



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

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FOURTH SECTION

Application no. 41145/15
Synaver Arifovych KADYROV against Russia
and 4 other applications
(see list appended)
communicated on 2 September 2026

SUBJECT MATTER OF THE CASE

The applications arise from the conflict between Ukraine and the Russian Federation, following the latter's assertion of jurisdiction over Crimea as of 27 February 2014 (see *Ukraine v. Russia (re Crimea)* (dec.) [GC], nos. 20958/14 and 38334/18, § 335, 16 December 2020). They primarily concern administrative expulsion orders and other restrictions imposed on the applicants by the Russian authorities in Crimea.

All the applicants are Ukrainian nationals and permanent residents of Crimea. On various dates, all of them except Ms Sizareva (application no. 32554/17) were found guilty under Article 18.8 § 1.1 of the Code of Administrative Offences of the Russian Federation for breaching the rules on the temporary stay of foreign nationals in the Russian Federation. They were fined and ordered to leave the territory under the procedure of supervised voluntary departure (*административное выдворение*). Some of the applicants challenged those measures, without success. The facts of the individual cases, as submitted by the applicants, are summarised in the Appendix.

The applicants complain under Article 2 of Protocol No. 4 to the Convention about the restrictions imposed by the Russian authorities on their movement between Crimea and mainland Ukraine and their right to choose their place of residence.

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Mr Sizarev (application no. 32554/17) further complains under Article 5 of the Convention that he was unlawfully detained by the Russian authorities in a Temporary Detention Centre for Foreign Nationals in Krasnodar region in Russia.

Mr Kadyrov (application no. 41145/15) complains that the courts which examined his case were not established by law, in breach of Article 6 § 1 of the Convention. Relying on the same provision, Mr Sizarev complains that, at the hearing before the “Supreme Court of the Republic of Crimea” on 2 February 2017, he was denied the right to defend himself in person or through a representative.

Furthermore, Mr Kadyrov, Mr Sizarev and Ms Sizareva, and Mr Bulavinov (application no. 41466/22), complain expressly or in substance, that their expulsion from Crimea, or the threat of expulsion in Mr Bulavinov’s case, interfered with their private and/or family lives, in breach of Article 8 of the Convention. Ms Sizareva raises a similar complaint under Article 3 of Protocol No. 4 to the Convention in respect of the expulsion of her husband in 2017; that complaint was introduced on 29 February 2020.

Relying on Article 14 of the Convention in conjunction with Article 2 of Protocol No. 4, Mr Kadyrov, Mr Strelbytskyy (application no. 2111/18) and Mr Kovalchuk (application no. 24490/18) complain that they were discriminated against on the grounds of their Ukrainian nationality, arguing that the Russian authorities applied to them the rules governing the stay of foreign nationals under Russian law.

Mr Bulavinov further complains under Article 18 of the Convention that the restrictions imposed on his stay in Crimea pursued the aim of integrating the peninsula into the Russian Federation.

Lastly, Mr Sizarev complains under Article 1 of Protocol No. 7 to the Convention that the procedural guarantees applicable to his expulsion from Crimea were not respected.

COMMON QUESTIONS TO THE PARTIES

1. Have the applicants complied with the admissibility requirements set forth in Article 35 § 1 of the Convention?

In particular, do the facts underlying the complaints of Ms Sizareva and Mr Bulavinov give rise to a “continuing situation” for the purposes of the six-month rule?

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If so, did the applicants lodge their complaints within the Court without undue delay (see *Sargsyan v. Azerbaijan* (dec.) [GC], no. 40167/06, §§ 124-48, 14 December 2011, and *Samadov v. Armenia* (dec.), no. 36606/08, §§ 10-18, 26 January 2021)?

2. Has there been a violation of the applicants' right to liberty of movement under Article 2 § 1 of Protocol No. 4 to the Convention (see *Ukraine v. Russia (re Crimea)* [GC], nos. 20958/14 and 38334/18, §§ 1174-75, 25 June 2024)?

CASE-SPECIFIC QUESTIONS

Application no. 32554/17

1. Was Mr Sizarev deprived of his liberty in breach of Article 5 § 1 of the Convention (see *Ukraine v. Russia (re Crimea)*, cited above, §§ 943-46 and 998)?

2. Did Mr Sizarev have an effective domestic remedy in respect of his complaint under Article 2 of Protocol No. 4, as required by Article 13 of the Convention?

Applications nos. 41145/15 and 32554/17

Did the applicants have a fair hearing in the determination of their civil rights and obligations, examined by an independent and impartial tribunal established by law, in accordance with Article 6 § 1 of the Convention?

Applications nos. 41145/15, 32554/17 and 41466/22

Has there been a violation of the applicants' right to respect for their private and family lives under Article 8 of the Convention?

Applications nos. 41145/15, 2111/18 and 24490/18

Have the applicants been discriminated against, on the grounds of their Ukrainian nationality, in the enjoyment of their rights under Article 2 of Protocol No. 4, contrary to Article 14 of the Convention taken together with that provision?

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Application no. 41466/22

Were the restrictions imposed by the respondent Government on the applicant, purportedly pursuant to Article 8 of the Convention and Article 2 of Protocol No. 4, applied for a purpose not envisaged by those provisions, in breach of Article 18 of the Convention (see *Ukraine v. Russia (re Crimea)*, cited above, §§ 1351-82)?

APPENDIX

List of cases

No.	Application no. Case name Introduction date	Applicant Year of Birth Nationality	Represented by	Summary of facts
1.	41145/15 Kadyrov v. Russia 06/08/2015	Synaver Arifovych KADYROV 1955 Ukrainian	Sergiy Anatoliyovych ZAYETS	The applicant is a Crimean resident and a Crimean Tatar activist. On 23 January 2015 he was detained by Russian border guards while travelling from Crimea to mainland Ukraine. On the same date the “Armianskiy City Court of the Republic of Crimea” found him guilty of breaching the rules on the temporary stay of foreign nationals in the Russian Federation, pursuant to Article 18.8 § 1.1 of the Code of Administrative Offences of the Russian Federation (hereafter - “the CAO”). The court imposed a fine on the applicant and ordered him to leave the territory under the procedure of supervised voluntary departure. The applicant challenged the judgment, but without success. The final decision was given by the “Supreme Court of the Republic of Crimea” on 6 February 2015. Subsequently, the applicant initiated a supervisory review procedure as a result of which the examination was terminated by the “Armianskiy City Court of the Republic of Crimea” on 22 April 2016 due to the expiry of the statutory time-limit for administrative liability. In a letter dated 9 March 2016, the FSB informed the applicant that he was banned from entering the Russian Federation until 5 February 2015, on national security grounds, with reference to Article 27 § 1 (1) of the Federal Law No. 114-FZ “On the Procedure for Entering and Leaving the Russian Federation (“Federal Law No. 114-FZ”). The applicant alleges that the date indicated in the FSB’s letter is incorrect and that the entry-ban was, in fact, imposed for an indefinite period of time.

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No.	Application no. Case name Introduction date	Applicant Year of Birth Nationality	Represented by	Summary of facts
2.	32554/17 Sizarev and Sizareva v. Russia 12/06/2017	Konstantin Konstantinovich SIZAREV 1958 Ukrainian Yelena Sergeyevna SIZAREVA 1994 Ukrainian		The applicants, a married couple, resided in Crimea. Following the Russian Federation's assertion of jurisdiction over Crimea, the second applicant, Ms Sizareva, and the couples' children were granted Russian citizenship. The first applicant, Mr Sizarev, applied for Russian citizenship but his application was refused. He therefore continued to reside in Crimea as a Ukrainian citizen. On 9 December 2016 the "Yevpatoriia City Court of the Republic of Crimea" found the first applicant guilty under Article 18.8 § 1.1 of the CAO, imposed a fine on him and ordered him to leave the territory under the procedure of supervised voluntary departure. He appealed against this decision, without success. As the first applicant did not leave Crimea voluntarily, the "Yevpatoriia City Court of the Republic of Crimea" issued an order for his forced administrative expulsion on 20 January 2017. He was subsequently transferred to a Temporary Detention Centre for Foreign Nationals in Krasnodar region of the Russian Federation, where he has been allegedly detained until 16 February 2017. According to Mr Sizarev, he was then transported to the Kharkiv region. Following these events, Ms Sizareva relocated from Crimea to mainland Ukraine with the couple's children.

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No.	Application no. Case name Introduction date	Applicant Year of Birth Nationality	Represented by	Summary of facts
3.	2111/18 Strelbytskyy v. Russia 26/12/2017	Dmytro Oleksandrovych STRELBYTSKYI 1970 Ukrainian	Sergiy Anatoliyovych ZAYETS	The applicant resided in Crimea. Following the Russian Federation's assertion of jurisdiction over the peninsula, he continued to live there as a Ukrainian national. On 16 March 2017 an administrative-offence report was drawn up against him for unlawful stay in the Russian Federation. On the following day, the "Yevpatoriia City Court of the Republic of Crimea" found the applicant guilty of an administrative offence under Article 18.8 § 1.1 of the CAO and imposed a fine along with an order to leave the territory under the procedure of supervised voluntary departure. On 3 April 2017 the applicant left Crimea for mainland Ukraine. On 27 April 2017 he returned to Crimea without encountering any obstacles. However, on 27 June 2017, when travelling again to mainland Ukraine, the applicant was denied re-entry to Crimea by the Russian border guards, who informed him that he was subject to a five-year ban to the territory of the Russian Federation, effective until 27 March 2022.
4.	24490/18 Kovalchuk v. Russia 16/05/2018	Oleksandr Vasylyovych KOVALCHUK 1972 Ukrainian	Maksym Mykolayovych TYMOCHKO	The applicant resided in Crimea without having a registered place of residence. Following the Russian Federation's assertion of jurisdiction over Crimea, he continued to live there as a Ukrainian citizen, having been ineligible to obtain Russian citizenship. The applicant attempted to regularise his status in Crimea under Russian legislation, but without success. On 17 November 2017 the "Yalta City Court of the Republic of Crimea" found the applicant guilty under Article 18.8 § 1.1 of the CAO. The "court" imposed a fine and ordered him to leave the territory under the procedure of supervised voluntary departure. The applicant paid the fine and, on 27 November 2017, left Crimea for mainland Ukraine.

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No.	Application no. Case name Introduction date	Applicant Year of Birth Nationality	Represented by	Summary of facts
5.	41466/22 Bulavinov v. Russia 09/08/2022	Sergiy Sergiyovych BULAVINOV 1986 Ukrainian	Sergiy Anatoliyovych ZAYETS	The applicant, a Ukrainian national, had resided in Crimea since 2014. On 21 March 2016 he was found administratively liable under Article 6.9 of the CAO (“Use of narcotic substances without a medical prescription”) by the “Gagarinskiy District Court of Sevastopol”. He was fined and ordered to leave the territory under the procedure of supervised voluntary departure. The judgment did not specify the duration of the expulsion or the conditions of its enforcement. The applicant paid the fine and, in early June 2016, travelled to mainland Ukraine and immediately returned to Crimea. Thereafter, he continued to leave Crimea every three months in order to comply with the 90-day visa-free stay limit. In April 2018 the applicant submitted an application for a residence permit to the Russian migration service, which was subsequently rejected. He claimed that the reason for the rejection was his alleged failure to comply with the judgment of the “Gagarinskiy District Court of Sevastopol” of 21 March 2016, as he was considered to have been under an obligation to leave Crimea for five years. On 2 April 2018 the applicant challenged the aforementioned judgment, but without success. The applicant later married, and his two sons were born in Crimea in 2018 and 2021, respectively.