



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

THIRD SECTION

CASE OF KOTLYARSKIY AND OTHERS v. RUSSIA

(Applications nos. 15024/12 and 13 others – see appended list)

JUDGMENT

STRASBOURG

20 October 2020

This judgment is final but it may be subject to editorial revision.

In the case of Kotlyarskiy and Others v. Russia,

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

Helen Keller, *President*,

María Elósegui,

Ana Maria Guerra Martins, *Judges*,

and Olga Chernishova, *Deputy Section Registrar*,

Having regard to:

the fourteen applications (listed in the appended table) against the Russian Federation lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by eighteen Russian nationals (“the applicants”), on the various dates indicated in the Appendix;

the decision to give notice of the applications to the Russian Government (“the Government”);

the parties’ observations;

Having deliberated in private on 29 September 2020,

Delivers the following judgment, which was adopted on that date:

INTRODUCTION

1. On 5 December 2011 the applicants participated in a public assembly in Moscow to protest against the allegedly rigged elections that had taken place the previous day. After the demonstration they were arrested, detained and convicted of an administrative offence.

THE FACTS

2. The applicants’ details are set out in the appended table.

3. The Russian Government (“the Government”) were represented by Mr G. Matyushkin, the former Representative of the Russian Federation to the European Court of Human Rights, and then by his successor in that office, Mr M. Galperin.

4. The facts of the case, as submitted by the parties, may be summarised as follows.

5. On 4 December 2011 general elections to the State Duma took place in Russia. On 5 December 2011 the applicants participated in a public event in Moscow, protesting against the elections, which they considered rigged. The authorities had been duly notified about the assembly. The circumstances relating to the same event have already been examined by the Court (see *Navalnyy and Yashin v. Russia*, no. 76204/11, §§ 6-11, 4 December 2014).

6. After the demonstration the applicants were arrested and transferred to various police stations in Moscow where the relevant administrative

records were drawn up. The administrative offence records were based on the reports and explanations of the police officers who had arrested the applicants. The applicants were detained and spent up to three nights at the relevant police stations before being brought before the Justices of the Peace. The applicants submitted, *inter alia*, that they had had no place to sleep and access to toilets had been restricted during their detention. Some of them further submitted that during transport to the place of detention following their administrative conviction, they had been kept for several hours in an unheated bus.

7. On various dates all the applicants were convicted under Article 19.3 § 1 of the Code of Administrative Offences (refusal to obey the lawful order of a police officer) and sentenced to either administrative fines or administrative imprisonment (see the appended table). The domestic courts relied on the administrative offence records and the reports and explanations of the police officers. In particular, they considered unlawful that some of the applicants had shouted slogans and/or refused to stop participating in a public assembly (that followed the initial demonstration) in respect of which no advance notification had been submitted to the authorities.

RELEVANT LEGAL FRAMEWORK

8. For relevant domestic law applicable at the material time see *Navalnyy and Yashin* (cited above, §§ 43-44).

THE LAW

I. JOINDER OF THE APPLICATIONS

9. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

II. PRELIMINARY CONSIDERATIONS

10. The Court notes that the applicants in applications nos. 21041/12, 21052/12, 21056/12, 21059/12, 21065/12, 21066/12, 21068/12, 21072/12, 21096/12 and 21102/12 in their observations dated 13 November 2016 argued that their appeals against the trial courts' judgments had not had a suspensive effect and that they had had no effective national remedies in respect of their complaints under Article 3 and 5 of the Convention. They submitted that those were legal arguments as regards the facts described in their initial applications.

11. The Court further notes that in their applications the applicants concerned complained under Article 11 of the Convention about the

allegedly unlawful and disproportionate measures taken against them as peaceful protesters. In addition, they complained under Articles 3, 5 and 6 of the Convention about their unlawful arrests, unfairness of the administrative proceedings and conditions of detention at various police stations.

12. The new complaints pertaining to the immediate execution of the decisions in the applicants' administrative cases and the alleged lack of effective remedies were submitted after the notice of the initial applications had been given to the Government. In the Court's view, these new complaints are not an elaboration of the original complaints lodged with the Court several years earlier and on which the parties have commented. The Court therefore decides not to examine the new complaints within the framework of the present proceedings (see *Rafiq Aliyev v. Azerbaijan*, no. 45875/06, § 70, 6 December 2011).

III. ALLEGED VIOLATION OF ARTICLE 11 OF THE CONVENTION

13. The applicants complained of disproportionate measures taken against them as participants in a peaceful public assembly, namely their arrest followed by their conviction for an administrative offence. They relied, expressly or in substance, on Articles 10 and 11 of the Convention; however, this falls to be examined under Article 11 of the Convention, which reads as follows:

“1. Everyone has the right to freedom of peaceful assembly and to freedom of association with others, including the right to form and to join trade unions for the protection of his interests.

2. No restrictions shall be placed on the exercise of these rights other than such as are prescribed by law and are necessary in a democratic society in the interests of national security or public safety, for the prevention of disorder or crime, for the protection of health or morals or for the protection of the rights and freedoms of others. This Article shall not prevent the imposition of lawful restrictions on the exercise of these rights by members of the armed forces, of the police or of the administration of the State.”

14. The Court refers to the principles established in its case-law regarding the right to freedom of peaceful assembly (see *Kudrevičius and Others v. Lithuania* [GC], no. 37553/05, ECHR 2015, with further references) and the proportionality of interference with that freedom (see *Oya Ataman v. Turkey*, no. 74552/01, ECHR 2006-XIV, and *Hyde Park and Others v. Moldova*, no. 33482/06, 31 March 2009).

15. In the leading cases (see, for example, *Frumkin v. Russia*, no. 74568/12, 5 January 2016, and *Kasparov and Others v. Russia*, no. 21613/07, 3 October 2013), the Court already found a violation in respect of issues similar to those in the present case. Moreover, in case *Navalnyy and Yashin v. Russia*, no. 76204/11, §§ 51-75, 4 December 2014, the Court established, *inter alia*, that the gathering in question fell within

the scope of Article 11 of the Convention and found a violation of Article 11 of the Convention in respect of the suppression of that spontaneous public assembly.

16. Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion as to the admissibility and merits of the present complaints. Having regard to its case-law on the subject, the Court considers that in the instant case the measures applied to the applicants as participants in a peaceful public assembly did not correspond to a pressing social need and were thus not necessary in a democratic society.

17. These complaints are therefore admissible and disclose a violation of Article 11 of the Convention.

IV. OTHER ALLEGED VIOLATIONS UNDER WELL-ESTABLISHED CASE LAW

18. Some applicants submitted other complaints which also raised issues under Articles 3, 5 and/or 6 of the Convention, given the relevant well-established case-law of the Court.

A. Admissibility

19. The Court notes that the applicant in application no. 57141/12 complained under Article 3 of the Convention about the conditions of detention at the police station on 5 and 6 December 2011. The Court further notes that this complaint was raised on 31 July 2012, which is more than six months after the end of the situation at issue. This complaint must therefore be rejected in accordance with Article 35 §§ 1 and 4 of the Convention.

20. The Government argued that some of the applicants failed to exhaust the effective domestic remedies in respect of their complaints under Article 5 of the Convention that their arrest had been unlawful. They submitted, in particular, that the applicants could have used the procedures under Chapter 25 of the Code of Civil Procedure and Article 1070 of the Civil Code. In the absence of any domestic case-law examples provided by the Government demonstrating the effectiveness of these remedies and noting its previous findings in similar cases (see *Tsvetkova and Others v. Russia*, nos. 54381/08 and 5 others, §§ 95-101, 10 April 2018), the Court dismisses the Government's objection as unsubstantiated.

21. The Court notes that the complaints listed in the Appendix are neither manifestly ill-founded nor inadmissible on any other grounds listed in Article 35 of the Convention. They must therefore be declared admissible.

B. Merits

22. Having examined all the material before it, the Court concludes that these remaining complaints also disclose violations of Articles 3, 5 and/or 6 of the Convention, as indicated in the appended table, in the light of its findings in *Navalnyy and Yashin* (cited above, §§ 91-98, §§ 110-12); *Karelin v. Russia* (no. 926/08, 20 September 2016), and *Lashmankin and Others v. Russia* (nos. 57818/09 and 14 others, §§ 486-92, 7 February 2017).

23. As regards Article 6 § 1, all the applications relying on this provision disclose a violation of the impartiality requirement on account of the absence of a prosecuting party (see appended table). The Court notes that the applicants in applications nos. 21041/12, 21052/12, 21065/12, 21066/12, 21096/12 and 42535/12 also complained under Article 6 §§ 1 and 3 (d) of the Convention about their inability to cross-examine the police officers on whose written statements their conviction was based. The applicants in applications nos. 21041/12, 21066/12, 21068/12, 21072/12 and 42535/12 also complained under Article 6 §§ 1 and 3 (c) of the Convention that they had allegedly not been given access to a lawyer after their arrest and at the first-instance trial, and the applicant in application no. 57141/12 complained under Article 6 §§ 1 and 3 (b) of the Convention about a lack of time and facilities to prepare his defence. The Court considers that as it has already concluded that the administrative proceedings, taken as a whole, were conducted in violation of the right to a fair hearing, it is not necessary to address the remainder of the applicants' complaints under Article 6 §§ 1 and 3 (b)-(d) of the Convention (see *Frumkin*, cited above, § 168).

V. APPLICATION OF ARTICLE 41 OF THE CONVENTION

24. Article 41 of the Convention provides:

“If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party.”

A. Damage

25. The applicants claimed various amounts in respect of non-pecuniary damage. The applicants in applications nos. 15024/12 and 15027/12 also claimed pecuniary damage for the sum of the fines they had paid.

26. The Government submitted in reply that if the Court finds a violation of the Convention, it should award compensation in compliance with the Court's well-established case-law.

27. The Court considers that there is a direct causal link between the violation of Article 11 of the Convention found and the fines that the

applicants had paid following their conviction for the administrative offence (see, for similar reasoning, *Lashmakin and Others*, cited above, § 515). Regard being had to the documents in its possession, the Court considers it reasonable to award 15 euros (EUR) to each applicant in applications nos. 15024/12 and 15027/12 in respect of pecuniary damage, plus any tax that may be chargeable.

28. In addition, having regard to the documents in its possession and its case-law concerning violations of Article 11 of the Convention on account of arbitrary arrests at peaceful assemblies, the Court considers it reasonable to award the applicants the amounts indicated in the appended table in respect of non-pecuniary damage, plus any tax that may be chargeable.

B. Costs and expenses

29. Some applicants also claimed costs and expenses incurred before the domestic courts and/or those incurred before the Court, in particular legal fees and postal expenses. The applicants in applications nos. 21041/12, 21052/12, 21056/12, 21059/12, 21065/12, 21066/12, 21068/12, 21072/12, 21096/12 and 21102/12 jointly claimed EUR 10,200 to be paid to Mr Terekhov and EUR 10,400 to be paid to Mr Navalnyy for legal representation before the Court. Four applicants in application no. 42535/12 (represented by Ms Davidyan) jointly claimed EUR 6,280 for their legal representation before the Court. The applicants in applications nos. 15024/12 and 15027/12 (represented by Ms Yermolayeva) each claimed EUR 4,500 for legal services provided at the domestic level and before the Court. The applicant in application no. 57141/12 claimed EUR 2,600 and 1,471.68 pounds sterling for legal representation before the domestic authorities and before the Court.

30. The Government submitted in reply that if the Court finds a violation of the Convention, it should award compensation in compliance with the Court's well-established case-law.

31. According to the Court's case-law, an applicant is entitled to the reimbursement of costs and expenses only in so far as it has been shown that these have been actually and necessarily incurred and are reasonable as to quantum. Regard being had to the documents in its possession, its case-law and the repetitive nature of the legal issues examined in this case, the Court awards the applicants the following amounts, plus any tax that may be chargeable to the applicants: EUR 850 jointly to the applicants in applications nos. 21041/12, 21052/12, 21056/12, 21059/12, 21065/12, 21066/12, 21068/12, 21072/12, 21096/12 and 21102/12; EUR 850 jointly to the four applicants in application no. 42535/12 who were represented by Ms Davidyan; EUR 1,275 to the applicant in application no. 15024/12 and EUR 1,275 to the applicant in application no. 15027/12; and EUR 1,350 to

the applicant in application no. 57141/12. These awards are to be paid into the representatives' bank accounts, as requested by the applicants.

C. Default interest

32. The Court considers it appropriate that the default interest rate should be based on the marginal lending rate of the European Central Bank, to which should be added three percentage points.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Declares* the complaints under Articles 3, 5, 6 and 11 of the Convention, as set out in the appended table, admissible, and the complaint under Article 3 of the Convention in application no. 57141/12 inadmissible;
3. *Holds* that there has been a violation of Article 11 of the Convention in respect of all applicants;
4. *Holds* that there has been a violation of Articles 3, 5 and 6 of the Convention as regards other complaints raised under the well-established case-law of the Court (see the appended table);
5. *Holds* that there is no need to examine the complaints under Article 6 §§ 1 and 3 (b)-(d) of the Convention in applications nos. 21041/12, 21052/12, 21065/12, 21066/12, 21068/12, 21072/12, 21096/12, 42535/12 and 57141/12;
6. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months, the following amounts, to be converted into the currency of the respondent State at the rate applicable at the date of settlement, except for the awards in application no. 57141/12 where the award for non-pecuniary damage is to be paid in euros and the amount for costs and expenses is to be converted into pounds sterling at the rate applicable at the date of settlement and paid to the bank account of European Human Rights Advocacy Centre ("EHRAC"), as indicated by that applicant:
 - (i) EUR 15 (fifteen euros) to each of the applicants in applications nos. 15024/12 and 15027/12, plus any tax that may be chargeable, in respect of pecuniary damage;
 - (ii) the amounts indicated in the appended table, plus any tax that may be chargeable, in respect of non-pecuniary damage;

KOTLYARSKIY AND OTHERS v. RUSSIA JUDGMENT

- (iii) the following amounts, plus any tax that may be chargeable to the applicants, in respect of costs and expenses, to be paid into the respective representatives' bank accounts:
 - EUR 850 (eight hundred and fifty euros) jointly to the applicants in applications nos. 21041/12, 21052/12, 21056/12, 21059/12, 21065/12, 21066/12, 21068/12, 21072/12, 21096/12 and 21102/12;
 - EUR 850 (eight hundred and fifty euros) jointly to the four applicants in application no. 42535/12 who were represented by Ms Davidyan (see the appended table);
 - EUR 1,275 (one thousand two hundred and seventy-five euros) to each of the applicants in applications nos. 15024/12 and 15027/12;
 - EUR 1,350 (one thousand three hundred and fifty euros) to the applicant in application no. 57141/12;
- (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

7. *Dismisses* the remainder of the applicants' claim for just satisfaction.

Done in English, and notified in writing on 20 October 2020, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Olga Chernishova
Deputy Registrar

Helen Keller
President

KOTLYARSKIY AND OTHERS v. RUSSIA JUDGMENT

APPENDIX

No.	Application no. Lodged on	Applicant Date of Birth Place of Residence Nationality Represented by	Penalty	Final domestic decision details	Other complaints under well-established case-law, admissible and disclosing a violation	Amount awarded for non-pecuniary damage per applicant
1	15024/12 02/03/2012	Aleksey Petrovich KOTLYARSKIY 1987 Moscow Russian Nadezhda Viktorovna YERMOLAYEVA	Administrative fine RUB 1,000	Appeal decision Basmanny District Court of Moscow 12/01/2012	Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police station on 05/12/2011 for the purpose of drawing up a record of the administrative offence; detention in excess of 3 hours (from 9 p.m. on 05/12/2011 till 7/12/2011) (see <i>Navalnyy and Yashin v. Russia</i> , no. 76204/11, §§ 91-98, 4 December 2014); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin v. Russia</i> , no. 926/08, 20 September 2016).	EUR 5,000 (five thousand euros)
2	15027/12 02/03/2011	Ilya Valentinovich VORONTSOV 1985 Moscow Russian Nadezhda Viktorovna YERMOLAYEVA	Administrative fine RUB 1,000	Appeal decision Basmanny District Court of Moscow 19/01/2012	Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police station on 05/12/2011 for the purpose of drawing up a record of the administrative offence; detention in excess of 3 hours (from 9 p.m. on 05/12/2011 till 7/12/2011) (see <i>Navalnyy and Yashin</i> , cited above, §§ 91-98); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 5,000 (five thousand euros)

KOTLYARSKIY AND OTHERS v. RUSSIA JUDGMENT

No.	Application no. Lodged on	Applicant Date of Birth Place of Residence Nationality Represented by	Penalty	Final domestic decision details	Other complaints under well-established case-law, admissible and disclosing a violation	Amount awarded for non-pecuniary damage per applicant
3	21041/12 29/03/2012	Grigoriy Borisovich YUDIN 1983 Moscow Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV Ilnur Ilgizovich SHARAPOV	15 days of administrative imprisonment	Supervisory decision Moscow City Court 19/12/2011	Art. 3 – conditions of detention at the police station Basmanoye 05/12/2011–08/12/2011: no sleeping place, lack of meals and beverages, restricted access to the toilet (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others v. Russia</i> , nos. 57818/09 and 14 others, §§ 486-92, 7 February 2017); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 10,000 (ten thousand euros)
4	21052/12 29/03/2012	Vitaliy Valeryevich APAKIDZE 1983 Moscow Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV	15 days of administrative imprisonment	Appeal decision Basmannyy District Court of Moscow 07/12/2011	Art. 3 – conditions of detention at the police station Zamoskvorechye 05/12/2011 – 08/12/2011: no sleeping place, lack of meals and beverages, restricted access to the toilet (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others</i> cited above, §§ 486-92); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 10,000 (ten thousand euros)

KOTLYARSKIY AND OTHERS v. RUSSIA JUDGMENT

No.	Application no. Lodged on	Applicant Date of Birth Place of Residence Nationality Represented by	Penalty	Final domestic decision details	Other complaints under well-established case-law, admissible and disclosing a violation	Amount awarded for non-pecuniary damage per applicant
5	21056/12 29/03/2012	Emil Pavlovich TEREKHIN 1977 Moscow Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV	7 days of administrative imprisonment	Appeal decision District Court of Meshchanskiy Moscow 07/12/2011	Art. 3 – conditions of detention at the police station Khamovniki 05/12/2011 – 08/12/2011: no sleeping place, lack of meals and beverages; transportation to the place of detention on 08/12/2011; (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others</i> , cited above, §§ 486-92); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 7,500 (seven thousand five hundred euros)
6	21059/12 29/03/2012	Fedor Olegovich BOGATYREV 1976 Moscow Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV	15 days of administrative imprisonment	Appeal decision Basmanny District Court of Moscow 06/12/2011	Art. 3 – conditions of detention at the police station Basmannoye 05/12/2011 – 08/12/2011: no sleeping place, lack of meals and beverages, restricted access to the toilet (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others</i> , cited above, §§ 486-92); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 10,000 (ten thousand euros)

KOTLYARSKIY AND OTHERS v. RUSSIA JUDGMENT

No.	Application no. Lodged on	Applicant Date of Birth Place of Residence Nationality Represented by	Penalty	Final domestic decision details	Other complaints under well-established case-law, admissible and disclosing a violation	Amount awarded for non-pecuniary damage per applicant
7	21065/12 29/03/2012	Sergey Igorevich VLASOV 1980 Zhukovskiy Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV	10 days of administrative imprisonment	Appeal decision Basmannyy District Court of Moscow 07/12/2011	Art. 3 – conditions of detention at the police station Zamoskvorechye 07/12/2011 – 09/12/2011: overcrowding, no sleeping place, lack of meals and beverages; transportation to the place of detention on 09/12/2011 (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others</i> , cited above, §§ 486-92); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 10,000 (ten thousand euros)
8	21066/12 29/03/2012	Georgi Yedisonovich DZHALAGONIYA 1989 Moscow Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV	10 days of administrative imprisonment	Appeal decision Basmannyy District Court of Moscow 07/12/2011	Art. 3 – conditions of detention at the police station Zamoskvorechye 05/12/2011 – 08/12/2011: overcrowding, no sleeping place, lack of meals and beverages, restricted access to the toilet (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others</i> , cited above, §§ 486-92); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 10,000 (ten thousand euros)

KOTLYARSKIY AND OTHERS v. RUSSIA JUDGMENT

No.	Application no. Lodged on	Applicant Date of Birth Place of Residence Nationality Represented by	Penalty	Final domestic decision details	Other complaints under well-established case-law, admissible and disclosing a violation	Amount awarded for non-pecuniary damage per applicant
9	21068/12 29/03/2012	Andrey Viktorovich OREL 1977 Moscow Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV	15 days of administrative imprisonment	Appeal decision Basmannyy District Court of Moscow 16/12/2011	Art. 3 – conditions of detention at the police station Krasnoselskoye 05/12/2011 – 07/12/2011: overcrowding, no sleeping place, lack of meals and beverages, restricted access to the toilet; transportation to the place of detention on 08/12/2011 (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others</i> , cited above, §§ 486-92); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 10,000 (ten thousand euros)
10	21072/12 29/03/2012	Igor Aleksandrovich TARASOV 1980 Moscow Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV	15 days of administrative imprisonment	Appeal decision Basmannyy District Court of Moscow 07/12/2011	Art. 3 – conditions of detention at the police station Krasnoselskoye 05/12/2011 – 07/12/2011: overcrowding, no sleeping place, lack of meals and beverages, restricted access to the toilet; transportation to the place of detention on 08/12/2011 (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others</i> , cited above, §§ 486-92); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 10,000 (ten thousand euros)

KOTLYARSKIY AND OTHERS v. RUSSIA JUDGMENT

No.	Application no. Lodged on	Applicant Date of Birth Place of Residence Nationality Represented by	Penalty	Final domestic decision details	Other complaints under well-established case-law, admissible and disclosing a violation	Amount awarded for non-pecuniary damage per applicant
11	21096/12 29/03/2012	Dmitriy Dmitriyevich DORONIN 1983 Moscow Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV	10 days of administrative imprisonment	Appeal decision Basmannyy District Court of Moscow 29/12/2011	Art. 3 – conditions of detention at the police station Basmannoye 05/12/2011 – 08/12/2011: overcrowding, no sleeping place, lack of meals and beverages, restricted access to the toilet; transportation to the place of detention on 08/12/2011 (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others</i> , cited above, §§ 486-92); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 10,000 (ten thousand euros)
12	21102/12 29/03/2012	Aleksandr Sergeyevich ROGANOV 1983 Moscow Russian Aleksey Anatolyevich NAVALNYY Konstantin Ilyich TEREKHOV	15 days of administrative imprisonment	Appeal decision Basmannyy District Court of Moscow 16/12/2011	Art. 3 – conditions of detention at the police station Krasnoselskoye 05/12/2011 – 07/12/2011: overcrowding, no sleeping place, lack of meals and beverages, restricted access to the toilet; transportation to the place of detention on 08/12/2011 (see <i>Navalnyy and Yashin</i> , cited above, §§ 110-12); Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the police office on 05/12/2011 for the purpose of drawing up a record of the administrative offence (see <i>Lashmakin and Others</i> , cited above, §§ 486-92); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 10,000 (ten thousand euros)

KOTLYARSKIY AND OTHERS v. RUSSIA JUDGMENT

No.	Application no. Lodged on	Applicant Date of Birth Place of Residence Nationality Represented by	Penalty	Final domestic decision details	Other complaints under well-established case-law, admissible and disclosing a violation	Amount awarded for non-pecuniary damage per applicant
13	42535/12 28/06/2012	Aleksandr Nikolayevich KONDRA SHEV 1990 Moscow Russian Eleonora Grantovna DAVIDYAN	3 days of administrative imprisonment	Appeal decision Tverskoy District Court of Moscow 25/01/2012	Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the Tverskoy District police station on 05/12/2011 for the purpose of drawing up a record of the administrative offence; detention in excess of 3 hours (from approximately 10.30 p.m. on 05/12/2011 till 3.20 p.m. 6/12/2011) (see <i>Navalnyy and Yashin</i> , cited above, §§ 91-98); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 7,500 (seven thousand five hundred euros)
		Lubov Viktorovna KRUTENKO 1990 Moscow Russian Eleonora Grantovna DAVIDYAN	Administrative fine RUB 1,000	Appeal decision Tverskoy District Court of Moscow 27/01/2012	Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the Tverskoy District police station on 05/12/2011 for the purpose of drawing up a record of the administrative offence; detention in excess of 3 hours (from approximately 10.30 p.m. on 05/12/2011 till 3.20 p.m. 6/12/2011) (see <i>Navalnyy and Yashin</i> , cited above, §§ 91-98); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 5,000 (five thousand euros)
		Tamara Viktorovna KRUTENKO 1990 Moscow Russian Eleonora Grantovna DAVIDYAN	Administrative fine RUB 1,000	Appeal decision Tverskoy District Court of Moscow 20/01/2012	Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the Tverskoy District police station on 05/12/2011 for the purpose of drawing up a record of the administrative offence; detention in excess of 3 hours (from approximately 10.30 p.m. on 05/12/2011 till 3.20 p.m. 6/12/2011) (see <i>Navalnyy and Yashin</i> , cited above, §§ 91-98); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 5,000 (five thousand euros)

KOTLYARSKIY AND OTHERS v. RUSSIA JUDGMENT

No.	Application no. Lodged on	Applicant Date of Birth Place of Residence Nationality Represented by	Penalty	Final domestic decision details	Other complaints under well-established case-law, admissible and disclosing a violation	Amount awarded for non-pecuniary damage per applicant
		Darya Danovna ROZENSHEYN 1978 Moscow Russian Eleonora Grantovna DAVIDYAN	Administrative fine RUB 1,000	Appeal decision Tverskoy District Court of Moscow 28/02/2012	Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the Tverskoy District police station on 05/12/2011 for the purpose of drawing up a record of the administrative offence; detention in excess of 3 hours (from approximately 10.30 p.m. on 05/12/2011 till 5.30 p.m. 6/12/2011) (see <i>Navalnyy and Yashin</i> , cited above, §§ 91-98); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 5,000 (five thousand euros)
		Ilyas Ravilyevich SETDINOV 1989 Moscow Russian Inna Borisovna YANATYEVA	2 days of administrative imprisonment	Appeal decision Tverskoy District Court of Moscow 30/12/2011	Art. 5 § 1 – unlawful deprivation of liberty: arrest and escorting to the Tverskoy District police station on 05/12/2011 for the purpose of drawing up a record of the administrative offence; detention in excess of 3 hours (from approximately 10.30 p.m. on 05/12/2011 till 12.30 p.m. 6/12/2011) (see <i>Navalnyy and Yashin</i> , cited above, §§ 91-98); Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 5,000 (five thousand euros)
14	57141/12 31/07/2012	Sergey Iosifovich ILUPIN 1979 Lyon, France Russian MEMORIAL Human Rights Centre, European Human Rights Advocacy Centre ("EHRAC")	1 day of administrative imprisonment	Appeal decision Tverskoy District Court of Moscow 31/01/2012	Art. 6 § 1 - lack of impartiality of tribunal: absence of a prosecuting party in the administrative proceedings (see <i>Karelin</i> , cited above).	EUR 5,000 (five thousand euros)