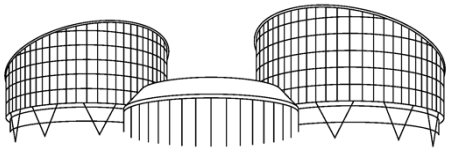

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

THIRD SECTION

CASE OF B.U. AND OTHERS v. RUSSIA

(Applications nos. 59609/17 and 2 others – see appended list)

JUDGMENT

STRASBOURG

22 January 2019

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

In the case of B.U. and Others v. Russia,

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

Alena Poláčková, *President,*
Dmitry Dedov,
Jolien Schukking, *judges,*
and Stephen Phillips, *Section Registrar,*

Having deliberated in private on 18 December 2018,

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

PROCEDURE

1. The case originated in three applications (nos. 59609/17, 74677/17 and 76379/17) 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 two Tajik nationals and one Uzbek national ("the applicants") on various dates, as indicated in the appendix.

2. The applicants were represented by various lawyers, as also indicated in the appendix. The Russian Government ("the Government") were represented by Mr M. Galperin, Representative of the Russian Federation to the European Court of Human Rights.

3. On various dates requests lodged by the applicants for interim measures preventing their removal to their respective countries of origin were granted by the Court under Rule 39 of the Rules of Court. The applications were also granted priority (Rule 41) and confidentiality (Rule 33) and the applicants were granted anonymity (Rule 47 § 4).

4. The applicants submitted complaints under Articles 3 and 5 of the Convention in connection with the pending removal to their countries of origin.

5. On 12 January 2018 notice of the above complaints was given to the Government and the remainder of the applications was declared inadmissible.

6. On 16 July 2018 the applicant's representative in the case *I.N v. Russia*, no. 76379/17 informed the Court that the applicant did not wish to maintain his complaint under Article 3 of the Convention, while maintaining his complaint under Article 5 of the Convention. He further requested that the previously indicated interim measure be discontinued. On 29 October 2018 the Court decided to discontinue the indication of the interim measure in the applicant's case.

THE FACTS

I. THE CIRCUMSTANCES OF THE CASE

7. The applicants are nationals of Tajikistan and Uzbekistan. Their initials, dates of birth, the dates on which their applications were lodged, the application numbers, as well as the particulars of the domestic proceedings and other relevant information are set out in the appendix.

8. On various dates the applicants were charged in their countries of origin with religious and politically motivated crimes, their pre-trial detention was ordered *in absentia*, and international search warrants were issued by the authorities.

9. Subsequently, the Russian authorities took final decisions to remove (that is to say extradite or expel) the applicants, despite consistent claims that in the event of removal the applicants would face a real risk of treatment contrary to Article 3 of the Convention.

II. RELEVANT DOMESTIC LAW

10. The relevant domestic and international law is summarised in the Court's judgments on removal from Russia to Tajikistan and Uzbekistan (see *Savriddin Dzhurayev v. Russia*, no. 71386/10, §§ 70-101, ECHR 2013 (extracts), and *Akram Karimov v. Russia*, no. 62892/12, §§ 69-105, 28 May 2014).

III. REPORTS ON TAJIKISTAN AND UZBEKISTAN

11. The relevant reports by UN agencies and international NGOs on the situation in Tajikistan were cited in the case of *K.I. v. Russia* (no. 58182/14, §§ 2-28, 7 November 2017) and on the situation in Uzbekistan in the cases of *Kholmurodov v. Russia* (no. 58923/14, §§ 46-50, 1 March 2016), and *T.M. and Others v. Russia* ([Committee], no. 31189/15, § 28, 7 November 2017).

THE LAW

12. In accordance with Rule 42 § 1 of the Rules of Court, the Court decides to join the applications, given that they concern similar facts and raise identical legal issues under the Convention.

I. ALLEGED VIOLATION OF ARTICLE 3 OF THE CONVENTION

13. The applicants in the cases *B.U. v. Russia*, no. 59609/17 and *A.S. v. Russia*, no. 74677/17 complained under Article 3 of the Convention that the national authorities had failed to consider their claims that they could be at risk of ill-treatment in the event of their removal to their respective countries of origin and that their removal would expose them to that risk if it were to take place. Article 3 of the Convention reads:

> "No one shall be subjected to torture or to inhuman or degrading treatment or punishment."

14. The Government contested the applicants' claims.

A. Admissibility

15. The Court notes that this complaint is not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention. It further notes that it is not inadmissible on any other grounds. It must therefore be declared admissible.

B. Merits

1. General principles

16. The relevant general principles concerning the application of Article 3 have been summarised by the Court in the judgment in the case of *F.G. v. Sweden* ([GC], no. 43611/11, §§ 111-27, ECHR 2016).

2. Application of those principles to the present case

(a) Existence of substantial grounds for believing that the applicant faces a real risk of ill-treatment

17. The Court has previously established that individuals whose extradition was sought by either Uzbek or Tajik authorities on charges of religiously or politically motivated crimes constituted a vulnerable group facing a real risk of treatment contrary to Article 3 of the Convention in the event of their removal to their respective countries of origin (see *Mamazhonov v. Russia,* no. 17239/13, § 141, 23 October 2014, and *K.I. v. Russia*, cited above, § 36).

18. Turning to the present cases, it is apparent that in the course of the extradition and expulsion proceedings the applicants consistently and specifically argued that they were being prosecuted for religious extremism and faced a risk of ill-treatment. The material relating to the charges made by the Tajik and Uzbek authorities was clear as to its basis, namely that the applicants were accused of religiously and politically motivated crimes. The

Tajik and Uzbek authorities thus directly identified the applicants with groups whose members have previously been found to be at real risk of being subjected to treatment proscribed by the Convention.

19. In such circumstances, the Court considers that the Russian authorities had at their disposal sufficiently substantiated complaints pointing to a real risk of ill-treatment.

20. The Court is therefore satisfied that the applicants presented the Russian authorities with substantial grounds for believing that they faced a real risk of ill-treatment in their countries of origin.

(b) Duty to assess claims of a real risk of ill-treatment through reliance on sufficient relevant material

21. Having concluded that the applicants had advanced at national level valid claims based on substantial grounds for believing that they faced a real risk of treatment contrary to Article 3 of the Convention, the Court must examine whether the authorities discharged their obligation to assess those claims adequately through reliance on sufficient relevant material.

22. Turning to the present cases, the Court considers that in the extradition and expulsion proceedings the domestic authorities did not carry out a rigorous scrutiny of the applicants' claims that they faced a risk of ill-treatment in their home country. The Court reaches this conclusion having considered the national courts' simplistic rejections of the applicants' claims. Moreover, the domestic courts' reliance on the assurances of the Tajik and Uzbek authorities, despite their formulation in standard terms, appears tenuous, given that similar assurances have consistently been considered unsatisfactory by the Court in the past (see, for example, *Abdulkhakov v. Russia*, no. 14743/11, §§ 149-50, 2 October 2012, and *Tadzhibayev v. Russia*, no. 17724/14, § 46, 1 December 2015).

23. The Court also notes that the Russian legal system, in principle, offers several avenues whereby the removal of applicants to their countries of origin could be prevented, given the risk of ill-treatment they face there. However, the facts of the present cases demonstrate that the applicants' claims were not adequately considered in any relevant proceedings, despite being consistently raised (see appendix for details of the proceedings).

24. The Court concludes that, although the applicants had sufficiently substantiated their claims that they would risk ill-treatment in their countries of origin, the Russian authorities failed to assess their claims adequately through reliance on sufficient relevant material. This failure opened the way for the applicants' removal.

(c) Existence of a real risk of ill-treatment or danger to life

25. Given the failure of the domestic authorities to adequately assess the alleged real risk of ill-treatment through reliance on sufficient relevant material, the Court finds itself compelled to examine independently whether

or not the applicants would be exposed to such a risk in the event of their removal to their countries of origin.

26. The Court notes that nothing in the parties' submissions, nor any previously examined relevant material from independent international sources (see paragraph 11 above) provides a basis for concluding that the criminal justice system of Tajikistan or Uzbekistan, or the specific treatment of those prosecuted for religiously and politically motivated crimes, has improved.

27. Having given due consideration to the available material, the Court concludes that authorising the applicants' removal to their countries of origin would expose them to a real risk of treatment contrary to Article 3 of the Convention.

(d) Conclusion

28. The foregoing considerations are sufficient to enable the Court to conclude that there would be a violation of Article 3 of the Convention in the cases *B.U. v. Russia*, no. 59609/17 and *A.S. v. Russia*, no. 74677/17 if the applicants were to be removed to their respective countries of origin.

II. ALLEGED VIOLATION OF ARTICLE 5 § 1 OF THE CONVENTION

29. The applicants in the cases *B.U. v. Russia* (no. 59609/17) and *I.N. v. Russia* no. 76379/17) complained that their detention pending administrative expulsion had been unreasonably long and had been ordered without any indication of time-limits or prospects of release. The applicant in the case *A.S. v. Russia* (no. 74677/17) complained that he had been kept in detention between 12 noon on 29 August 2017 and 9 a.m. on 30 August 2017 without the relevant arrest records being drawn up. They relied on Article 5 § 1 of the Convention, the relevant parts of which read as follows:

> "1. Everyone has the right to liberty and security of person. No one shall be deprived of his liberty save in the following cases and in accordance with a procedure prescribed by law:
>
> ...
>
> (f) the lawful arrest or detention ... of a person against whom action is being taken with a view to deportation or extradition ..."

30. In their observations of 11 June 2018 in the cases *B.U. v. Russia* (no. 59609/17) and *I.N. v. Russia* (no. 76379/17), the Government limited their submissions to general claims about the interrelation of Article 5 §§ 1 (f) and 4 standards, as well as the general principles pertaining to detentions pending removal. They presented no arguments focusing directly on the applicants' situations or the particularities of the relevant facts or proceedings.

31. In their observations of 11 June 2018 in the case *A.S. v. Russia* (no. 74677/17) the Government reserved their right to delay the submission of their position and documents until "the further stages of the proceedings", but finally never submitted any subsequent observations on the applicant's complaint under Article 5 of the Convention.

32. The Court notes that these complaint are not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention. It further notes that they are not inadmissible on any other grounds. They must therefore be declared admissible.

33. As regards the applicants' complaints in the cases *B.U. v. Russia*, (no. 59609/17) and *I.N. v. Russia* (no. 76379/17), the Court reiterates that the exception in sub-paragraph (f) of Article 5 § 1 of the Convention requires only that "action is being taken with a view to deportation or extradition" without any further justification (see, among others, *Chahal v. the United Kingdom*, 15 November 1996, § 112, *Reports of Judgments and Decisions* 1996-V) and that deprivation of liberty will be justified as long as deportation or extradition proceedings are in progress (see *A. and Others v. the United Kingdom* [GC], no. 3455/05, § 164, ECHR 2009). In asking whether "action is being taken with a view to deportation", this Court has found that removal must be a realistic prospect (see *A. and Others*, cited above, § 167, and *Amie and Others v. Bulgaria*, no. 58149/08, § 144, 12 February 2013). While an interim measure indicated under Rule 39 of the Rules of Court might at times be the only actual barrier to an applicant's expulsion, its indication does not necessarily create a presumption that the expulsion is not possible or that the subsequent detention is arbitrary. A detention period subject to review at regular intervals, as long as expulsion remains a realistic possibility, might be reasonable given the authorities' decisions to maintain that detention awaiting the outcome of this Court's judgment (see *Ahmed v. the United Kingdom*, no. 59727/13, §§ 45-59, 2 March 2017).

34. The Court observes that prior to their detention pending expulsion the applicants had been detained pending extradition for approximately one year. On the day of their release from detention pending extradition they were immediately re-arrested for violation of migration rules. They were found guilty by the district courts (see the appendix), which ordered their administrative removal and placed them in detention pending expulsion without indicating any time-limits. Those judgments were subsequently upheld in full by the Moscow City Court after the Court had indicated the interim measures.

35. The domestic judicial decisions ordering the applicants' detention pending expulsion contained no analysis of the particularities of the cases as regards the need for detention, and no estimation of how realistic the applicants' removal was in the light of the Rule 39 measure. Nor did those decisions set any time-limits for review of the continued validity of the

applicants' detention. In the absence of scrutiny by the domestic courts of those decisive elements, the Court must conclude that it has not been demonstrated that the length of the applicants' detention pending expulsion was compliant with what was reasonably required for the purpose pursued.

36. Accordingly, there has been a violation of Article 5 § 1 (f) of the Convention in the cases *B.U. v. Russia* (no. 59609/17) and *I.N. v. Russia* (no. 76379/17).

37. As regards the complaint in the case *A.S. v. Russia* (no. 74677/17) about the absence of the relevant arrest records for the detention between 12 noon on 29 August 2017 and 9 a.m. on 30 August 2017, the Court notes that the Government in their observations provided no arguments or documents relevant to the issue, nor advanced an inadmissibility plea. It must be further observed that according to the prosecutor's letter of 1 June 2018, the applicant was indeed arrested and detained without the police drawing up the relevant arrest records.

38. In the absence of any arguments or material capable of dispelling the applicant's allegations and having regard to its case-law on the matter, the Court finds that the applicant's detention between 12 noon on 29 August 2017 and 9 a.m. on 30 August 2017 without the relevant arrest records was incompatible with Article 5 of the Convention.

39. Accordingly, there has been a violation of Article 5 § 1 of the Convention in the case *A.S. v. Russia*.

III. ALLEGED VIOLATION OF ARTICLE 5 § 4 OF THE CONVENTION

40. The applicants in the cases *B.U. v. Russia* (no. 59609/17) and *I.N. v. Russia* (no. 76379/17) further complained that the length of the appeal proceedings in their cases against the detention orders of 12 January 2017 before the Nagatinskiy District Court of Moscow and of 1 June 2017 before the Chertanovskiy District Court of Moscow, respectively, had not complied with the "speediness" requirement of Article 5 § 4 of the Convention. They also complained that they had not had at their disposal an effective procedure by which they could have challenged their continued detention. The relevant provisions of the Convention read as follows:

> "Everyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings by which the lawfulness of his detention shall be decided speedily by a court and his release ordered if the detention is not lawful."

41. The Government stated that those matters were the subject of the well-established case-law of the Court and that the documents submitted by the applicants were sufficient for a decision on the matter. They did not provide any further comments.

42. The Court notes that these complaints are not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention. It further notes

that they are not inadmissible on any other grounds. They must therefore be declared admissible.

43. The Court observes that in the case *B.U. v. Russia* the detention order of 12 January 2017 issued by the Nagatinskiy District Court of Moscow was upheld on appeal by the Moscow City Court on 14 June 2017, that is five months later. It further observes that in the case *I.N. v. Russia* the detention order of 1 June 2017 issued by the Chertanovskiy District Court of Moscow was upheld on appeal by the Moscow City Court on 27 June 2017, that is twenty-six days later.

44. In the absence of any arguments capable of justifying the time taken to review the appeals and given that the applicants' liberty was at stake in the above-mentioned proceedings, the Court finds that the time taken to review the applicants' appeals against the detention orders was unreasonable in the light of the "speediness" requirement under the Convention.

45. Accordingly, there has been a violation of Article 5 § 4 of the Convention in this regard.

46. As regards the complaints concerning the absence of an effective procedure by which the applicants could have challenged their continued detention, the Court notes that these complaints were couched in general and abstract terms. At the same time, the Government in their observations did not provide any specific comments on the matter and considered it to be the subject of the Court's well-established case-law.

47. Accordingly, having regard to the judgment in the case *Azimov v. Russia* (no. 67474/11, §§ 150-55 and §§ 160-74, 18 April 2013), the Court finds that there has been a violation of Article 5 § 4 of the Convention in this regard.

IV. APPLICATION OF THE INTERIM MEASURES UNDER RULE 39 OF THE RULES OF COURT

48. On various dates the Court indicated to the respondent Government, under Rule 39 of the Rules of Court, that the applicants should not be removed from Russia to their respective countries of origin for the duration of the proceedings before the Court.

49. In this connection, the Court reiterates that, in accordance with Article 28 § 2 of the Convention, the present judgment is final.

50. Accordingly, the Court considers that the measures indicated to the Government under Rule 39 of the Rules of Court in the cases *B.U. v. Russia*, no. 59609/17 and *A.S. v. Russia*, no. 74677/17 come to an end.

V. APPLICATION OF ARTICLE 41 OF THE CONVENTION

51. 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

52. The applicants claimed 10,000 euros (EUR) each in respect of non-pecuniary damage.

53. The Government stated that in the event of the Court finding a violation, any just satisfaction awarded to the applicants should be in compliance with the Court's well-established case-law.

54. In the light of the nature of the established violations of Article 3 of the Convention in the cases *B.U. v. Russia*, no. 59609/17 and *A.S. v. Russia*, no. 74677/17 and the specific facts of the present case, the Court considers that its finding that there would be a violation of Article 3 of the Convention if the applicants were to be removed to their respective countries of origin constitutes sufficient just satisfaction in respect of any non-pecuniary damage suffered (see, to similar effect, *J.K. and Others v. Sweden* [GC], no. 59166/12, § 127, ECHR 2016).

55. At the same time, having regard to its conclusions under Article 5 of the Convention (see paragraphs 36, 39, 45 and 47 above) and acting on an equitable basis, the Court awards each applicant EUR 5,000 in respect of non-pecuniary damage.

B. Costs and expenses

56. The applicants also claimed between EUR 2,520 and 2,880 for the costs and expenses incurred before the Court.

57. The Government did not provide specific comments in this regard.

58. Regard being had to the documents in its possession and to its case-law, the Court considers it reasonable that the sums indicated in the appended table be awarded and that these sums should be payable directly to the applicants' representatives.

C. Default interest

59. 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 of the Convention in the cases *B.U. v. Russia*, no. 59609/17 and *A.S. v. Russia*, no. 74677/17 and under Article 5 of the Convention in the cases *B.U. v. Russia*, no. 59609/17, *A.S. v. Russia*, no. 74677/17, and *I.N. v. Russia*, no. 76379/17 admissible;

3. *Holds* that there would be a violation of Article 3 of the Convention in the cases *B.U. v. Russia*, no. 59609/17 and *A.S. v. Russia*, no. 74677/17 if the applicants were to be removed to their respective countries of origin;

4. *Holds* that there has been a violation of Article 5 § 1 of the Convention in the cases *B.U. v. Russia*, no. 59609/17, *A.S. v. Russia*, no. 74677/17, and *I.N. v. Russia*, no. 76379/17;

5. *Holds* that there has been a violation of Article 5 § 4 of the Convention in the cases *B.U. v. Russia*, no. 59609/17 and *I.N. v. Russia*, no. 76379/17;

6. *Holds* that the finding that there would be a violation of Article 3 of the Convention in the cases *B.U. v. Russia*, no. 59609/17 and *A.S. v. Russia*, no. 74677/17 in the event of the applicants' removal to their respective countries of origin constitutes in itself sufficient just satisfaction for the non-pecuniary damage sustained by the applicants in this regard;

7. *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 the sums awarded in respect of costs and expenses incurred in the proceedings before the domestic courts and this Court are to be payable directly to the applicants' representatives;
   (c) 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;

8. *Dismisses* the remainder of the applicants' claims for just satisfaction.

Done in English, and notified in writing on 22 January 2019, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Stephen Phillips Registrar	Alena Poláčková President

APPENDIX

No.	Name, date of birth, nationality; application no., lodged on; represented by	Dates of detention and release	Removal proceedings (type, progress, outcome)	Refugee and/or temporary asylum proceedings	Other relevant information	Just satisfaction award
1.	**B.U. v. Russia** 6 June 1986 Tajikistan App. no. 59609/17 17 August 2017 Daria TRENINA Eleonora DAVIDYAN Kirill ZHARINOV	*Detention pending extradition* 12 July 2016 – arrested and subsequently detained 12 January 2017 – prolongation of detention by the Nagatinskiy District Court of Moscow 14 January 2017 – the applicant appealed 17 January 2017 – appeal received by the Nagatinskiy District Court of Moscow 2 June 2017 – appeal resubmitted due to absence of a decision on the previous one 14 June 2017 – order upheld by the Moscow City Court 11 July April 2017 – applicant released due to quashing of the extradition order by the Moscow City Court *Detention pending expulsion* 11 July 2017 – arrest and subsequent detention The applicant is still in detention	*Extradition proceedings* 1 March 2016 – international search warrant issued by Tajik authorities 2 March 2016 – detention order issued *in absentia* by Tajik authorities 27 July 2016 – extradition request on charges of extremism 5 June 2017 – extradition request granted by the Russian Prosecutor General's Office 11 July 2017 – extradition order quashed by the Moscow City Court 14 September 2017 – judgment upheld by the Supreme Court of the Russian Federation *Expulsion proceedings* 13 July 2017 – expulsion ordered by the Nagatinskiy District Court of Moscow 22 August 2017 – expulsion order upheld by final judgment of the	*Refugee status proceedings* 11 May 2017 – final refusal to grant refugee status by the migration authorities	21 August 2017 – interim measure preventing the applicant's removal	EUR 5,000 to the applicant in respect of the non-pecuniary damaged incurred in connection with a violation of his rights under Article 5 of the Convention EUR 2,880 to Ms Trenina, Ms Davidyan and Mr Zharinov jointly, in respect of costs and expenses incurred in the proceedings before the Court

No.	Name, date of birth, nationality; application no., lodged on; represented by	Dates of detention and release	Removal proceedings (type, progress, outcome)	Refugee and/or temporary asylum proceedings	Other relevant information	Just satisfaction award
			Moscow City Court 20 March 2018 – enforcement of the expulsion order suspended by the Nagatinskiy District Court of Moscow in view of the interim measure indicated by the Court			
2.	**A.S. v. Russia** 3 March 1992 Tajikistan App. no. 74677/17 23 October 2017 Daria TRENINA Eleonora DAVIDYAN Kirill ZHARINOV	*Detention pending extradition* 27 August 2017 – arrested 29 August 2017 – released due to failure of Tajik authorities to submit a detention order *Detention pending expulsion* 12 noon on 29 August 2017 – applicant arrested allegedly in absence of any relevant records 9 p.m. on 30 August 2017 – applicant released after court hearing	*Extradition proceedings* 4 May 2017 – international search warrant issued by Tajik authorities *Expulsion proceedings* 30 August 2017 – expulsion ordered by the Zamoskvoretskiy District Court of Moscow 26 October 2017 – expulsion order upheld by final judgment of the Moscow City Court	*Refugee status proceedings* 21 August 2017 – the applicant allegedly attempted to lodge an asylum application, but was threatened with arrest by migration authority officers and left	28 April 2018 – complaint to the prosecutor's office about the applicant's undocumented detention between 29 and 30 August 2018 1 June 2018 – a prosecutor, having examined the case file, acknowledged that no relevant arrest records had been drawn up by the arresting police officers 23 October 2017 – interim measure preventing the applicant's removal	EUR 5,000 to the applicant in respect of the non-pecuniary damaged incurred in connection with a violation of his rights under Article 5 of the Convention EUR 2,520 to Ms Trenina, Ms Davidyan and Mr Zharinov jointly, in respect of costs and expenses incurred in the proceedings before the Court

No.	Name, date of birth, nationality; application no., lodged on; represented by	Dates of detention and release	Removal proceedings (type, progress, outcome)	Refugee and/or temporary asylum proceedings	Other relevant information	Just satisfaction award
3.	**I.N. v. Russia** 25 June 1994 Uzbekistan App. no. 76379/17 2 November 2017 Daria TRENINA Eleonora DAVIDYAN Kirill ZHARINOV	*Detention pending extradition* 8 December 2016 – arrested and subsequently detained 1 June 2017 – prolongation of detention ordered by the Chertanovskiy District Court of Moscow 27 June 2017 – order upheld by the Moscow City Court 1 November 2017– applicant released due to refusal of extradition request *Detention pending expulsion* 1 November 2017 – arrest and subsequent detention The applicant is still in detention	*Extradition proceedings* 30 August 2016 – international search warrant issued by Uzbek authorities 1 September 2016 – detention order *in absentia* issued by Uzbek authorities 30 December 2016 – extradition request on charges of extremism 26 October 2017– extradition request refused by the Russian Prosecutor General's Office on account of applicant's actions not being recognised as a crime under Russian law *Expulsion proceedings* 2 November 2017 – expulsion ordered by the Chertanovskiy District Court of Moscow 30 November 2017 – expulsion order upheld by final judgment of the Moscow City Court 10 November 2017 – enforcement of the expulsion order suspended by the Chertanovskiy District Court of	*Refugee status proceedings* 19 April 2017 – applicant applied for asylum 12 May 2017 – interview with migration authority officers, who allegedly misled the applicant into withdrawing his asylum application and applying for temporary asylum; the applicant's representative was absent 9 June 2017 – consideration of the asylum application terminated by	2 November 2017 – interim measure preventing the applicant's removal 16 July 2018 – the applicant decided to withdraw his complaint under Article 3 of the Convention 29 October 2018 – interim measure preventing the applicant's removal discontinued	EUR 5,000 to the applicant in respect of the non-pecuniary damaged incurred in connection with a violation of his rights under Article 5 of the Convention EUR 2,520 to Ms Trenina, Ms Davidyan and Mr Zharinov jointly, in respect of costs and expenses incurred in the proceedings before the Court

No.	Name, date of birth, nationality; application no., lodged on; represented by	Dates of detention and release	Removal proceedings (type, progress, outcome)	Refugee and/or temporary asylum proceedings	Other relevant information	Just satisfaction award
			Moscow in view of the interim measure indicated by the Court	the migration authorities due to withdrawal of the request *Temporary asylum proceedings* 7 June 2017 – refusal of temporary asylum by the migration authorities		