



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

FIRST SECTION

Application no. 46975/06
Aleksandr Yakovlevich SOVERSHENNY
against Russia
lodged on 20 October 2006

STATEMENT OF FACTS

THE FACTS

The applicant, Mr Aleksandr Yakovlevich Sovershenny, is a Russian national, who was born in 1956 and lives in Novopavlovsk, the Stavropol Region.

The applicant has been convicted in criminal proceedings of a drug offence. The principal evidence against him derived from a test purchase conducted in accordance with Section 6 of the Operational-Search Activities Act. His conviction was based on the statements of four witnesses three of whom did not attend the hearing and were not cross-examined.

The first-instance judgment was held by the Kirovskiy District Court of the Stavropol Region on 22 March 2006. It was upheld by the Stavropol Regional Court on 27 June 2006.

COMPLAINT

The applicant complains under Article 6 § 3(d) of the Convention that he was denied an opportunity to examine witnesses against him, all of whom had taken part in the test purchase that had led to his criminal conviction.

The applicant also complains under Article 6 § 3 (c) of the Convention that his lawyer did not provide him with adequate legal assistance.

QUESTION

Was the applicant able to examine witnesses against him, as required by Article 6 § 3 (d) of the Convention? The Government are requested to provide a copy of the court records of the first-instance hearing.