



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

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THIRD SECTION

Application no. 21977/20
R.Y. against Russia
lodged on 28 April 2020

SUBJECT MATTER OF THE CASE

The application concerns the administrative removal of the applicant, an HIV-positive openly gay man, to Uzbekistan where he would allegedly face the real risk of treatment contrary to Article 3 of the Convention in the light of the criminal prohibition of consensual sexual intercourse between men in that country.

QUESTIONS

1. Would the applicant face a real risk of being subjected to treatment contrary to Article 3 of the Convention in the event of his removal to Uzbekistan in view of the current criminal prohibition of consensual sexual intercourse between men in that country? (see *F.G. v. Sweden* [GC], no. 43611/11, §§ 112-16, 23 March 2016, *J.K. and Others v. Sweden* [GC], no. 59166/12, § 91, 23 August 2016, and *I.K. v. Switzerland* (dec.), no. 21417/17, §§ 24, 27, 19 December 2017).

R.Y. v. RUSSIA – STATEMENT OF FACTS AND QUESTIONS

2. Is there a practice of prosecution for the above crime in Uzbekistan?
3. Do the applicant's individual circumstances prove the existence of the above risks in his country of origin?
4. In the domestic proceedings, did the relevant national authorities adequately assess the applicant's relevant claims?