromov (no. 5438/13)

The applicant was arrested at the site of the demonstration at Bolotnaya Square at about 7.30 p.m. on 6 May 2012. According to the applicant, he was randomly picked out of the crowd and arrested without any warning or orders.

On the same day a police report on the administrative offence was drawn on the basis of statements of two policemen who had allegedly arrested the applicant. He was charged with having disobeyed a lawful order of the police, an offence under Article 19.3 of the Code of Administrative Offences.

On 14 August 2012 the Justice of the Peace of the circuit no. 114 of the Lubertskiy District of the Moscow Region examined the charges against the applicant. On the basis of the policemen's testimonies the applicant was found guilty of having disobeyed the lawful order of the police, in breach of Article 19.3 of the Code of Administrative Offences, and sentenced to a fine of RUB 700.

On 24 September 2012 the Lyuberetskiy Town Court of the Moscow Region examined the applicant's appeal and upheld the first-instance judgment.

The applicant alleges that the court hearings both before the Justice of the Peace and the district court have been conducted in the absence of the party for the prosecution, because the administrative procedure does not require that the charges be presented by the prosecutor's office, and the courts themselves discharged this function.

6. The application of Ms Sibiryak (no. 32701/13)

The applicant was arrested at the site of the demonstration at Bolotnaya Square at about 6.30 p.m. on 6 May 2012. According to the applicant, before her arrest she has not breached public order and had not disobeyed the police.

At about 9 p.m. on the same day the applicant was brought to the Khoroshevo District police station where a police report on the administrative offence was drawn. The applicant was charged with having disobeyed a lawful order of the police, an offence under Article 19.3 of the Code of Administrative Offences.

The applicant was released from the police station at 1.40 a.m. on 7 May 2012.

On 30 May 2012 the Justice of the Peace of the circuit no. 100 of the Yakimanka District examined the charges. The applicant was not present at the hearing, although she had apparently been apprised of it. On the basis of the statement of one policeman who has not been examined at the hearing the applicant was found guilty of having attempted to break through the cordon and of having disobeyed the lawful order of the police to stop her

actions. She was found in breach of Article 19.3 of the Code of Administrative Offences and was sentenced to a fine of RUB 500.

On 17 May 2012 the Zamoskvoretskiy District Court examined the applicant's appeal and upheld the first-instance judgment. The policeman on whose statement the applicant's conviction had not been examined at any stage of the administrative proceedings.

On 15 April 2013 the Deputy President of the Moscow City Court examined the applicant's administrative case in supervisory review proceedings and upheld the earlier judicial decisions.

The applicant alleges that the court hearings both before the Justice of the Peace and the district court have been conducted in the absence of the party for the prosecution, because the administrative procedure does not require that the charges be presented by the prosecutor's office, and the courts themselves discharged this function.

7. The application of Ms Zinovyeva (no. 69272/13)

The applicant claims that at about 6 p.m. on 6 May 2012 she was walking with a friend in the vicinity of Bolotnaya Square and came close to the demonstration to have a look at it. They got caught in the crowd and the applicant was arrested by the police.

According to the police report, the applicant was brought to the Taganskaya District police station at 7.20 p.m. on the same day. The applicant alleges, however, that she arrived at the police station at about 9 p.m. At the station the police report on the administrative offence was drawn. The applicant was charged with having disobeyed a lawful order of the police, an offence under Article 19.3 of the Code of Administrative Offences. The applicant committed in writing to attend the court hearing of the administrative case, but she was detained.

The applicant claims that she was not allowed a phone call despite her insistent requests. She indicated that she was a mother of a 15-month's old child left at home with a babysitter and requested the police to notify her family of her arrest, but this was refused too. The applicant was detained in the police station until the following morning when she was taken to court. However, her case could not be examined on that day and she was brought back to the police station. She was released at about 10 p.m. on 7 May 2012.

At the police station the applicant was detained in a small overcrowded cell with no sanitary facilities, sleeping place or beddings, no access to drinking water or provision of food.

On 8 May 2012 the Justice of the Peace of the circuit no. 100 of the Yakimanka District examined the charges against the applicant. On the basis of reports of two policemen the Justice of the Peace established that the applicant had attempted to break through the police cordon. The Justice of the Peace found that the applicant had disobeyed the lawful order of the police, but decided to exempt her from administrative liability under Article 19.3 of the Code of Administrative Offences and issued a warning. It appears that the applicant did not appeal against the judgment.

On 26 July 2012 the applicant seized the Dorogomilovskiy District Court of Moscow with a complaint about the allegedly arbitrary arrest and detention on 6 and 7 May 2012 and about the poor conditions of detention.

On 3 September 2012 the Dorogomilovskiy District Court refused to examine the applicant's complaint on the grounds that the contested acts of the police had been the matter of the administrative proceeding and could not be challenged separately. It did not examine the complaint about the conditions of detention.

On 20 May 2013 the Moscow City Court quashed the decision of 3 September 2012 in the part concerning the refusal to examine the complaint about the conditions of detention. It upheld the decision as to the rest.

On 23 October 2013 the Dorogomilovskiy District Court rejected the applicant's complaint about the poor conditions of her detention at the police station as unsubstantiated.

On 28 February 2014 the Moscow City Court upheld the decision of 23 October 2013.

COMPLAINTS

All applicants complain, expressly or in essence, about a violation of their right to peaceful assembly by the security measures implemented by the authorities in relation to the authorised and peaceful political rally on Bolotnaya Square on 6 May 2012 that, in their view, had disrupted the demonstration. They further complain about their own arrest, detention and the ensuing conviction of administrative offences had been unlawful, arbitrary and not necessary in a democratic society. These complaints fall to be examined under Article 11 of the Convention.

The applicants complain that their arrest on 6 May 2012 followed by detention at the police station has been unlawful and arbitrary. These complaints fall to be examined under Articles 5 and 18 of the Convention.

Furthermore, the applicants allege that the administrative proceedings in their cases fell short of guarantees of fair hearing, in particular the principles of equality of arms, adversarial proceedings, independence and impartiality of the tribunal and their inability to call and examine key witnesses. They refer to Article 6 §§ 1 and 3 (a)-(d) of the Convention.

In addition to that, the applicants have made the following individual complaints:

Mr Frumkin (no. 74568/12)

The applicant complains under Articles 3 and 13 of the Convention about the appalling conditions of his detention in the Krasnoselskiy District police station from 6 to 8 May 2012 and about the lack of effective domestic remedies in respect of this complaint.

Mr Navalnyy (no. 75186/12)

The applicant complains under Article 3 of the Convention about the manner in which he was apprehended at Bolotnaya Square on 6 May 2012. He claims, in particular, that the policeman arresting him had resorted to physical force without justification and intentionally caused him pain.

Mr Shchekin (no. 78045/12)

The applicant alleges that he has been ill-treated by the police during his arrest on 6 May 2012, that he was detained and transferred in appalling conditions and that his complaint about the use of force, the alleged unlawfulness of arrest and detention and about the detention conditions has not been followed up. He refers to Article 3 of the Convention.

Ms Zinovyeva (no. 69272/13)

The applicant complains under Article 3 of the Convention about the poor conditions of detention at the police station and under Article 13 of the Convention about the lack of effective domestic remedies in respect of her complaint under Article 3 of the Convention.

QUESTIONS TO THE PARTIES**I. QUESTIONS RELATING TO THE DEMONSTRATION OF 6 MAY 2012**

1. In the present case, have the authorities complied with their duty to take appropriate measures with regard to lawful demonstrations in order to ensure their peaceful conduct, as required by Article 11 of the Convention (see *Oya Ataman v. Turkey*, no. 74552/01, § 35, ECHR 2006-XIII)? The Government are invited to submit documents relating to the authorisation of the demonstration on Bolotnaya Square on 6 May 2012 and the security and crowd-control measures taken by the authorities prior to, during and after the demonstration.

2. What was the reason for the authorities' order to stop the demonstration? If the decision to stop the demonstration was taken because of serious public disorder, has the cause of the disorder been identified?

3. If the demonstration involved serious public disorder, was the authorities' response adequate to the nature and the extent of the disorder? In particular, was the order to stop the demonstration and its dispersal justified?

4. Has there been an inquiry into the events of 6 May 2012 at Bolotnaya Square? If so, the Government are requested to provide the results of the inquiry and all relating documents and video materials.

II. QUESTIONS RELATING TO ALL APPLICANTS

As regards each of the applicants the Government are invited to answer the following questions:

1. Having regard to the applicant's specific allegations in respect of his or her arrest and, where applicable, detention on remand, was the applicant's deprivation of liberty compatible with the requirements of Article 5 § 1 of

the Convention? The parties are invited to submit the relevant arrest warrants and the detention orders, except for those already submitted by the applicants.

2. Having regard to the applicant's specific allegations in respect of the administrative proceedings, did he or she receive a fair hearing by an independent and impartial tribunal in accordance with Article 6 §§ 1, 2 and 3 (b), (c) and (d) of the Convention? This question is not relevant to Ms Zinovyeva's case.

3. Having regard to the applicant's specific allegations in respect of the applicant's arrest and the ensuing administrative charges, has there been an interference with the applicant's freedom of peaceful assembly, within the meaning of Article 11 § 1 of the Convention? If so, was that interference prescribed by law and necessary in terms of Article 11 § 2?

4. Was the applicants' liberty restricted for the purpose of undermining his rights to freedom of assembly and expression, in breach of Article 18 of the Convention (see *Gusinskiy v. Russia*, no. 70276/01, ECHR 2004-IV)?

III. QUESTIONS RELATING TO INDIVIDUAL APPLICANTS

Mr Frumkin (no. 74568/12)

Were the conditions of the applicants' detention at the Krasnoselskiy District police station compatible with Article 3 of the Convention? The Government are requested to comment on all aspects of the conditions of detention raised by the applicant and to produce documentary evidence, including population registers, floor plans, day planning, photographs of the facilities, as well as reports from supervising prosecutors concerning the conditions of detention in this facility.

Did the applicant have at his disposal an effective domestic remedy for his complaint about the conditions of detention, as required by Article 13 of the Convention?

Mr Navalnyy (no. 75186/12)

Has the applicant been subjected to ill-treatment during his arrest on 6 May 2012, in breach of Article 3 of the Convention? The parties are invited to submit copies of the police reports on the applicant's arrest, the applicant's point of appeal in the administrative case, the applicant's complaints about his alleged ill-treatment during the arrest the replies of the domestic authorities to these complaints and any other relevant material.

Mr Shchekin (no. 78045/12)

Has the applicant been subjected to ill-treatment during his arrest on 6 May 2012, in breach of Article 3 of the Convention?

Were the conditions of detention and transfer of the applicant compatible with Article 3 of the Convention? The Government are requested to comment on all aspects of the conditions of detention raised by the applicant

and to produce documentary evidence relating to the conditions in which the applicant was detained and transferred.

The parties are invited to provide information on the outcome of the complaint lodged by the applicant with the Sovetskiy District Court of Novosibirsk on 22 June 2012.

Ms Zinovyeva (no. 69272/13)

Has the applicant exhausted domestic remedies as regards her complaints under Articles 5 and 11 of the Convention?

Were the conditions of the applicants' detention at the Taganskiy District police station compatible with Article 3 of the Convention? The Government are requested to comment on all aspects of the conditions of detention raised by the applicant and to produce documentary evidence, including population registers, floor plans, day planning, photographs of the facilities, as well as reports from supervising prosecutors concerning the conditions of detention in this facility.

Did the applicant have at her disposal an effective domestic remedy for her complaint about the conditions of detention, as required by Article 13 of the Convention?

APPENDIX

No	Application No	Lodged on	Applicant Date of birth / Place of residence / Nationality	Represented by
1.	74568/12	09/11/2012	Yevgeniy Vladimirovich FRUMKIN 01/05/1962 Moscow Russian	MEMORIAL HUMAN RIGHTS CENTRE
2.	75186/12	25/10/2012	Aleksey Anatolyevich NAVALNY 04/06/1976 Moscow Russian Vadim Borisovich GUNKO 09/06/1960 Moscow Russian	Konstantin Ilyich TEREKHOV
3.	76191/12	21/11/2012	Vyacheslav Vyacheslavovich ARISTOV 07/12/1986 Moscow Russian	Konstantin Ilyich TEREKHOV
4.	78045/12(*)	14/11/2012	Artem Valentinovich SHCHEKIN 21/01/1974 Novosibirsk Russian	
5.	5438/13	15/01/2012	Aleksandr Nikolayevich GROMOV 13/08/1983 Kotelniki Russian	Konstantin Ilyich TEREKHOV
6.	32701/13	29/04/2013	Mariya Igorevna SIBIRYAK 01/01/1975 Moscow Russian	Nikolay Sergeyeovich ZBOROSHENKO
7.	69272/13(*)	21/10/2013	Kristina Nikolayevna ZINOVYEVA 26/02/1988 Moscow Russian	Nikolay Sergeyeovich ZBOROSHENKO