



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

THIRD SECTION

CASE OF URAZALIN AND OTHERS v. RUSSIA

*(Applications nos. 30580/21 and 30 others –
see appended list)*

JUDGMENT

STRASBOURG

16 January 2025

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

In the case of Urazalin 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 5 December 2024,

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 of the permanent video surveillance of detainees in pre-trial or post-conviction detention facilities. Some applicants also raised other complaints under the provisions of the Convention.

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 8 OF THE CONVENTION

7. The applicants complained principally of the permanent video surveillance of detainees in pre-trial or post-conviction detention facilities. They relied, expressly or in substance, on Article 8 of the Convention.

8. The Court has already established, in an earlier case against Russia, that the national legal framework governing the placement of detainees under permanent video surveillance in penal institutions falls short of the standards set out in Article 8 of the Convention (see *Gorlov and Others v. Russia* (nos. 27057/06 and 2 others, 2 July 2019). In *Gorlov and Others*, the Court summed up the general principles concerning the detainees' right to respect for private life reiterating that placing a person under permanent video surveillance whilst in detention was to be regarded as a serious interference with the individual's right to respect for his or her privacy (*ibid.*, §§ 81-82). It has further concluded that the national law cannot be regarded as being sufficiently clear, precise or detailed to have afforded appropriate protection against arbitrary interference by the authorities with the detainees' right to respect of their private life (*ibid.*, §§ 97-98).

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. It considers, regard being had to the case-law cited above, that in the instant case the placement of the applicants under permanent video surveillance when confined to their cells in pre-trial and post-conviction detention facilities was not "in accordance with law".

10. These complaints are therefore admissible and disclose a breach of Article 8 of the Convention.

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

11. The applicants submitted other complaints which also raised issues under the Convention and its Protocol No. 1, given the relevant well-established case-law of the Court (see the 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 and of Protocol No. 1 in the light of its well-established case-law (see *Svinarenko and Slyadnev v. Russia* [GC], nos. 32541/08 and 43441/08, §§ 113-39, ECHR 2014 (extracts), concerning placement in a metal cage in a courtroom during criminal proceedings; *Dirdizov v. Russia*, no. 41461/10, §§ 101-11, 27 November 2012, concerning the excessive length of pre-trial detention; *Idalov v. Russia* [GC], no. 5826/03, §§ 103-08

and 154-58, 22 May 2012, and *Tomov and Others v. Russia*, nos. 18255/10 and 5 others, §§ 92-156, 9 April 2019, concerning inadequate conditions of transport and the lack of an effective remedy in that respect; *Gorlov and Others*, cited above, concerning the absence of an effective domestic remedy to complain about permanent video surveillance in detention facilities; *Pshibiyev and Berov v. Russia*, no. 63748/13, 9 June 2020, and *Pavlova v. Russia*, no. 8578/12, 18 February 2020, concerning restrictions on family visits in pre-trial detention facilities and the lack of an effective remedy in that respect; and *Anchugov and Gladkov v. Russia*, nos. 11157/04 and 15162/05, 4 July 2013, concerning prisoners' right to vote).

V. REMAINING COMPLAINTS

12. In view of the above findings, the Court considers that there is no need to deal separately with the complaints lodged by the applicants (applications nos. 39075/21 and 39208/21) under Article 13 of the Convention in respect of their placement in a metal cage in the courtroom (compare *Valyuzhenich v. Russia*, no. 10597/13, § 27, 26 March 2019).

VI. APPLICATION OF ARTICLE 41 OF THE CONVENTION

13. Regard being had to the documents in its possession and to its case-law (see, in particular, *Gorlov and Others*, cited above, § 120, with further references, which imposed on the respondent State a legal obligation, under Article 46 of the Convention, to implement, under the supervision of the Committee of Ministers, such measures as they consider appropriate to secure the right of the applicants and other persons in their position to respect of their private life; and also *Anchugov and Gladkov*, cited above), the Court considers that the finding of a violation constitutes in itself a sufficient just satisfaction, as regards the complaints related to the permanent video surveillance in detention facilities, lack of an effective remedy in that respect and a violation of the right to vote in legislative elections. The Court further considers it reasonable to award the sums indicated in the appended table to the applicants in applications nos. 37902/21, 39075/21, 39208/21, 54982/21 and 5083/22.

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 facts that took place before 16 September 2022;

3. *Declares* the complaints under Article 8 of the Convention concerning the permanent video surveillance of detainees in pre-trial or post-conviction detention facilities and other complaints under the well-established case-law of the Court (see the appended table) admissible and *finds* that there is no need to deal separately with the complaints under Article 13 of the Convention about the lack of an effective remedy to complain about the placement in a metal cage in the courtrooms;
4. *Holds* that these applications disclose a breach of Article 8 of the Convention concerning the permanent video surveillance of detainees in pre-trial or post-conviction detention facilities;
5. *Holds* that there has been a violation of the Convention and its Protocol as regards the other complaints raised under the well-established case-law of the Court (see the appended table);
6. *Holds* that the finding of a violation constitutes in itself sufficient just satisfaction for the non-pecuniary damage sustained by the applicants, as regards the complaints under Article 8 of the Convention;
7. *Holds*
 - (a) that the respondent State is to pay the applicants in applications nos. 37902/21, 39075/21, 39208/21, 54982/21 and 5083/22, 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 16 January 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 8 of the Convention
(permanent video surveillance of detainees in pre-trial or post-conviction detention facilities)

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Detention facility	Period of detention	Specific circumstances	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.	30580/21 17/05/2021	Ikhtiyar Maratovich URAZALIN 1971	Kukharev Aleksandr Vladimirovich Moscow	SIZO-2 Nizhny Novgorod Region	28/05/2020 - 17/11/2020	opposite-sex operators, video surveillance in a lavatory and/or shower room	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
2.	30856/21 26/05/2021	Magomed-Rashid Mukharbekovich GAZIKOV 1978		IK-31 Komi Republic	05/02/2020 - 25/02/2021	opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
3.	30857/21 28/05/2021	Oleg Aleksandrovich PODUSHKA 1991		IK-25 Komi Republic	26/12/2016 – 17/04/2022	video surveillance in a lavatory and/or shower room	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
4.	37223/21 09/07/2021	Denis Vasilyevich MOLCHANOV 1988		IK-25 Komi Republic	February 2020 – pending as of 16/09/2022	opposite-sex operators, detention in different cells with video surveillance	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
5.	37340/21 07/07/2021	Aleksey Yevgenyevich LOSHMANOV 1981		IK-29 Kirov Region	24/12/2020 – 24/06/2022	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction

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No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Detention facility	Period of detention	Specific circumstances	Other complaints under well-established case-law	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros) ¹
6.	37364/21 07/07/2021	Oleg Aleksandrovich FEOKTISTOV 1983		SIZO-1 Smolensk Region	18/11/2018 - 15/02/2021	opposite-sex operators, detention in different cells with video surveillance		Finding of a violation will constitute sufficient just satisfaction
7.	37642/21 30/06/2021	Aleksey Veniaminovich RASTVOROV 1982		IK-25 Komi Republic	multiple placements (33) in punishment cells between 06/08/2018 and 18/04/2021, periods of placement from 5 to 15 days	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction.
8.	37902/21 22/07/2021	Igor Sergeyevich BUSHUYEV 1985	Yevsyunin Aleksey Konstantinovich Moscow	SIZO-4 Moscow	10/10/2018 – pending as of 22/07/2021	opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities, Art. 5 (3) - excessive length of pre-trial detention - during 07/07/2020 - 21/06/2021, failure to examine the possibility of applying other measures of restraint; failure to conduct the proceedings diligently leading to excessive length of detention on remand	1,300
9.	39075/21 27/08/2021	Yuliy Alekseyevich NESTEROV 1996		SIZO-1 St Petersburg	23/07/2020 - 22/01/2022	opposite-sex operators, video surveillance in a lavatory and/or shower room	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities, Art. 3 - use of metal cages and/or other security arrangements in courtrooms - Placement in a metal cage in the courtroom of the Dzerzhinskiy	7,500

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							District Court of St Petersburg, between 23/07/2020 and 29/07/2021	
10.	39208/21 12/07/2021	Aleksandr Nikolayevich CHURAKOV 1974		SIZO-1 St Petersburg	21/07/2018 – pending as of 16/09/2022	opposite-sex operators, detention in different cells with video surveillance	<p>Art. 3 - use of metal cages and/or other security arrangements in courtrooms - The applicant's placement in a metal cage during the hearings (in a trial court as well as via video-link) in the Nevskiy District Court of St Petersburg, St Petersburg City Court from 18/12/2019 to 12/03/2021,</p> <p>Art. 8 (1) - restrictions on family visits in pre-trial facilities - inability to have long-term family visits in SIZO-1 St Petersburg,</p> <p>Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities and in respect of refusals to have long-term family visits,</p> <p>Art. 3 - inadequate conditions of detention during transport - conditions of detention during transport between the remand prison and courthouse pending criminal proceedings (39 times) between 18/12/2019 and 12/03/2021- placement in a single occupancy cell in a prison van; transfers lasted from 1 to 3 hours</p>	9,750
11.	42046/21 27/09/2021	Viktor Aleksandrovich MYSIN 1978		IK-6 Khabarovsk Region	01/04/2021 - pending as of 16/09/2022	opposite-sex operators, detention in different cells with video surveillance	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction

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No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Detention facility	Period of detention	Specific circumstances	Other complaints under well-established case-law	Amount awarded for pecuniary and non-pecuniary damage and costs and expenses per applicant (in euros) ¹
12.	42211/21 06/08/2021	Murat Kachakovich AKAVOV 1968		IK-5 Krasnoyarsk Region	30/10/2011- 15/05/2022	opposite-sex operators, video surveillance in a lavatory and/or shower room		Finding of a violation will constitute sufficient just satisfaction
13.	42315/21 04/08/2021	Nikolay Anatolyevich PASHKEYEV 1989		IK-25 Komi Republic	24/12/2020 – pending as of 16/09/2022	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
14.	50358/21 20/09/2021	Vitaliy Vladimirovich KABANOV 1979		IK-5 Krasnoyarsk Region	25/05/2018 – pending as of 16/09/2022	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
15.	50565/21 29/09/2021	Andrey Vyacheslavovich FEDORENKO 1987		IK-25 Komi Republic	07/07/2017 - pending as of 16/09/2022	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
16.	53110/21 06/10/2021	Aleksandr Pavlovich KRUTIKHIN 1982		IK-25 Komi Republic	23/07/2017 – pending as of 16/09/2022	detention in different cells with video surveillance, video surveillance in a lavatory and/or shower room, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
17.	54537/21 14/10/2021	Stepan Leonidovich PALKIN 1988		IK-25 Komi Republic	31/01/2010 – pending as of 16/09/2022	opposite-sex operators, detention in different cells with video surveillance	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction

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18.	54982/21 27/09/2021	Maksim Yevgenyevich BUZOV 1987		Settlement colony no. 10 Irkutsk Region	23/09/2021 – 07/01/2022	opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities and in respect of inadequate conditions of detention during transport, Art. 3 - inadequate conditions of detention during transport - transfers by van between the colony and workplace, 22/09/2021-23/09/2021, passive smoking, no or restricted access to potable water, no or restricted access to toilet, overcrowding	1,000
19.	55397/21 24/10/2021	Ruslan Nikolayevich VASILYEV 1986		IK-24 Komi Republic	12/08/2019 - pending as of 16/09/2022	opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
20.	56223/21 22/01/2022	Aleksey Yevgenyevich ARZYUTOV		IK-25 Komi Republic	25/11/2020 – pending as of 16/09/2022	detention in different cells with video surveillance, opposite-sex operators, video surveillance in a lavatory and/or shower room	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
21.	56224/21 13/12/2021	Demyan Aleksandrovich SHEPELEV 1989		IZ-3 Komi Republic	27/06/21-17/07/2021 23/07/2021-29/07/2021	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
22.	508/22 24/11/2021	Aleksandr Pavlovich BONDARENKO 1986		SIZO-3 Komi Republic	21/07/2018 - 09/07/2021	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities,	Finding of a violation will constitute sufficient just satisfaction

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							Prot. 1 Art. 3 - ineligibility to vote in or stand for elections - inability to vote in elections of members of the State Duma (Parliament) in September 2021	
23.	1721/22 09/01/2022	Andrey Anatolyevich SHESTERNIN 1966		IK-6 Khabarovsk Region	09/09/2019 – pending as of 16/09/2022	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
24.	1828/22 30/08/2021	Vladimir Vasilyevich IVANOV 1957		IK-5 Krasnoyarsk Region	02/10/2019 - 03/03/2021	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
25.	1829/22 07/12/2021	Andrey Alekseyevich SEMENOV 1980		IK-8 Komi Republic	11/12/2020 – 30/01/2022	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
26.	2244/22 30/11/2021	Sergey Vasilyevich MARTYSHOV 1983		IZ-3 Belgorod Region	17/10/2019 - 22/07/2021	detention in different cells with video surveillance, opposite-sex operators, video surveillance in a lavatory and/or shower room	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
27.	2932/22 03/12/2021	Vladimir Ivanovich GOLBAN 1962		IK-6 Khabarovsk Region	17/12/2020 – pending as of 16/09/2022	opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
28.	3986/22 27/04/2022	Zafar Shodiyevich KURBONOV 1980		IK-6 Krasnoyarsk Region	06/10/2016 – pending as of 16/09/2022	opposite-sex operators, detention in different cells with video surveillance		Finding of a violation will constitute sufficient just satisfaction

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29.	5083/22 27/12/2021	Viktor Gennadyevich BARDAKOV 1979		IK-8 Komi Republic	17/05/2017 – 18/02/2022	detention in different cells with video surveillance, opposite-sex operators	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities and in respect of inadequate conditions of detention during transport, Art. 3 - inadequate conditions of detention during transport - van, train, transit cell, 24/07/2021-03/08/2021, 0.32-0.5 sq. m, overcrowding, lack or inadequate furniture, insufficient number of sleeping places, lack of or poor quality of bedding and bed linen, no or restricted access to toilet, lack of or insufficient natural light, lack of fresh air, lack of privacy for toilet	1,000
30.	5709/22 20/12/2021	Dmitriy Vyacheslavovich BURDYKO 1981		FKU LIU-32 Krasnoyarsk Region	30/04/2021 – 30/12/2021	opposite-sex operators, video surveillance in a lavatory and/or shower room	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction
31.	8073/22 18/01/2022	Dmitriy Dmitriyevich SAVVIN 1986		UK-49 Komi Republic	April 2019 – pending as of 16/09/2022	detention in different cells with video surveillance, opposite-sex operators, video surveillance in a lavatory and/or shower room	Art. 13 - lack of any effective remedy in domestic law in respect of permanent video surveillance in detention facilities	Finding of a violation will constitute sufficient just satisfaction

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