[Gaspari v. Armenia (no. 44769/08)](http://www.prisonlitigation.org/?email_id=91&user_id=140&urlpassed=aHR0cDovL2h1ZG9jLmVjaHIuY29lLmludC9lbmc%2FaT0wMDEtMTg2MTE1&controller=stats&action=analyse&wysija-page=1&wysijap=subscriptions" \t "_blank)

Relying in particular on Article 3, the applicant complained about the conditions of his detention in seven different cells in Nubarashen Remand Prison. He alleged that certain cells had been overcrowded, had lacked natural light and fresh air and had been regularly flooded by sewage, that in others he had had to take turns sleeping with fellow inmates and that he had been constantly exposed to cigarette smoke.

The Court found a violation of Article 3 on account of the conditions of Mr Gaspari’s detention in cells nos. 4, 9, 20, 29 and 42 because of the lack of personal space, overcrowding, unsanitary conditions and the constant exposure to smoke.

But it found no violation of Article 3 concerning his conditions of detention in cells nos. 10 and 79. It noted in particular that while the space element remains a weighty factor in the Court’s assessment, the applicant did not make any other allegations regarding the conditions of his detention in these cells and the space element is not sufficient on its own for the Court to conclude that the conditions of the applicant’s detention amounted to degrading treatment within the meaning of Article 3.