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

THIRD SECTION

DECISION

Application no. 57410/16
Aleksandr Sergeyevich PAVLOV
against Russia

The European Court of Human Rights (Third Section), sitting on 7 September 2017 as a Committee composed of:

Luis López Guerra, *President,*
Dmitry Dedov,
Jolien Schukking, *judges,*
and Liv Tigerstedt, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 13 September 2016,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant, Mr Aleksandr Sergeyevich Pavlov, was born in 1973.

He was represented before the Court by Mr V.N. Simonov, a lawyer practising in Moscow.

The applicant's complaint under Article 5 § 3 of the Convention concerning the excessive length of pre-trial detention was communicated to the Russian Government ("the Government").

THE LAW

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

The applicant complained that his pre-trial detention was unreasonably long. He relied on Article 5 § 3 of the Convention, which read as follows:

Article 5 § 3

> "3. Everyone arrested or detained in accordance with the provisions of paragraph 1 (c) of this Article shall be ... entitled to trial within a reasonable time or to release pending trial. Release may be conditioned by guarantees to appear for trial."

The Court observes that the general principles regarding the right to trial within a reasonable time or to release pending trial, as guaranteed by Article 5 § 3 of the Convention, have been stated in a number of its previous judgments (see, among many other authorities, *Kudła v. Poland* [GC], no. 30210/96, § 110, ECHR 2000-XI, and *McKay v. the United Kingdom* [GC], no. 543/03, §§ 41-44, ECHR 2006-X, with further references).

Turning to the circumstances of the present case, the Court notes the relatively short duration of the applicant's pre-trial detention. It further observes that while extending his detention the domestic courts relied on the existence of a reasonable suspicion of his involvement in a large-scale embezzlement, the complexity of the criminal case against him and the existence of a serious risk of his absconding or interfering with justice, confirmed, *inter alia*, by a number of breaches of the previous measure of restraint, his unlimited financial resources, the ease with which the applicant could have left the country and the fact that other defendants were on the run (see *Rydz v. Poland*, no. 13167/02, 18 December 2007). The Court is satisfied that the domestic courts cited specific facts in support of their conclusions that the applicant was liable to obstruct justice or abscond. They also considered a possibility of applying alternative measures, but found them to be inadequate. The domestic courts duly examined all the pertinent factors and gave "relevant" and "sufficient" reasons to justify the applicants' continued detention. The Court also finds that the domestic authorities displayed "special diligence" in the conduct of the proceedings (see, for example, *Khloyev v. Russia*, no. 46404/13, §§ 96-107, 5 February 2015; *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 2009).

In view of the above, the Court finds that the applicants' complaint is manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 28 September 2017.

Liv Tigerstedt
Acting Deputy Registrar

Luis López Guerra
President

APPENDIX

No.	Application no. Date of introduction	Applicant name Date of birth	Representative name and location	Period of detention	Length of detention
1.	57410/16 13/09/2016	**Aleksandr Sergeyevich Pavlov** 15/09/1973	Simonov Vladimir Nikolayevich Moscow	16/03/2016 pending	More than 1 year(s) and 2 month(s) and 21 day(s)