

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES



Contact: Abel Campos
Tel: 03 88 41 26 48

Date: 21/05/2013

DH-DD(2013)553

Documents distributed at the request of a Representative shall be under the sole responsibility of the said Representative, without prejudice to the legal or political position of the Committee of Ministers.

Meeting: 1172 meeting (4-6 June 2013) (DH)

Item reference: Action report (15/05/2013)

Communication from the Russian Federation concerning the case of Finogenov and others against Russian Federation (Application No. 18299/03)

* * * * *

Les documents distribués à la demande d'un/e Représentant/e le sont sous la seule responsabilité dudit/de ladite Représentant/e, sans préjuger de la position juridique ou politique du Comité des Ministres.

Réunion : 1172 réunion (4-6 juin 2013) (DH)

Référence du point : Bilan d'action

Communication de la Fédération de Russie relative à l'affaire Finogenov et autres contre Fédération de Russie (requête n° 18299/03) (**anglais uniquement**).



ACTION REPORT
on execution of the judgment on application
no. 18299/03 and 27311/03 *Finogenov and others v. Russia*,
(delivered 20 December 2011, final 4 June 2012)

Essence of the violation

Due to the applicants' complaint to the alleged violation of the Article 2 of the Convention for the Protection of Human Rights and Fundamental Freedoms, during the operation on releasing hostages captured by terrorists in the Dubrovka Theater Center building in October 2002, the European Court concluded that there were no violations on behalf of the Russian authorities concerning the decision to cease the parley with the terrorists, to start the assault of the building and to use gases during the operation.

At the same time, the European Court has established the violation of the Article 2 of the Convention comprised of the fact, as indicated by the Court, that rescue operation was not sufficiently prepared due to disorganized communication between various services, late evacuation start, limited coordination of services on the ground, inadequate medical aid and logistical support.

The European Court has also established the violation of the procedural aspect of the Article 2 of the Convention due to the lack of efficient investigation upon the alleged negligence during the organization and conduct of the rescue operation.

Individual measures:

1. Just satisfaction

Nº	Name of Applicant	Non-pecuniary damage claimed (EUR)	Non-pecuniary damage awarded (EUR)	Legal costs and expenses (EUR)	Payment
1	Aistova Yevgeniya Lvovna	240,000	26,400	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417541 in the amount of RUB 1,051,749.60)
2	Akimova Yelena Gennadyevna	480,000	28,600	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417538 in the amount of RUB 1,139,395.40)
3	Alyakina (Litvinova) Olga Aleksandrovna	200,000	13,200	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no.

№	Name of Applicant	Non-pecuniary damage claimed (EUR)	Non-pecuniary damage awarded (EUR)	Legal costs and expenses (EUR)	Payment
					the amount of RUB 525,874.80)
4	Alyakina Alla Kuzminichna	200,000	13,200	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 418970 in the amount of RUB 525,874.80)
5	Apshev Timur Khasenovich	240,000	26,400	-	The request for certificate(evidence) of right inheritance is sent to Kulova J.K.
6	Bessonova Anna Andreyevna	240,000	26,400	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417540 in the amount of RUB 1,051,749.60)
7	Bochkov Sergey Leonidovich	240,000	26,400	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417542 in the amount of RUB 1,051,749.60)
8	Bondarenko Nora Petrovna	360,000	13,200	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 418974 in the amount of RUB 525,874.80)
9	Bondarenko Viktor Grigoryevich	360,000	13,200	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 418969 in the amount of RUB 525,874.80)
10	Burban (Lobazova) Yelena Leonidovna	480,000	28,600	-	Payment was made in full and in due time on 31 July 2012 in euros (payment order no. 16 in the amount of EUR 28,600.00)
11	Burban-Mishuris Lyubov Grigoryevna	360,000	8,800	2000 (travel expenses)	Payment was made in full (including interests for the delay of payment) on 5 March 2013 in euros (payment order no. 3 in the amount of EUR 11,042.33)
12	Burban Mark Naumovich	240,000	8,800	-	Payment was made in full (including interests for the delay of payment) on 5 March 2013 in euros (payment order no. 4 in the amount of EUR

Nº	Name of Applicant	Non-pecuniary damage claimed (EUR)	Non-pecuniary damage awarded (EUR)	Legal costs and expenses (EUR)	Payment
					9,042.33)
13	Chernetsova Zoya Pavlovna	360,000	26,400	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417550 in the amount of RUB 1,051,749.60)
14	Finogenov Pavel Alekseevich	180,000	8,800	-	Payment was made in full (including interests for the delay of payment) on 13 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 512561 in the amount of RUB 357,811.63)
15	Frolova Larisa Nikolayevna	480,000	52,800	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417551 in the amount of RUB 2,103,499.20)
16	Generalova Svetlana Nikolayevna	480,000	39,600	-	Payment was made in full (including interests for the delay of payment) on 13 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 512545 in the amount of RUB 1,610,150.51)
17	Gorokholinskiy Sergey Aleksandrovich	480,000	39,600	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417552 in the amount of RUB 1,577,624.40)
18	Grinberg Yekaterina Vyacheslavovna	240,000	26,400	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417553 in the amount of RUB 1,051,749.60)
19	Gromovich Sergey Vladimirovich	360,000	13,200	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417544 in the amount of RUB 525,874.80)
20	Gubareva Svetlana Nikolayevna	840,000	66,000	2000 (travel)	Payment of non-pecuniary damage was made in due time on 31 July 2012 in euro

Nº	Name of Applicant	Non-pecuniary damage claimed (EUR)	Non-pecuniary damage awarded (EUR)	Legal costs and expenses (EUR)	Payment
				expenses)	(payment order no. 17 in the amount of EUR 66,000.00) Payment of legal costs and expenses was made on 8 May 2013 (including interests, payment order no. 13)
21	Gunyasheva Olga Vladimirovna	360,000	13,200	-	Payment was made in full on 15 November 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 664953 in the amount of RUB 531,066.36)
22	Karpov Ivan Sergeyevich	180,000	8,800	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417543 in the amount of RUB 350,583.20)
23	Karpov Sergey Nikolayevich	240,000	8,800	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417545 in the amount of RUB 350,583.20)
24	Karpova Tatyana Ivanovna	240,000	8,800	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 418971 in the amount of RUB 350,583.20)
25	Khaziyev Tukay Valiyevich	360,000	26,400	-	The letter with recommendation to apply to ECHR to correct the personal data, contained in judgment, is sent to applicant.
26	Khomontovskiy Mikhail Yuryevich	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 13 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 512551 in the amount of RUB 536,716.84)
27	Khramtsov Aleksandr Fedorovich	180,000	8,800	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417547 in the amount of RUB 350,583.20)

№	Name of Applicant	Non-pecuniary damage claimed (EUR)	Non-pecuniary damage awarded (EUR)	Legal costs and expenses (EUR)	Payment
28	Erdzhan (Khramtsova) Irina Fedorovna	180,000	8,800	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417548 350,583.20)
29	Khramtsova Valentina Ivanovna	120,000	8,800	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417549 in the amount of RUB 350,583.20)
30	Романова (Khudovekova) Eleonora Vasilyevna	360,000	13,200	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 418972 in the amount of RUB 525,874.80)
31	Kiseleva Lyudmila Vasilyevna	480,000	39,600	-	The letter with recommendation to apply to ECHR to correct the personal data, contained in judgment, is sent to applicant.
32	Koletszkova (Udovitskaya) Anna Aleksandrovna	360,000	13,200	-	Payment was made in full and in due time on 27 July 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 417546 in the amount of RUB 525,874.80)
33	Konyakhin Aleksey Yuryevich	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510588 in the amount of RUB 535,978.17)
34	Kovrizhkin Anatoliy Ivanovich	540,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510590 in the amount of RUB 1,071,956.33)
35	Kutukova Nina Fedorovna	360,000	8,800	-	Payment was made in full (including interests for the delay of payment) on 13 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 512566 in

№	Name of Applicant	Non-pecuniary damage claimed (EUR)	Non-pecuniary damage awarded (EUR)	Legal costs and expenses (EUR)	Payment
					the amount of RUB 357,811.22)
36	Kurbatov Vladimir Vasiliyevich	240,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510566 in the amount of RUB 535,978.17)
37	Kurbatova Natalia Nikolayevna	240,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 13 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 512534 in the amount of RUB 536,716.84)
38	Lyubimov Nikolay Alekseyevich	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510589 in the amount of RUB 535,978.17)
39	Malenko Viktor Ivanovich	240,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510582 in the amount of RUB 1,071,956.33)
40	Matyukhina Yekaterina Vladimirovna	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510576 in the amount of RUB 535,978.17)
41	Milovidov Dmitriy Eduardovich	420,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510584 in the amount of RUB 535,978.17)

№	Name of Applicant	Non-pecuniary damage claimed (EUR)	Non-pecuniary damage awarded (EUR)	Legal costs and expenses (EUR)	Payment
42	Milovodova Olga Vladimirovna	240,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510575 in the amount of RUB 535,978.17)
43	Panteleyeva (Schetko) Viktoriya Yevgenyevna	200,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510567 in the amount of RUB 1,071,956.33)
44	Paramzin Vitaliy Sergeyevich	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510569 in the amount of RUB 535,978.17)
45	Ponomarenko Eduard Nikolayevich	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 13 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 512560 in the amount of RUB 536,716.84)
46	Ryabtseva Aleksandra Aleksandrovna	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510573 in the amount of RUB 535,978.17)
47	Rybachok Lyudmila Viktorovna	240,000	26,400	-	The letter with recommendation to apply to ECHR to correct the personal data, contained in judgment, is sent to applicant.
48	Senchenko Vyacheslav Nikolayevich	120,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510587 in

№	Name of Applicant	Non-pecuniary damage claimed (EUR)	Non-pecuniary damage awarded (EUR)	Legal costs and expenses (EUR)	Payment
					the amount of RUB 1,071,956.33)
49	Shalnov Aleksey (a minor, represented by Shalnov A.B.)	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510563 in the amount of RUB 535,978.17)
50	Shalnova Olga Aleksandrovna	180,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510578 in the amount of RUB 535,978.17)
51	Sidorenkov Petr Ilyich	360,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510570 in the amount of RUB 1,071,956.33)
52	Simonov Dmitriy Vladimirovich	240,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 13 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 512548 in the amount of RUB 1,073,433.67)
53	Solodova Olga Yevgenyevna	200,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510571 in the amount of RUB 1,071,956.33)
54	Tolmacheva Galina Aleksandrovna	360,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510568 in the amount of RUB 1,071,956.33)

№	Name of Applicant	Non-pecuniary damage claimed (EUR)	Non-pecuniary damage awarded (EUR)	Legal costs and expenses (EUR)	Payment
55	Troitskiy Sergey Stanislavovich	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510580 in the amount of RUB 535,978.17)
56	Voikov Nikolay Aleksandrovich	240,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510564 in the amount of RUB 1,071,956.33)
57	Yakubenko Alexandr Vyacheslavovich	120,000	26,400	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510565 in the amount of RUB 1,071,956.33)
58	Sotskova (Yegorova) Svetlana Igorevna	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510562 in the amount of RUB 535,978.17)
59	Yemakova Yuliya Vladimirovna	360,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 13 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 512564 in the amount of RUB 536,716.84)
60	Yuftyayev Yevgeniy Aleksandrovich	120,000	13,200	-	Payment was made in full (including interests for the delay of payment) on 12 September 2012 in roubles at the rate applicable at the date of the settlement (payment order no. 510572 in the amount of RUB 535,978.17)
61	Yuftyayeva Yekaterina Yevgenyevna	200,000	13,200	-	Payment was made in full (including interests for the delay of payment) on

2. Facts of inadequate first aid treatment, people transportation to medical institutions and general coordination of rescuing actions after the assault against the theater center were the subject of a criminal procedure examination, which resulted in refusal to initiate criminal proceedings. During the examination, no circumstances confirming the non-execution or undue execution of duties by the officials due to careless attitude or neglect of duty, which is an essential element of crimes provided in the arts. 237 (concealment of information about circumstances endangering human life or health) and 293 (neglect of duty), thereof were found.

The present procedural decision was appealed against to Zamoskvoretskiy District Court of Moscow, which declared it lawful and well-grounded. However, the court noted that the officials had acted in emergency situation and in accordance with the applicable at that time legislation. The superior court upheld the court's decision.

Following the judgment of the European Court, the applicants' representative applied to the Investigation Committee of the Russian Federation with a request to initiate criminal proceedings to investigate the causes of people's deaths during the rescue operation on 26 October 2002, concealment of information about circumstances endangering human life or health, causing death or severe harm to life due to recklessness, neglect of duty or undue performance of duties by the officials, responsible for the medical treatment of the injured and general coordination of rescuing actions.

On 30 August 2012, the investigator of the Main Investigations Directorate for the city of Moscow of the Investigation Committee of the Russian Federation rejected the application, as the circumstances indicated have already been the subject of the examination, which resulted in refusal to initiate criminal proceedings. Pursuant to the judgment of the Lefortovskiy District Court of the city of Moscow, as upheld by the court of appeal, the refusal has been declared lawful.

3. Due to the established violation, the European Court awarded the non-pecuniary damages compensation, paid in full by the Russian authorities.

With respect to the above, Russian authorities consider that there is no need to apply individual measures.

General measures:

1. Measures for distribution of the European Court judgment and implementation of its positions into the legal system of the Russian Federation

1.1. In accordance with the Regulations of the Authorized Representative of the Russian Federation at the European Court for Human Rights – deputy minister of justice of the Russian Federation, as approved by the Decree of the President of the Russian Federation dated 29 March 1998 No.310, the judgment of the European Court in the case *Finogenov and others v. Russia* has been submitted to

competent State authorities (Supreme Court of the Russian Federation, Office of the General Prosecutor of the Russian Federation, Investigation Committee of the Russian Federation, Federal Security Service of the Russian Federation, Ministry of Internal Affairs of the Russian Federation, Ministry of Defense of the Russian Federation, Ministry of the Russian Federation for Civil Defence, Emergency Situations and the Rectification of the Consequences of Natural Disasters and Ministry of Health Care of the Russian Federation) for the purposes of taking it into account in practice and, in accordance with the competence, of ensuring necessary general measures to prevent any possible violations of the Convention identified by the European Court, from occurring in the future.

The above authorities forwarded the copy of the European Court judgment to inferior courts, structural subdivisions, subordinate authorities and territorial bodies correspondingly.

1.2. The European Court judgment on case *Finogenov et al. vs. Russia* in Russian has been published in “ConsultantPlus” and “Garant” legal reference systems, and on the website of the Investigation Committee of the Russian Federation.

2. Measures for the improvement of the legislation and law enforcement practice in the counterterrorism area.

After the events which were subject of the European Court’s examination, a number of measures was taken to improve the regulatory environment and law enforcement practice in the counterterrorism area, allowing to prevent possible violations found by the European Court, from occurring in the future.

On 15 February 2006, the Decree of the President of the Russian Federation “On measures of counteracting terrorism” (as amended on 2 September 2012) was issued, pursuant to which the National Counterterrorism Committee (NCC) was created to coordinate the activities of federal government authorities and local government bodies against terrorism.

The creation of NCC allowed to unite and coordinate the efforts of various state authorities in their activities to combat terrorism and eliminate its consequences, as well as to organize their cooperation with regional authorities and local government bodies, civil society organizations and associations.

Moreover, the Decree of the President of the Russian Federation assisted further improvement of the counterterrorism legislation.

On 6 March 2006 was adopted the Federal Law No.35-Φ3 “On counteracting terrorism” (as amended on 8 November 2011), which laid the legal and organizational basis of combating terrorism, as well as for the reduction and/or elimination of the consequences of terrorism.

Among the basic principles of combating terrorism, the law refers to support and protection of basic human rights and freedoms, legality, priority of protection of rights and legal interests of persons being under terrorist threat.

The Law “On counteracting terrorism” contains the definitions of “terrorism”, “terrorist activities”, “terrorist attack”, “counteracting terrorism”, “counterterrorist operation”. It regulates the preparation and performance of counterterrorist and rescue operations, participation therein of competent state authorities, methods of their interaction, method of taking decisions regarding the counterterrorist operations, authority and liability of the officials in charge, competency of emergency operations headquarters, method of engaging manpower and resources, etc.

In elaboration of the Decree of the President of the Russian Federation “On measures of counteracting terrorism” and Federal Law “On counteracting terrorism”, amendments were made to state agency instructions, including those of the Federal Security Service of the Russian Federation.

In order to timely inform the public about possible terrorist threat and to organize efforts against it, the Decree of the President of the Russian Federation dated 14 June 2012 No. 851 “On leveling of the terrorist threat, providing for adoption of supplementary measures to ensure the protection of a person, society and state” was adopted.

3. Measures on improvement of life-saving and health preservation activities in emergencies.

After the events, which were the subject of examination by the European Court, several measures were adopted, to improve public healthcare system in emergencies, in particular during counterterrorist operations, as well as to increase efficiency of the medical aid; medical evacuation; to fit up medical institutions and emergency medical services with necessary equipment, etc.

3.1. On 21 November 2011, the Federal Law No. 323-ФЗ “On the basics of the public healthcare” was adopted, where in the Article 35, for the first time at the legal level was introduced the notion of the medical evacuation, as a comprehensive set of actions to transport people for the life-saving and health preservation purposes by various types of transport.

3.2. Article 41 of the Law regulates the method of organization and medical aid in emergencies.

It is provided, that in emergency situations the organization and medical aid, including medical evacuation are performed by the All-Russian Service for Disaster Medicine (ASDM).

The ASDM is guided by the Regulations of the All-Russian Service for Disaster Medicine, approved by the Enactment of the Government of the Russian Federation dated 28 February 1996 No.195 (as amended on 4 September 2012).

The Service performs its functions at federal, inter-regional, regional, municipal and object levels, and is represented at each one by corresponding coordination bodies, management bodies, manpower and resources of authorities of various levels, organizations and divisions called to eliminate medical and sanitary consequences of emergency situations.

ASDM is tasked with fast response, mobilization of material and technical means and personnel in emergency situations with life-saving and health preservation purposes, timely providing people with all types of comprehensive medical aid, as well as creating logistic reserve and first aid training including medical evacuation in emergency situations.

Disaster medicine territorial centers contain in their structure emergency response and specialized aid divisions, which are constantly in a state of readiness, and are to be deployed in emergency zone to provide medical aid.

At all ASDM levels there are supernumerary divisions, which come under operational control of the Service of corresponding level in emergency situation.

All-Russian Service for Disaster Medicine (All-Russian Center for Disaster Medicine "Zashchita") manages the system of training and development of the Service staff, and guides the population and rescuers' first aid training.

Coordination of training and interaction between the management bodies, as well as use of the Service's divisions and institutions is the competency of the disaster service of the Ministry of Healthcare of the Russian Federation.

3.3. In the Federal Law "On the basics of the public healthcare" it is specifically noted that medical evacuation is performed by ambulance teams, subject to the medical aid during transportation, in particular with the use of medical equipment. For the purposes of proper medical evacuation, the list of federal state authorities performing such evacuation is approved¹.

Measures have been taken to fit up the medical institutions involved in elimination of emergency situations consequences, including terrorist attacks and counterterrorist activities, with necessary equipment.

Approx. 15 thousand vehicles (incl. reanimobiles) were delivered to the medical aid divisions during the years 2006 through 2012.

3.4. Article 31 of the law governs the first aid treatment and entrusts specially trained persons who are obliged to provide the first aid treatment pursuant to the legislation (law enforcement officers, military servicemen, fire department personnel, rescuers of emergency and rescue divisions, private guards, detectives and vehicle drivers, etc.).

In elaboration of the said provision of the law, the Ministry of Education and Science of the Russian Federation developed and approved sample programs for the classroom discipline "First Aid"².

In order to fit up the enterprises, institutions and organizations with the necessary medical equipment needed in case of emergency, the Ministry of Healthcare and Social Development of the Russian Federation approved the requirements with respect to the set of the first aid kits, required for the first aid

¹ Decree of the Ministry of Healthcare and Social Development of the Russian Federation dated 5 May 2012 No.500H "On the Approval of the List of Federal State Institutions Performing the Medical Evacuation".

² Decrees of the Ministry of Education and Science of the Russian Federation dated 26 April 2010 Nos. 429 and 430, dated 18 June 2010 No.636.

treatment of employees³; a list of conditions requiring the first aid treatment and measures for the treatment⁴.

It is presumed, that training of persons who, due to their responsibility, must provide medical aid, and supplying the enterprises, institutions, organizations and vehicles with the equipment necessary for medical aid, will (combined with other measures) assist a more efficient medical aid in emergency situations.

The government considers that other individual measures are unnecessary, while the general measures adopted have fully remedied the consequences for the applicant of the violations of the Convention, found by the European Court in case of *Finogenov and others v. Russia*, that these measures will prevent similar violations in the future, and that the Russian Federation has complied with its obligations under Article 46, paragraph 1 of the Convention.

³ Decree of the Ministry of Healthcare and Social Development dated 5 March 2011 No.169H "On the Approval of Requirements as to the Set of Medical Articles of the First Aid Kits Required for the First Aid Treatment of Employees".

⁴ Decree of the Ministry of Healthcare and Social Development dated 4 May 2012 No.477H "On the Approval of the List of Conditions Requiring the First Aid Treatment and List of Measures for the First Aid Treatment".