

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES



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Meeting: 1259 meeting (7-9 June 2016) (DH)

Item reference: Action report (19/04/2016)

Communication from the Russian Federation concerning the case of Dreval and others (Kuksa group) against Russian Federation (Application No. 40075/03)

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Réunion : 1259 réunion (7-9 juin 2016) (DH)

Référence du point : Bilan d'action

Communication de la Fédération de Russie concernant l'affaire Dreval et autres (groupe Kuksa) contre Fédération de Russie (Requête n° 40075/03) (**anglais uniquement**)

DGI

19 AVR. 2016

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

ACTION REPORT
on the execution of the judgment of the European Court of Human Rights in case no.
40075/03 Dreval and others v. Russia
(judgment of 2 May 2013 became final on the same day)

Violation

In its judgment on the application no. 40075/03 Dreval and others v. Russia, the European Court of Human Rights found the violation by the Russian authorities of Article 6 § 1 of the Convention for the Protection of Human Rights and Fundamental Freedoms in conjunction with the excessively long execution of judgment on granting a municipal housing in favour of the applicants.

Individual Measures:

1. Due to the violations found, the Court awarded the applicants the following amount of compensation, which was paid in full.

Applicant	Pecuniary damage	Non-pecuniary damage	Legal costs and expenses	Payment
Iya Mikhaylov-na Dreval		EUR 1,500.00		The amount was fully paid on 29 November 2013 in roubles according to the exchange rate as of the date of the payment with default interests by the payment order no. 1597420 in the amount of RUB 67,239.30.
Irina Vladimirovna Dreval		EUR 1,500.00		The amount was fully paid on 29 November 2013 in roubles according to the exchange rate as of the date of the payment with default interests by the payment order no. 1597401 in the amount of RUB 67,239.30.
Viktor Mikhaylovich Kuritsyn		EUR 1,500.00		The amount was fully paid on 29 November 2013 in roubles according to the exchange rate as of the date of the payment with default interests by the payment order no. 1597371 in the amount of RUB 67,239.30.

2. The Syktyvkar City Court judgment of 14 February 2003 granting the municipal housing to the applicants had been executed before the European Court issued the judgment in the present case, as reflected in § 11 of the above judgment.

Neither the applicant nor their representatives have brought any complaints before the court in conjunction with the ECHR's judgment entry into force.

General Measures:

1. The general measures on resolving the problem of excessive length of enforcement of judicial decisions granting a municipal housing premises are being taken

within the framework of enforcement of the European Court's judgments in the Kuksa group of cases.

2. The European Court's judgement in *Dreval and others v. Russia* has been forwarded to the Constitutional Court of the Russian Federation and to the competent state authorities (the Supreme Court, the Prosecutor General's Office, the Federal Bailiff Service, the Supreme Court of the Republic of Komi) for practical consideration and taking the measures under their jurisdiction to prevent the similar violations in future.

The competent state authorities have forwarded copies of the mentioned judgment of the European Court, along with necessary instructions, to their structural divisions and territorial authorities for practical consideration of the legal position of the Court.

3. The text of the judgment of the European Court on the application *Dreval and others v. Russia* is published in Russian on the internal website of the Supreme Court, on the official website of the Prosecutor General's Office and in the Garant legal reference system, in Russian and in English in the Consultant Plus legal reference system, information on the judgment is placed in the Garant legal reference system.

Conclusion:

The Russian authorities believe that the violations of the rights of the applicant have been eliminated to the extent possible by the individual measures taken, and, therefore, the Government has complied with their obligations under Article 46 of the Convention and the supervision by the Committee of Ministers of the Council of Europe in this respect may be discontinued.