



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

FOURTH SECTION

CASE OF PROSHKIN AND OTHERS v. RUSSIA

*(Applications nos. 34638/17 and 11 others –
see appended list)*

JUDGMENT

STRASBOURG

22 October 2026

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

In the case of Proshkin and Others v. Russia,

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

Lorraine Schembri Orland, *President*,

Faris Vehabović,

Anne Louise Bormann, *judges*,

and Uğur Erdal, *Acting Deputy Section Registrar*,

Having deliberated in private on 1 October 2026,

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 that they had been unlawfully deprived of their liberty in Crimea under the provisions of Russian law. Some applicants also raised other complaints under various 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).

7. The Court also reiterates that it has already established that the Russian Federation has exercised extraterritorial jurisdiction over Crimea, within the

meaning of Article 1 of the Convention, in the form of “effective control of an area” as from 27 February 2014 (see *Ukraine v. Russia (re Crimea)* [GC], nos. 20958/14 and 38334/18, §§ 864 and 873, 25 June 2024).

8. Accordingly, the applications in the present case fall within the jurisdiction of the Russian Federation and the Court has competence to examine them.

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

9. The applicants complained principally of their unlawful deprivation of liberty in Crimea under the provisions of Russian law. They relied on Article 5 § 1 of the Convention.

10. The Court reiterates the general principles concerning the lawfulness of deprivation of liberty under Article 5 § 1 of the Convention, as set out in its case-law (see, among many authorities, *Khlaifia and Others v. Italy* [GC], no. 16483/12, §§ 88 and 91-92, 15 December 2016).

11. In *Ukraine v. Russia (re Crimea)* [GC] (cited above, §§ 943-46 and 998), the Court held that Russian legislation extended to Crimea in contravention of the Convention, interpreted in the light of international humanitarian law, could not be regarded as “law” within the meaning of the Convention. Against that background, detention orders and subsequent judicial decisions extending pre-trial detention adopted on the basis of that legal framework could not provide a lawful basis for the applicants’ deprivation of liberty within the meaning of Article 5 § 1.

12. Having regard to the material before it and its findings in *Ukraine v. Russia (re Crimea)* [GC] (cited above), the Court considers that the applicants’ deprivation of liberty ordered and, where applicable, extended under Russian law applied in Crimea (see the appended table), lacked a lawful basis within the meaning of Article 5 § 1 of the Convention. These complaints are therefore admissible and disclose a breach of that provision.

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

13. In applications nos. 34638/17 and 45771/19, the applicants submitted other complaints which also raise issues under the Convention in the light of the Court’s well-established case-law (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. They must therefore be declared admissible. Having examined all the material before it, the Court concludes that these complaints also disclose violations of the Convention, having regard to its findings in *Svinarenko and Slyadnev v. Russia* [GC], nos. 32541/08 and 43441/08, §§ 113-39, ECHR 2014 (extracts), concerning placement in a metal cage in the

courtroom during criminal proceedings (application no. 34638/17), and *Dirdizov v. Russia*, no. 41461/10, §§ 108-10, 27 November 2012, concerning unjustified pre-trial detention ordered by Russian courts (application no. 45771/19).

V. REMAINING COMPLAINTS

14. In applications nos. 34638/17 and 41041/17, the applicants also complained under Article 5 § 3 of the Convention about the excessive length of their pre-trial detention. Having regard to the grounds on which it has found the applicants' detention to be unlawful under Article 5 § 1 (see paragraphs 11-12 above), the Court considers that it is unnecessary to examine separately the admissibility or the merits of the complaints under Article 5 § 3 (see, for a similar approach, *Savca v. the Republic of Moldova*, no. 17963/08, § 54, 15 March 2016).

15. Furthermore, in the applications which are marked with an asterisk in the appended table, the applicants complained under Article 13 of the Convention about the absence of an effective mechanism for obtaining compensation in respect of their unlawful detention. Having regard to the facts of the case and to its findings under Article 5 § 1, the Court considers that it has examined the main legal issues raised in the present case and that there is no need to examine the admissibility or the merits of the remaining complaints (see *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* [GC], no. 47848/08, § 156, ECHR 2014).

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, *Pastukhov and Yelagin v. Russia*, no. 55299/07, § 56, 19 December 2013, and *Vorontsov and Others v. Russia*, nos. 59655/14 and 2 others, § 35, 31 January 2017), the Court considers it reasonable to award the sums indicated in the appended table.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;
2. *Holds* that it has jurisdiction to deal with these applications;
3. *Declares* the complaints under Article 5 § 1 of the Convention and the other complaints under the well-established case-law of the Court, as set out in the appended table, admissible, and finds that there is no need to examine separately the admissibility or the merits of the remaining complaints under Articles 5 and Article 13 of the Convention;
4. *Holds* that there has been a violation of Article 5 § 1 of the Convention in respect of all applicants on account of their unlawful deprivation of liberty;
5. *Holds* that there has been a violation of Article 3 and Article 5 § 3 of the Convention as regards the other complaints raised under well-established case-law of the Court in applications nos. 34638/17 and 45771/19 (see the appended table);
6. *Holds*
 - (a) that the respondent State is to pay the applicants, within three months, the amounts indicated in the appended table, plus any tax that may be chargeable;
 - (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 22 October 2026, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Uğur Erdal
Acting Deputy Registrar

Lorraine Schembri Orland
President

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APPENDIX

List of applications raising complaints under Article 5 § 1 of the Convention
(unlawful detention (deprivation of liberty))

No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start date of unauthorised detention	End date of unauthorised detention	Specific defects	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses (in euros)
1.	34638/17 29/04/2017	Andrey Mikhaylovich PROSHKIN 1976	Tuysuzov Anatoliy Zaveynovich Yevpatoria	18/09/2015	03/07/2017	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i> [GC], nos. 20958/14 and 38334/18, §§ 943-46 and 998, 25 June 2024). <u>Details of arrest and detention</u> The applicant, who was a police officer at the time, was arrested in Crimea on 18/09/2015 on suspicion of accepting a bribe in a large amount. His pre-trial detention was ordered by the "Kyivskyy District Court of Simferopol"² on 20/09/2015. It was subsequently extended on several occasions. On 03/07/2017 the applicant was convicted as charged.	Art. 3 - use of metal cages and/or other security arrangements in courtrooms – the applicant was placed in a metal cage during the court hearings in the “Yevpatoria City Court of the Republic of Crimea” on 21/02/2017 and 04/04/2017.	9,750	250
2.	41041/17 27/05/2017	Gennadiy Anatolyevich BASOV 1970	Izhikov Maksim Yuryevich Paris	01/10/2015	28/11/2016	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant, who was head of the municipal funeral service at the time, was arrested in Crimea on 29/09/2015 on suspicion of accepting a bribe in a large amount. His pre-trial detention was ordered by the “Nakhimovskyy District Court of Sevastopol” on 01/10/2015. It was subsequently extended on several occasions. On 28/11/2016 the applicant was convicted as charged.		1,200	250

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No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start date of unauthorised detention	End date of unauthorised detention	Specific defects	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses (in euros)
3.	66987/17 28/08/2017	Ismail Mustafa-oglu MENSEITOV 1995	Ponomarev Sergey Sergeyevich Belogorsk	02/10/2016	01/07/2018	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant was arrested in Crimea on 02/10/2016 on suspicion of sexual violence against a minor. His pre-trial detention was ordered the following day by the "Belogorskyy District Court of the Republic of Crimea". It was subsequently extended on several occasions, most recently until 10/07/2018 (decision of the "Belogorskyy District Court of the Republic of Crimea" of 04/05/2018; upheld on appeal by the "Supreme Court of the Republic of Crimea" on 16/05/2018). On 01/07/2018 the applicant was convicted as charged; his conviction was upheld on appeal on 17/12/2020.		1,900	250
4.	70146/17 11/09/2017	Dmitriy Borisovich ZUBKOV 1993	Sergey Sergeyevich Ponomarev Belogorsk	24/12/2016	07/07/2017	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant was arrested in Crimea on 24/12/2016 on suspicion of armed robbery. His pre-trial detention was ordered by the "Nizhnegorskyy District Court" on 26/12/2016. It was subsequently extended on several occasions, most recently until 02/12/2017 (decision of the same "court" of 29/05/2017; upheld on appeal by the "Supreme Court of the Republic of Crimea" on 16/06/2017). On 07/07/2017 the applicant was convicted as charged.		1,000	250

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No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start date of unauthorised detention	End date of unauthorised detention	Specific defects	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses (in euros)
5.	70376/17 14/09/2017	Viktor Viktorovich SHEVCHUK 1972	Sergey Sergeyevich Ponomarev Belogorsk	03/12/2016	16/08/2017	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant was arrested in Crimea on 03/12/2016 on suspicion of drug dealing and smuggling. His pre-trial detention was ordered by the "Kyivskyy District Court of Simferopol" on 05/12/2016. It was subsequently extended on several occasions, most recently until 17/08/2017 (decision of the "Armyansk City Court of the Republic of Crimea" of 05/07/2017; upheld on appeal by the "Supreme Court of the Republic of Crimea" on 14/07/2017). On 16/08/2017 the applicant was convicted as charged; his conviction was upheld on appeal on 11/10/2017.		1,000	250
6.	10546/18 12/02/2018	Aleksandr Mikhaylovich OSTAPENKO 1990	Sergey Sergeyevich Ponomarev Belogorsk	19/07/2017	19/01/2018	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant was arrested in Crimea on 19/07/2017 on suspicion of involving a minor in the commission of a crime. His pre-trial detention was ordered on 21/07/2017 by the "Belogorskyy District Court of the Republic of Crimea". It was subsequently extended on several occasions, until it was replaced on 19/01/2018 by an undertaking not to leave his place of residence without permission and to behave properly.		1,000	250

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No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start date of unauthorised detention	End date of unauthorised detention	Specific defects	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses (in euros)
7.	13885/18 13/03/2018	Vladimir Nikolayevich YEFIMOV 1957	Vitaliy Viktorovich Bakulin Simferopol	21/09/2017	pending as of 13/03/2018, when the application was lodged with the Court, and possibly still pending as of 16/09/2022	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant was arrested on 21/09/2017 on suspicion of fraud. His pre-trial detention was ordered on 23/09/2017 by the "Alushta City Court of the Republic of Crimea". It was subsequently extended on several occasions, most recently until 14/02/2018 (decision of the "Alushta City Court of the Republic of Crimea" of 11/12/2017; upheld on appeal by the "Supreme Court of the Republic of Crimea" on 26/12/2017).		5,000	250

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No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start date of unauthorised detention	End date of unauthorised detention	Specific defects	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses (in euros)
8.	11204/19 08/02/2019	Sergey Petrovich MARYUSHIN 1962	Aleksey Vladimirovich Zaytsev Bakhchysarai	16/01/2019	30/04/2019	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> In 2018 a private prosecution investigation was initiated against the applicant for allegedly knowingly disseminating false information defaming the head of a village council in Crimea. He was initially placed under an undertaking not to leave his place of residence and to behave properly, which was later replaced by restrictions on leaving his home at certain times and on using the Internet and the phone. By a decision of 16/01/2019 of the “Justice of the Peace of the 29th Court Circuit of the Bakhchysarai Judicial District” the preventive measure was changed to one month’s house arrest. On 24/01/2019 the applicant was convicted of libel under Article 128.1 of the Russian Criminal Code and fined 100,000 Russian roubles. The measure of house arrest remained in force until the judgment became final. By a decision of the “Bakhchysarai District Court of the Republic of Crimea” of 30/04/2019, the judgment was quashed and the case remitted for re-consideration. The appeal “court” subsequently lifted the applicant’s house arrest.		500	250

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No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start date of unauthorised detention	End date of unauthorised detention	Specific defects	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses (in euros)
9.	45771/19 22/08/2019	Vasiliy Grigoryevich KURZYABA 1977	Tatyana Viktorovna Sukhareva Moscow	18/03/2019	pending as of 30/06/2020, the last known date until which the applicant's pre-trial detention had been extended, and possibly still pending as of 16/09/2022	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant was arrested in Crimea on 18/03/2019 on suspicion of repeated petty bribery. His pre-trial detention was ordered on 20/03/2019 by the "Kyivskyy District Court of Simferopol". It was extended by the decision of the same "court" of 13/05/2019 until 18/06/2019, and subsequently by a decision of 14/06/2019 until 18/09/2019. Following the transfer of the case to the Russian investigating authorities, the applicant's pre-trial detention between 18/09/2019 and 14/05/2020 was extended by the courts in Rostov-on-Don. Subsequently, on 14/05/2020 the "Zheleznodorozhnyy District Court of Simferopol" extended the applicant's detention until 30/06/2020 (upheld on appeal on 27/05/2020 by the "Supreme Court of the Republic of Crimea").	Art. 5 (3) - excessive length of pre-trial detention – the applicant was in pre-trial detention ordered by the district courts in Rostov-on-Don from 18/09/2019 until 14/05/2020, specific defects: use of standard formula to extend the applicant's detention; failure to consider alternative measures; failure to conduct the proceedings with due diligence during the period of detention.	3,600	250
10.	51995/19* 16/09/2019	Yevgeniy Yuryevich GENYO 1992	Vadim Anatolyevich Zantariya Sevastopol	29/03/2019	pending as of 16/09/2019, when the application was lodged with the Court, and possibly still pending as of 16/09/2022	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant was arrested in Sevastopol on 29/03/2019 on suspicion of unlawful organisation of gambling activities as part of an organised group. On 31/03/2019 the "Kyivskyy District Court of Simferopol" ordered his pre-trial detention until 28/05/2019 (upheld on appeal by the "Supreme Court of the Republic of Crimea" on 16/04/2019).		3,600	250

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No.	Application no. Date of introduction	Applicant's name Year of birth	Representative's name and location	Start date of unauthorised detention	End date of unauthorised detention	Specific defects	Other complaints under well-established case-law	Amount awarded for non-pecuniary damage per applicant (in euros) ¹	Amount awarded for costs and expenses (in euros)
11.	31785/20 17/06/2020	Nikolay Olegovich SHALIMOV 1978	Anatoliy Zaveynovich Tuysuzov Yevpatoria	11/07/2019	18/11/2021	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant was arrested in Crimea on 11/07/2019 on suspicion of large-scale fraud committed by a group of persons. His pre-trial detention was ordered on 12/07/2019 by the "Kyivskyy District Court of Simferopol". It was subsequently extended on several occasions, most recently until 21/06/2020 (decision of the same "court" of 17/03/2020; upheld on appeal by the "Supreme Court of the Republic of Crimea" on 07/04/2020).		2,500	250
12.	32100/20 27/07/2020	Sergey Vladimirovich KHOREV 1978	Dmitriy Aleksandrovich Timofeyev Sevastopol	20/06/2019	pending as of 27/07/2020, when the application was lodged with the Court, and possibly still pending as of 16/09/2022	Applicant detained in Crimea under provisions of Russian law (see <i>Ukraine v. Russia (re Crimea)</i>, cited above). <u>Details of arrest and detention</u> The applicant was arrested in the Nizhniy Novgorod region in Russia on 20/06/2019 on suspicion of involvement in organised crime and transferred to Crimea. On the same day the "Kyivskyy District Court of Simferopol" ordered his pre-trial detention. It was subsequently extended on several occasions, most recently until 19/06/2020 (decision of the same "court" of 25/03/2020; upheld on appeal by the "Supreme Court of the Republic of Crimea" on 24/04/2020).		3,300	250

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

² The names of courts established in Crimea under Russian law are indicated in inverted commas (see *Ukraine v. Russia (re Crimea)* [GC], nos. 20958/14 and 38334/18, § 41, 25 June 2024).