

## SECRETARIAT GENERAL

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

Item reference: Action report (04/05/2016)

Communication from the Russian Federation concerning the case of Aleksandr Dmintriyev (Klyakhin group) against Russian Federation (Application No. 12993/05)

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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 Aleksandr Dmintriyev (groupe Klyakhin) contre Fédération de Russie (Requête n° 12993/05) (**anglais uniquement**)

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**ACTION REPORT**  
**on the execution of the judgment of the**  
**European Court of Human Rights in case**  
**no. 12993/05 *Aleksandr Dmitriyev v. Russia***  
**(judgment of 7 May 2015, final on 7 August 2015)**

**Violation**

In the judgment *Aleksandr Dmitriyev v. Russia*, the European Court of Human Rights found a violation of Article 5 § 3 of the Convention in connection with unreasonably long detention of A.V. Dmitriyev.

**Individual Measures:**

**1. Just satisfaction.**

Applicant	Pecuniary damage	Non-pecuniary damage	Legal costs and expenses	Total
Aleksandr Viktorovich Dmitriyev		EUR 1,100		EUR 1,100
The payment was made in full on 26 August 2015 in roubles according to the exchange rate as the date of the payment (payment order no. 318872 for the amount of RUB 89,268.63).				

**2.** At present, the applicant is no longer detained (he was released from criminal responsibility).

**3.** Taking into account that the European Court has found the fact of the unreasonably long detention of A.V. Dmitriyev, all previous decisions on extension of the applicant's detention were declared illegal and were quashed by the judgment of the Presidium of the Supreme Court upon the recommendation of the Chairman of the Supreme Court.

The applicant and his representatives have not lodged any claims or applications with domestic court in connection with the entry into force of the ECHR's judgment.

**General Measures:**

**1.** The adoption of general measures to solve problem of excessive length of detention and prevention of further relevant violations is being carried out in the framework of execution of judgments in *Klyakhin* group of cases and of the "pilot" judgment in case *Ananyev and others v. Russia*.

**2.** The Court's judgment in case *Aleksandr Dmitriyev v. Russia* was forwarded to the Constitutional Court of the Russian Federation and to the competent state authorities (the Supreme Court, the General Prosecutor's Office, the Kaluga Regional

Court, the Federal Penitentiary Service) for taking into account in practice and adopting measures to prevent similar violations in the future in accordance with the jurisdiction.

The named competent state authorities communicated copies of the European Court's judgment to their structural subdivisions and territorial agencies with necessary instructions to take into account the European Court's legal positions in their practice.

3. The text of the Court's judgment in case *Aleksandr Dmitriyev v. Russia* was published in Russian on the official websites of the Ministry of Justice, General Prosecutor's Office, on the internal website of the Supreme Court, as well as in the "Consultant Plus" legal reference system. The information on this judgment was also published in Russian in the "Garant" legal reference system.

**Conclusion:**

The Russian authorities believe that the individual measures taken have eliminated violations against the applicant to the maximum possible extent; accordingly, the Russian authorities have fulfilled their obligations under Article 46 of the Convention and the Committee of Ministers' of the Council of Europe supervision of issue in this parts may be ceased.