

REASONING FOR ORDERING THE CUSTODY ON REMAND IN THE LIGHT OF ECHR JURISPRUDENCE

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Abstract: *Article 5 of the European Convention on Human Rights guarantees the right to liberty, which requires among other things that, when ordering the custody on remand of a person, all the conditions stipulated by the national legislation must be met. The decisions ruling the taking, maintenance, extension of this measure must include specific reasons for imposing such a measure, and the reasoning should not be abstract nor general, but related to the actual case. The article analyzes some aspects which could be taken from the ECHR decisions relating to the reasons for which the custody on remand may be ordered.*

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