



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

Communicated on 25 August 2014

THIRD SECTION

Application no. 28750/11
Andrei VERSILOV
against the Republic of Moldova and Russia
lodged on 3 May 2011

STATEMENT OF FACTS

The applicant, Mr Andrei Versilov, is a Moldovan national, who was born in 1980 and lives in Bender, the Transdniestrian region of Moldova.

The facts of the case, as submitted by the applicant, may be summarised as follows.

On 10 March 2010 the applicant was arrested by the authorities of the self-proclaimed Republic of Transnistria on charges of “hooliganism” and placed in detention. In particular, he was accused of making inscriptions of a political nature on buildings during the local elections. He spent eight months in detention until his release on 2 November 2010.

On 25 November 2010 the applicant lodged a criminal complaint with the Prosecutor’s Office of Transnistria complaining about his unlawful detention. In a letter dated 26 November 2010 a prosecutor informed the applicant that a criminal investigation had been initiated in respect of his allegations. The Court has not received any information about the evolution of the investigation.

COMPLAINTS

1. The applicant complains under Article 5 § 1 of the Convention that his detention by the “Trandniestrian authorities” was unlawful and ordered by an authority which did not qualify as a court for the purposes of Article 5.

2. The applicant complains under Article 5 § 4 that he could not obtain compensation for his unlawful detention.

QUESTIONS TO THE PARTIES

1. Did the applicant come within the jurisdiction of the Republic of Moldova and/or the Russian Federation within the meaning of Article 1 of the Convention as interpreted by the Court, *inter alia*, in the cases of *Ilașcu and Others v. Moldova and Russia* [GC], (No. 48787/99, ECHR 2004-VII) and *Catan and Others v. Moldova and Russia* [GC] (nos. 43370/04, 8252/05 and 18454/06, §§ 102-123, 19 October 2012) on account of the circumstances of the present case?
2. Was the applicant deprived of his liberty in breach of Article 5 § 1 of the Convention?
3. Did the applicant have an effective and enforceable right to compensation for his detention in alleged contravention of Article 5 § 1, as required by Article 5 § 5 of the Convention?