THIRD SECTION

CASE OF MAKSUTOV AND OTHERS v. RUSSIA

(Applications nos. 33982/17 and 28 others -

*see appended list*)

JUDGMENT

STRASBOURG

30 July 2020

*This judgment is final but it may be subject to editorial revision.*

In the case of Maksutov and Others v. Russia,

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

 Alena Poláčková, *President,* Dmitry Dedov, Gilberto Felici, *judges,*
and Liv Tigerstedt, *Acting* *Deputy Section Registrar,*

Having deliberated in private on 9 July 2020,

Delivers the following judgment, which was adopted on that date:

1. PROCEDURE

1.  The case originated in applications against Russia lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) on the various dates indicated in the appended table.

2.  The Russian Government (“the Government”) were given notice of the applications.

1. THE FACTS

3.  The list of applicants and the relevant details of the applications are set out in the appended table.

4.  The applicants complained of the excessive length of their pre-trial detention. Some applicants also raised other complaints under the provisions of the Convention.

1. THE LAW
	1. JOINDER OF THE APPLICATIONS

5.  Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

* 1. ALLEGED VIOLATION OF ARTICLE 5 § 3 OF THE CONVENTION

6.  The applicants complained principally that their pre-trial detention had been unreasonably long. They relied on Article 5 § 3 of the Convention, which reads 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.”

7.  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).

8.  In the leading case of *Dirdizov v. Russia,* no. 41461/10, 27 November 2012, the Court already found a violation in respect of issues similar to those in the present case.

9.  Having examined all the material submitted to it, the Court has not found any fact or argument capable of persuading it to reach a different conclusion on the admissibility and merits of these complaints. Having regard to its case-law on the subject, the Court considers that in the instant case the length of the applicants’ pre-trial detention was excessive.

10.  These complaints are therefore admissible and disclose a breach of Article 5 § 3 of the Convention.

* 1. OTHER ALLEGED VIOLATIONS UNDER WELL-ESTABLISHED CASE-LAW

11.  In some applications, the applicants submitted other complaints which also raised issues under the Convention, given the relevant well‑established case-law of the Court (see appended table). These complaints are not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention, nor are they inadmissible on any other ground. Accordingly, they must be declared admissible. Having examined all the material before it, the Court concludes that they also disclose violations of the Convention in the light of its findings in its case-law (see *Svinarenko and Slyadnev* *v. Russia* [GC], nos. 32541/08 and 43441/08, ECHR 2014 (extracts), concerning the use of metal cages in court hearing rooms; *Idalov v. Russia* [GC], no. 5826/03, 22 May 2012, concerning lack of the speedy review of the detention matters; and *Korshunov v. Russia*, no. 38971/06, 25 October 2007, as regards the lack of an enforceable right to compensation for a violation of the right to trial within a reasonable time or to release pending trial).

* 1. REMAINING COMPLAINTS

12.  The applicants in applications nos. 33982/17, 34627/17, 44472/17 and 45860/17 raised complaints under Article 5 § 1 of the Convention.  Having regard to the facts of the cases, the submissions of the parties, and its findings under Article 5 § 3 of the Convention, the Court considers that the complaints are admissible but, since it has already examined the main legal questions raised in the present applications with regard to Article 5 of the Convention, there is no need to give a separate ruling on the complaints under Article 5 § 1 of the Convention (see *Centre for Legal Resources on behalf of Valentin Câmpeanu v. Romania* [GC], no. 47848/08, § 156, ECHR 2014).

13.  The applicant in application no. 80092/17 also raised complaints under Articles 3 and 13 of the Convention about the conditions of his detention. The Court notes that on 17 March 2020 it adopted a decision in the case of *Shmelev and Others v. Russia* (applications nos. 41743/17 and 16 others), finding that the new compensatory remedy envisaged by the Russian Compensation Act was an effective remedy, in particular, for all cases of past pre-trial detention and some situations of correctional detention alleged in breach of domestic provisions. The Court therefore rejects the applicant’s complaints in this regard for failure to exhaust domestic remedies. This part of application should thus be declared inadmissible pursuant to Article 35 §§ 1 and 4 of the Convention.

* 1. APPLICATION OF ARTICLE 41 OF THE CONVENTION

14.  Article 41 of the Convention provides:

“If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party.”

15.  Regard being had to the documents in its possession and to its case‑law (see, in particular, *Pastukhov and Yelagin v. Russia,* no. 55299/07, 19 December 2013, the Court considers it reasonable to award the sums indicated in the appended table.

16.  The Court considers it appropriate that the default interest rate should be based on the marginal lending rate of the European Central Bank, to which should be added three percentage points.

1. FOR THESE REASONS, THE COURT, UNANIMOUSLY,
2. *Decides* to join the applications;
3. *Declares* the complaints concerning the excessive length of pre-trial detention and the other complaints under well-established case-law of the Court, as set out in the appended table, as well as the complaints under Article 5 § 1 of the Convention raised in applications nos. 33982/17, 34627/17, 44472/17 and 45860/17 admissible, and the remainder of application no. 80092/17 inadmissible;
4. *Holds* that these complaints disclose a breach of Article 5 § 3 of the Convention concerning the excessive length of pre-trial detention;
5. *Holds* that there is no need to examine the complaints under Article 5 § 1 of the Convention in applications nos. 33982/17, 34627/17, 44472/17 and 45860/17;
6. *Holds* that there has been a violation of the Convention as regards the other complaints raised under the well-established case-law of the Court (see appended table);
7. *Holds*
	1. that the respondent State is to pay the applicants, within three months, the amounts indicated in the appended table, to be converted into the currency of the respondent State at the rate applicable at the date of settlement;
	2. that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Done in English, and notified in writing on 30 July 2020, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

 Liv Tigerstedt Alena Poláčková

 Acting Deputy Registrar President

APPENDIX

List of applications raising complaints under Article 5 § 3 of the Convention

(excessive length of pre-trial detention)

|  |  |  |  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| No. | Application no.Date of introduction | Applicant’s nameDate of birth | Representative’s name and location | Period of detention | Court which issued detention order/examined appeal | Length of detention | Specific defects | Other complaints under well‑established case‑law | Amount awarded for pecuniary and non‑pecuniary damage and costs and expenses per applicant (in euros)[[1]](#endnote-1) |
|  | 33982/1704/04/2017 | **Radmir Yusifovich MAKSUTOV**31/03/1984 |  | 04/02/2015 to03/07/2018 | Kirovskiy District Court of Ufa, Supreme Court of Bashkortostan Republic,Privolzhskiy Military District Court | 3 year(s)and5 month(s) | Collective detention orders;the applicant’s detention pending the examination of the case file lasted for almost a year. The Government did not argue that the prolonged period of the applicant’s examination of the case file in the applicant’s case was due to any objective reasons (such as the volume of the case file). Neither did the domestic courts examine whether there had been any delays attributable to the investigating authorities.There were no attempts on the part of the domestic authorities to speed up the applicant’s examination of the case file by making new arrangements. Moreover, the protracted length of that examination process evidently benefited the investigating authorities, who completed their investigation in the meantime. The trial of the applicant’s case lasted for almost a year.Although there could have existed relevant and sufficient grounds for the applicant’s detention at some stages of the proceedings, the domestic authorities failed to provide relevant and specific justification for the continued application of the measure of restraint, coupled with the lack of diligence on their part. |  | 4,600 |
|  | 34627/1717/04/2017 | **Rustem Ravilevich GALLYAMOV**10/08/1981 | Ablayeva Olga ValeryevnaUfa | 04/02/2015 to03/07/2018 | Kirovskiy District Court of Ufa, Supreme Court of Bashkortostan Republic,Privolzhskiy Military District Court | 3 year(s)and5 month(s) | The applicant in the present case was a co‑defendant in the same criminal proceedings as Mr Maksutov (application no. 33982/17 above)The defects cited for the case of Mr Maksutov above are fully applicable to applicant in the present case |  | 4,600 |
|  | 41626/1724/05/2017 | **Andrey Nikolayevich USHANEV**04/06/1975 | Kamikhin Gennadiy NikolayevichVoronezh | 23/03/2017 to12/10/2017 | Leninskiy District Court of Voronezh, Voronezh Regional Court | 6 month(s) and20 day(s) | fragility of the reasons employed by the courts; failure to conduct the proceedings with due diligence during the period of detention; use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice. |  | 1,300 |
|  | 42038/1729/05/2017 | **Sergey Aleksandrovich ROGOZHIN**02/05/1986 | Loktev Sergey AleksandrovichLipetsk | 15/11/2016 to14/11/2017 | Levoberezhniy District Court of Lipetsk,Lipetsk Regional Court | 1 year(s) | failure to conduct the proceedings with due diligence during the period of detention; use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding. |  | 1,300 |
|  | 44472/1717/05/2017 | **Stanislav Vladimirovich MOLKOV**07/11/1982 |  | 10/10/2014 to30/03/2017 | Sovetskiy District Court of Kazan, Supreme Court of Tatarstan Republic | 2 year(s) and5 month(s) and21 day(s) | failure to conduct the proceedings with due diligence during the period of detention; as the case progressed, use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice; as the case progressed, failure to assess the applicant’s personal situation reducing the risks of re‑offending, colluding or absconding. |  | 3,400 |
|  | 45860/1705/06/2017 | **Timur Narimanovich UZBEKOV**27/03/1990 |  | 14/10/2014 to08/12/2017 | Vakhitovskiy District Court of Kazan,Supreme Court of Tatarstan Republic, Privolzhskiy Military District Court | 3 year(s) and1 month(s) and25 day(s) | failure to conduct the proceedings with due diligence during the period of detention, in particular taking into account the period for studying the case-file; as the case progressed, use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding, such as his lack of financial resources, lack of property outside Russia, absence of travel passport, the state of his health. |  | 4,200 |
|  | 66874/1704/09/2017 | **Sergey Viktorovich MESHCHANOV**18/08/1982 | Ponomarev Askar UsmanovichKazan | 28/02/2017 to29/09/2017 | Sovtskiy District Court of Kazan; Vakhitovskiy District Court of Kazan;Supreme Court of the Tatarstan Republic | 7 month(s) and 2 day(s) | fragility of the reasons employed by the courts; use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; failure to examine the possibility of applying other measures of restraint sooner than it has been done. |  | 1,300 |
|  | 69349/1704/09/2017 | **Aleksey Yuryevich PARSHIN**10/03/1982 | Yefremova Yekaterina ViktorovnaMoscow | 18/12/2010 to29/05/2017 | Vologda Town Court;Vologda Regional Court;St Petersburg City Court;Moscow City Court | 6 year(s) and5 month(s) and12 day(s) | failure to conduct the proceedings with due diligence during the period of detention; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding, as the case progressed; failure to examine the possibility of applying other measures of restraint, as the case progressed. |  | 6,500 |
|  | 69439/1715/09/2017 | **Sergey Sergeyevich POLYANSKIY**03/04/1984 | Yegazaryants Vladimir VladimirovichAstrakhan | 04/04/2016 to06/04/2017 | Kirovskiy District Court of Astrakhan, Astrakhan Regional Court | 1 year(s) and 3 day(s) | fragility of the reasons employed by the courts; failure to assess the applicant’s personal situation reducing the risks of re‑offending, colluding or absconding;as the case progressed, failure to examine the possibility of applying other measures of restraint. |  | 1,400 |
|  | 72445/1715/09/2017 | **Vasiliy Vasilyevich ZABOYEV**23/05/1983 |  | 30/05/2015 to20/04/2017 | Ukhta Town Court;Ezhvinsk Town Court; Supreme Court of the Komi Republic | 1 year(s) and 10 month(s) and 22 day(s) | fragility of the reasons employed by the courts; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding;as the case progressed, failure to examine the possibility of applying other measures of restraint. |  | 2,700 |
|  | 80092/1713/11/2017 | **Sergey Dmitriyevich SHATALKIN**08/02/1963 | Ivanov Aleksey ValeryevichKrasnodar | 11/10/2014 to07/05/2018 | Tuapse Town Court;Krasnodar Regional Court;Supreme Court of the Russian Federation | 3 year(s) and 6 month(s) and 27 day(s) | failure to conduct the proceedings with due diligence during the period of detention; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding as the case progressed. |  | 4,800 |
|  | 2115/1825/12/2017 | **Sergey Petrovich POYMANOV**15/02/1972 | Zhukov Kirill SergeyevichMoscow | 22/05/2017 to21/11/2017 | Presnenskiy District Court of Moscow,Moscow City Court | 6 month(s) | fragility of the reasons employed by the courts; white-collar crime; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed,failure to examine the possibility of applying other measures of restraint. |  | 1,300 |
|  | 3758/1820/12/2017 | **Andrey Alekseyevich LYSHCHIK**10/10/1966 | Nazarov Ivan NikolayevichRostov-on-Don | 29/05/2017to15/11/2019 | Leninskiy District Court of Rostov‑on‑Don;Rostov Regional Court | More than 3 year(s) and6 day(s) | fragility of the reasons employed by the courts; white-collar crime;failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint. |  | 3,400 |
|  | 5964/1815/01/2018 | **Vyacheslav Viktorovich KAZANTSEV**13/08/1966 | Belov Dmitriy OlegovichMoscow | 17/02/2016To 10/07/2019 | Basmannyy District Court of Moscow, Nikulinskiy District Court of Moscow,Moscow City Court | More than 4 year(s) and3 month(s) and18 day(s) | fragility of the reasons employed by the courts; white-collar crime;failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint; failure to conduct the proceedings with due diligence during the period of detention. |  | 4,600 |
|  | 6078/1822/01/2018 | **Alzhanbek Kazbekovich GIMBATOV**04/04/1996 | Panfilov Dmitriy VladimirovichMoscow | 15/06/2016pending | Khamovnicheskiy District Court of Moscow; Taganskiy District Court of Moscow; Moscow City Court | More than 3 year(s) and 11 month(s) and20 day(s) | failure to conduct the proceedings with due diligence during the period of detention;failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint. | Art. 5 (4) - excessive length of judicial review of detention - appeal complaint against extension order of 24/07/2017 was examined by the Moscow City Court on 09/10/2017(77 days); appeal against extension on 01/11/2017 was examined by the Moscow City Court on 22/11/2017(20 days);Art. 3 - use of metal cages and/or other security arrangements in courtrooms – the applicant was placed in a metal cage on numerous occasions since 08/02/2017 during the hearings before the Khamovnicheskiy District Court of Moscow. | 9,750 |
|  | 6151/1823/01/2018 | **Mikhail Innokentyevich CHERNYSHEV**18/03/1990 | Luneva Natalya DmitriyevnaNoginsk | 09/08/2014 to22/11/2017 | Tverskoy District Court of Moscow; Moscow City Court | 3 year(s) and3 month(s) and14 day(s) | failure to conduct the proceedings with due diligence during the period of detention; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint. |  | 4,400 |
|  | 7332/1811/01/2018 | **Shamil Magomedovich GAMIDOV**07/09/1981 | Nazarov Ivan NikolayevichRostov-on-Don | 03/06/2016to 19/02/2020 | Leninskiy District Court of Rostov‑on‑Don,Rostov Regional Court | More than 4 year(s) and1 day(s) | fragility of the reasons employed by the courts; white-collar crime; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint. |  | 5,100 |
|  | 8813/1807/02/2018 | **Anton Vladimirovich BORDOVSKIY**28/01/1966 | Osherov Mikhail AleksandrovichMoscow | 05/06/2015 to21/11/2018 | Tushinskiy District Court of Moscow;  | 3 year(s) and5 month(s) and17 day(s) | Collective detention orders; fragility of the reasons employed by the courts; white-collar crime; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint. | Art. 5 (4) - excessive length of judicial review of detention - appeal decision of 28/11/2017 upheld the detention order of 26/10/2017, with the examination thus having taken almost a month;Art. 5 (5) - lack of, or inadequate, compensation for unlawful arrest or detention - in conjunction with Article 5 § 3 of the Convention. | 6,100 |
|  | 11688/1827/02/2018 | **Sergey Aleksandrovich LYSENKO**19/06/1962 | Lysenko Yekaterina SergeyevnaKaliningrad | 04/10/2017pending | Guryevskiy District Court of Kaliningrad;Kaliningrad Regional Court | More than 2 year(s) and8 month(s) | fragility of the reasons employed by the courts; white-collar crime; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint; failure to conduct the proceedings with due diligence during the period of detention. |  | 3,600 |
|  | 11976/1826/02/2018 | **Anatoliy Ivanovich SKOROVAROV**18/10/1956 | Nazarov Ivan NikolayevichRostov-on-Don | 28/04/2017pending | Leninskiy District Court of Rostov-on-Don;Rostov Regional Court | More than 3 year(s) and1 month(s) and7 day(s) | fragility of the reasons employed by the courts; white-collar crime; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint; failure to conduct the proceedings with due diligence during the period of detention. |  | 4,200 |
|  | 13288/1803/03/2018 | **Sevak Lenyayevich VARDANYAN**01/09/1986 | Dolgoborodova Galina NikolayevnaSt Petersburg | 19/08/2015 to26/01/2018 | Oktyabrskiy District Court of St Petersburg;St Petersburg City Court  | 2 year(s) and5 month(s) and8 day(s) | fragility of the reasons employed by the courts; white-collar crime;failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint; failure to conduct the proceedings with due diligence during the period of detention. |  | 3,400 |
|  | 13715/1812/03/2018 | **Yuriy Sergeyevich RESHETNIKOV**08/04/1986 | Zhelonkina Yelena NikolayevnaPenza | 28/11/2017pending | Military Court of 235th Garrison; Moscow Circuit Military Court | More than 2 year(s) and6 month(s) and5 day(s) | fragility of the reasons employed by the courts; white-collar crime; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint; failure to conduct the proceedings with due diligence during the period of detention. |  | 3,500 |
|  | 14480/1812/03/2018 | **Dmitriy Nikolayevich CHEKMAREV**01/08/1989 | Alekseyenko Dmitriy AndreyevichNizhniy Novgorod | 23/03/2017to03/08/2018 | Moskovskiy District Court of Nizhniy Novgorod; Sormovskiy District Court of Nizhny Novgorod;Nizhniy Novgorod Regional Court | 1 year(s) and 4 month(s) and 12 day(s) | fragility of the reasons employed by the courts; white-collar crime;failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint. |  | 2,000 |
|  | 29950/1824/05/2018 | **Aleksandr Sergeyevich SIDORETS**29/08/1976 |  | 01/03/2012 to29/10/2018 | Supreme Court of the Komi Republic | 6 year(s) and7 month(s) and29 day(s) | Collective detention orders; use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice as the case progressed; failure to conduct the proceedings with due diligence during the period of detention. |  | 6,500 |
|  | 40558/1819/11/2018 | **Yevgeniy Andreyevich IBETOV**24/01/1991 |  | 28/02/2018pending | Sovetskiy District Court of Krasnoyarsk; Tsentralniy District Court of Krasnoyarsk; Krasnoyarsk Regional Court | More than 2 year(s) and3 month(s) and7 day(s) | Failure to conduct the proceedings with due diligence during the period of detention; fragility of the reasons employed by the courts; use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice;failure to examine the possibility of applying other measures of restraint. |  | 3,100 |
|  | 45663/1810/09/2018 | **Aleksey Ivanovich LOBOV**25/11/1980 | Podoplelova Olga GermanovnaMoscow | 15/02/2018 to15/02/2019 | Presnensky District Court of Moscow;Moscow City Court | 1 year(s) and1 day(s) | Fragility of the reasons employed by the courts; white-collar crime; use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice; failure to examine the possibility of applying other measures of restraint. |  | 1,400 |
|  | 55018/1809/11/2018 | **Dmitriy Viktorovich SAZONOV**16/10/1971 | Taraborin Dmitriy AlekseyevichSamara | 25/07/2018pending | Samara District Court of Samara; Samara Regional Court | More than 1 year(s) and 10 month(s) and10 day(s) | fragility of the reasons employed by the courts; use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; failure to examine the possibility of applying other measures of restraint. |  | 2,700 |
|  | 12258/1904/02/2019 | **Igor Viktorovich BAZHIN**10/06/1977 |  | 01/09/2017 to25/10/2018 | Manskiy District Court of Krasnoyarsk; Leninskiy District Court of Krasnoyarsk; Krasnoyarsk Regional Court | 1 year(s) and1 month(s) and25 day(s) | Failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; as the case progressed, failure to examine the possibility of applying other measures of restraint; failure to conduct the proceedings with due diligence during the period of detention; use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice. |  | 1,600 |
|  | 17245/1918/03/2019 | **Marks-Agness Vladimirovna KALASHNIK-SAVELCHENKO**09/09/1990 | Yastrebova Natalya ViktorovnaRostov-on-Don | 27/11/2017pending | Novocherkassk Town Court of the Rostov Region; Rostov Regional Court | More than 2 year(s) and6 month(s) and8 day(s) | Use of assumptions, in the absence of any evidentiary basis, of the risks of absconding or obstructing justice; failure to assess the applicant’s personal situation reducing the risks of re-offending, colluding or absconding; failure to examine the possibility of applying other measures of restraint; failure to conduct the proceedings with due diligence during the period of detention. |  | 3,500 |

1. Plus any tax that may be chargeable to the applicants. [↑](#endnote-ref-1)