



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

THIRD SECTION

CASE OF LEONOV AND OTHERS v. RUSSIA

*(Applications nos. 34456/15 and 3 others –
see appended list)*

JUDGMENT

STRASBOURG

15 May 2025

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

In the case of Leonov and Others v. Russia,

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

Diana Kovatcheva, *President*,

Úna Ní Raifeartaigh,

Mateja Đurović, *judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar*,

Having deliberated in private on 24 April 2025,

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

PROCEDURE

1. The case originated in applications against Russia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on the various dates indicated in the appended table.

2. The Russian Government (“the Government”) were given notice of the applications.

THE FACTS

3. The list of applicants and the relevant details of the applications are set out in the appended table.

4. The applicants complained about their confinement in a metal cage or a glass cabin during the criminal proceedings against them. Some applicants also raised other complaints under the provisions of the Convention and its Protocol.

THE LAW

I. JOINDER OF THE APPLICATIONS

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

II. JURISDICTION

6. The Court observes that the facts giving rise to the alleged violations of the Convention occurred prior to 16 September 2022, the date on which the Russian Federation ceased to be a party to the Convention. The Court therefore decides that it has jurisdiction to examine the present applications (see *Fedotova and Others v. Russia* [GC], nos. 40792/10 and 2 others, §§ 68-73, 17 January 2023).

III. ALLEGED VIOLATION OF ARTICLE 3 OF THE CONVENTION

7. The applicants complained principally about their confinement in a metal cage or a glass cabin in the courtroom during the criminal proceedings against them. They relied on Article 3 of the Convention.

8. The Court notes that the applicants were kept in a metal cage or glass cabin in the courtroom in the context of their trial. In the leading cases of *Svinarenko and Slyadnev v. Russia* [GC], nos. 32541/08 and 43441/08, ECHR 2014 (extracts) and *Vorontsov and Others v. Russia*, nos. 59655/14 and 2 others, 31 January 2017, the Court already dealt with the issue of the use of metal cages in courtrooms and found that such a practice constituted in itself an affront to human dignity and amounted to degrading treatment prohibited by Article 3 of the Convention. Similar finding was reached by the Court in respect of the practice of confinement of defendants in metal cages at remand prisons for the purposes of their participation in court hearings carried out via a video link (see *Karachentsev v. Russia*, no. 23229/11, §§ 50-54, 17 April 2018). The Court has also dealt with the issue of the use of glass cabins in courtrooms and found that under certain circumstances such a practice could also disclose a violation of Article 3 of the Convention (see *Yaroslav Belousov v. Russia*, nos. 2653/13 and 60980/14, §§ 123-28, 4 October 2016, where extreme overcrowding inside the glass cabin led the Court to the conclusion of a violation of Article 3 of the Convention, and *Mariya Alekhina and Others v. Russia*, no. 38004/12, §§ 144-50, 17 July 2018, where similar conclusion was reached by the Court against the background of the glass dock having been constantly surrounded by armed police officers and court ushers and a guard dog having been present next to it in the courtroom).

9. 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 on the admissibility and merits of these complaints. Having regard to its case-law on the subject, the Court considers that in the instant case the applicants' confinement in a metal cage or a glass cabin before the court during the criminal proceedings against them amounted to degrading treatment.

10. These complaints are therefore admissible and disclose a breach of Article 3 of the Convention.

IV. OTHER ALLEGED VIOLATIONS UNDER WELL-ESTABLISHED CASE-LAW

11. Some applicants submitted other complaints which also raised issues under the Convention, given the relevant well-established case-law of the Court (see appended table). These complaints are not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention, nor are they

inadmissible on any other ground. Accordingly, they must be declared admissible. Having examined all the material before it, the Court concludes that they also disclose violations of the Convention in the light of its findings in *Idalov v. Russia* [GC], no. 5826/03, §§ 103-08 and 154-58, 22 May 2012, regarding speediness of review of pre-trial detention; *Razvyazkin v. Russia*, no. 13579/09, §§ 97-108, 3 July 2012, related to solitary confinement; *Dirdizov v. Russia*, no. 41461/10, §§ 108-10, 27 November 2012, with regard to unjustified pre-trial detention; *Anchugov and Gladkov v. Russia*, nos. 11157/04 and 15162/05, 4 July 2013, concerning prisoners' right to vote; *Frumkin v. Russia*, no. 74568/12, ECHR 2016 (extracts), in respect of disproportionate measures against participants of public assemblies; and *Yevdokimov and Others v. Russia*, nos. 27236/05 and 10 others, §§ 17-53, 16 February 2016, relating to the applicant's absence from civil proceedings.

V. REMAINING COMPLAINTS

12. The applicant in application no. 46904/17 also raised other complaints under the Convention and Protocols thereto.

13. The Court has examined the complaints and considers that, in the light of all the material in its possession and in so far as the matters complained of are within its competence, these complaints either do not meet the admissibility criteria set out in Articles 34 and 35 of the Convention or do not disclose any appearance of a violation of the rights and freedoms enshrined in the Convention or the Protocols thereto.

14. It follows that this part of the application must be rejected in accordance with Article 35 § 4 of the Convention.

15. Finally, the application in application no. 58439/16 raised a number of additional complaints under various provisions of the Convention and its Protocols. Having regard to its findings above, the Court considers that it has examined the main legal issues raised in the present application and thus does not find it necessary to examine the remaining complaints raised by the applicant.

VI. APPLICATION OF ARTICLE 41 OF THE CONVENTION

16. Regard being had to the documents in its possession and to its case-law (see, in particular, *Vorontsov and Others*, cited above), the Court considers it reasonable to award the sums indicated in the appended table and dismissed the remainder of the applicants' claims for just satisfaction.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;

2. *Holds* that it has jurisdiction to deal with these applications as they relate to the facts that took place before 16 September 2022;
3. *Declares* the complaints concerning the use of security arrangements in a courtroom and other complaints under the well-established case-law, as indicated in the appended table, admissible, *holds* that there is no need to examine separately the remainder of application no. 58439/16 and *declares* the remainder of application no. 46904/17 inadmissible;
4. *Holds* that these applications disclose a breach of Article 3 of the Convention on account of the applicants' placement in a metal cage or a glass cabin before the court;
5. *Holds* that there has been a violation of the Convention or its Protocols as regards the other complaints raised under the well-established case-law of the Court (see appended table);
6. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months, the amounts indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
 - (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.

Done in English, and notified in writing on 15 May 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Viktoriya Maradudina
Acting Deputy Registrar

Diana Kovatcheva
President

APPENDIX

List of applications raising complaints under Article 3 of the Convention
(use of metal cages and/or other security arrangements in courtrooms)

| No. | Application no. Date of introduction | Applicant's name Year of birth | Representative's name and location | Name of the court Date of the relevant judgment | Other complaints under well-established case-law | Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros) ¹ |
|-----|---|--|--|--|---|--|
| 1. | 34456/15 27/08/2013 and 46904/17 15/05/2017 | Mikhail Nikolayevich LEONOV 1976 | Laptev Aleksey Nikolayevich Moscow (in application no. 46904/17) | Supreme Court of the Komi Republic, since 01/04/2011 and ongoing on the date of lodging application no. 34456/15 with the Court | <p>Art. 3 – inhuman and degrading treatment in view of inadequate conditions of detention resulting from solitary confinement in a remand prison (SIZO) from 18/01/2012 and ongoing as of the date of lodging application no. 34456/15; final decisions: Supreme Court of the Komi Republic, 22/04/2013 and 12/08/2013,</p> <p>Art. 6 (1) - applicant's absence from civil proceedings - The applicant was absent at the hearings in the proceedings in which he challenged his having been subjected to solitary confinement; final decisions: Supreme Court of the Komi Republic, 22/04/2013 and 12/08/2013,</p> <p>Prot. 1 Art. 3 - ineligibility to vote in or stand for elections - Impossibility to vote in Parliamentary elections in 2021 due to a ban imposed on prisoners</p> | 9,750 |
| 2. | 58439/16 30/09/2016 | M.P. 1985 | Panchenko Sergey Igorevich Moscow Karina Moskalenko, lawyer of the Centre of Assistance to International Protection | Basmanny District Court of Moscow, Zamoskvoretskiy District Court of Moscow 08/04/2016 - 29/03/2017 Date of judgment: 29/03/2017 | <p>Art. 5 (3) – unreasonably lengthy pre-trial detention – from 07/04/2016 to 29/03/2017, 11 month(s) and 23 day(s), Basmanny District Court of Moscow, Zamoskvoretskiy District Court of Moscow, Moscow City Court; fragility of the reasons employed by the courts; use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice; failure to assess the applicant's personal situation reducing the risks of re-offending, colluding or absconding; collective detention orders;</p> <p>Art. 5 (4) - excessive length of judicial review of detention:</p> <p>Basmanny District Court of Moscow, 08/04/2016, appeal lodged on 11/04/2016, Moscow City Court, 20/05/2016;</p> | 9,750 |

LEONOV AND OTHERS v. RUSSIA JUDGMENT

| No. | Application no. Date of introduction | Applicant's name Year of birth | Representative's name and location | Name of the court Date of the relevant judgment | Other complaints under well-established case-law | Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros) ¹ |
|-----|---|---|--|--|--|--|
| | | | | | <p>Basmannyy District Court of Moscow, 31/05/2016, appeal lodged on 01/06/2016, Moscow City Court, 29/06/2016;</p> <p>Basmannyy District Court of Moscow, 29/08/2016, appeal lodged on 30/08/2016, Moscow City Court, 21/09/2016;</p> <p>Zamoskvoretskiy District Court, 28/12/2016, appeal lodged on 30/12/2016, Moscow City Court, 13/02/2017,</p> <p>Art. 11 (2) - disproportionate measures against organisers and participants of public assemblies - the applicant's prosecution for having disobeyed an order of a police officer and mass disorder when participating in demonstration at the Bolotnaya Square, Moscow, on 06/05/2012, final decision: Moscow City Court, 22/06/2017 (see also <i>Asainov and Sibiryak v. Russia</i> [Committee], nos. 16694/13 and 32701/13, 4 December 2018)</p> | |
| 3. | 14929/20 05/03/2020 | Vasiliy Nikolayevich KOVALENKO 1977 | Koshev Vladimir Vladimirovich Stavropol | Leniskiy District Court of Stavropol, cage, detention in a small and stuffy glass cabin for hours and on a frequent schedule of visits to the court, the applicant stayed for hours in an uncomfortable bending position, as he could only follow the hearing via a small opening in the cabin where his handcuffs were removed, and which was no more than 1 metre above the floor; it was hot, no ventilation holes ensuring air supply; these installations caused hindrance to | | 7,500 |

LEONOV AND OTHERS v. RUSSIA JUDGMENT

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|-----|---|-----------------------------------|------------------------------------|---|--|--|
| | | | | the applicant's participation in the proceedings and his communication with legal counsel, thus also being elements contributing to his anxiety and distress 27/08/2019 - 26/11/2019 Date of judgment: 26/11/2019 | | |

¹ Plus any tax that may be chargeable to the applicants.