

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

THIRD SECTION

DECISION

Applications nos. 34550/08 and 59065/10
Aleksandr Anatolyevich BEZRUKOV against Russia
and Aleksandr Yuryevich SHCHERBAKOV against Russia

The European Court of Human Rights (Third Section), sitting on 1 December 2016 as a Committee composed of:

Helena Jäderblom, *President,*
Dmitry Dedov,
Branko Lubarda, *judges,*
and Hasan Bakırcı, *Deputy Section Registrar,*

Having regard to the above applications lodged on the various dates indicated in the appended table,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The list of applicant and the relevant details of the applications are set out in the appended table.

The applicants' complaints under Article 5 § 3 of the Convention concerning the excessive length of pre-trial detention were communicated to the Russian Government ("the Government").

THE LAW

A. Joinder of the applications

Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single decision.

B. Complaints under Article 5 § 3 of the Convention (excessive length of pre-trial detention)

In the present applications, having examined all the material before it, the Court considers that for the reasons stated below the applicants' detention on remand was not excessively long.

In particular, the Court notes that, given the relatively short duration of the detention, the existence of a reasonable suspicion of the applicants' involvement in a spree of aggravated crimes, including those committed in an organised group (for the applicant in case no. 34550/08), and the presence of a serious risk of the applicants' absconding or interfering with justice, as confirmed by their previous criminal history and the pattern of their behavior, including attempts to go on the run, it cannot be said that the domestic courts had failed to duly consider all the relevant factors, that they did not given "relevant" and "sufficient" reasons to justify the applicants' continued detention, or that they failed to display "special diligence" in the conduct of the proceedings (see, for example, *Topekhin v. Russia*, no. 78774/13, 10 May 2016; *Sopin v. Russia*, no. 57319/10, 18 December 2012 and *Isayev v. Russia*, no. 20756/04, 22 October 20099). The Court is satisfied that the domestic courts cited specific facts in support of their conclusion that the applicants might interfere with the proceedings or abscond. They also considered a possibility of applying alternative measures, but found them to be inadequate.

In view of the above, the Court finds that these complaints are manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Decides to join the applications;

Declares the applications inadmissible.

Done in English and notified in writing on 20 December 2016.

Hasan Bakırcı
Deputy Registrar

Helena Jäderblom
President

APPENDIX

No.	Application no. Date of introduction	Applicant name Date of birth	Period of detention	Length of detention
1.	34550/08 21/04/2008	**Aleksandr Anatolyevich BEZRUKOV** 21/05/1983	21/08/2008 to 19/08/2009	11 month(s) and 30 day(s)
2.	59065/10 16/08/2010	**Aleksandr Yuryevich SHCHERBAKOV** 19/10/1971	02/06/2009 to 12/01/2011	1 year(s) and 7 month(s) and 11 day(s)