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

THIRD SECTION

DECISION

Application no. 37797/18
Denis Sergeyevich SHISHKIN
against Russia
(see appended table)

The European Court of Human Rights (Third Section), sitting on 10 November 2022 as a Committee composed of:

Darian Pavli*, President*,
Ioannis Ktistakis,
Andreas Zünd*, judges*,

and Viktoriya Maradudina, *Acting Deputy Section Registrar,*

Having regard to the above application lodged on 16 July 2018,

Having regard to the observations submitted by the respondent Government and the observations in reply submitted by the applicant,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicant's details are set out in the appended table.

The applicant's complaints under Article 6 §§ 1 and 3 (d) of the Convention concerning the unfair trial in view of restrictions on the right to examine witnesses were communicated to the Russian Government ("the Government").

THE LAW

Complaints under Article 6 §§ 1 and 3 (d) of the Convention (unfair trial in view of restrictions on the right to examine witnesses)

The Court has carefully examined the materials in its possession and, in the light of the general principles set out in its case-law (see *Schatschaschwili v. Germany* [GC], no. 9154/10, §§ 100-31, ECHR 2015), considers that the rights of the defence in the present case were not restricted to an extent incompatible with the guarantees of Article 6 §§ 1 and 3 (d) of the

Convention. The complaint is therefore manifestly ill-founded and must be rejected in accordance with Article 35 §§ 3 (a) and 4 of the Convention.

For these reasons, the Court, unanimously,

Declares the application inadmissible.

Done in English and notified in writing on 1 December 2022.

Viktoriya Maradudina Acting Deputy Registrar	Darian Pavli President

APPENDIX

Application raising complaints under Article 6 §§ 1 and 3 (d) of the Convention (unfair trial in view of restrictions on the right to examine witnesses)

Application no. Date of introduction	Applicant's name Year of birth	Final domestic decision Charges convicted of	Witness absent from trial (indicated by initials) Summary of the nature of the witness evidence	Reasons for absence	Steps taken to compensate for the witnesses' absence
37797/18 16/07/2018	**Denis Sergeyevich SHISHKIN** 1983	Leninskiy District Court of Tyumen 06/06/2018 drunk driving	Traffic police officers and attesting witnesses who took part in preparation of the administrative offence record, a medical practitioner who performed testing to determine if the applicant's driving was impaired	The courts refused to summon witnesses referring to existence of evidence which would allow to examine the case objectively	The applicant was able to challenge the reliability of the medical reports underlying the charges against him