



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

Communicated on 26 March 2007

FIRST SECTION

Application no. 6277/06
Konstantin Gennadyevich LYUBUSHKIN
against Russia
lodged on 22 January 2006

QUESTIONS

1. In view of the applicant's acquittal by the Khabarovsk Regional Court on 27 October 2006 as upheld on appeal by the Supreme Court of the Russian Federation on 28 August 2007, may the applicant still claim to be a victim of a violation of Article 5 of the Convention, within the meaning of Article 34? In particular, have the national authorities acknowledged, and then afforded appropriate and sufficient redress for, a breach of the Convention (see, *Scordino v. Italy* (no. 1) [GC], no. 36813/97, §§ 178-93, ECHR 2006-V)?

2. Was it incumbent on the applicant to make recourse to civil proceedings in order to obtain redress in respect of the alleged violations of Article 5 of the Convention (see, *Trepashkin v. Russia*, no. 36898/03, §§ 69-70, 19 July 2007)? Is so, did the applicant lodge a relevant civil claim before the national courts?

3. The Government are requested to submit copies of the pertinent documents and judicial decisions.