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Date: 7/10/2021

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Meeting: 1419<sup>th</sup> meeting (December 2021) (DH)

Communication from Ukraine concerning the case Bilozor and Others v. Ukraine (Application No. 54825/00) (NEVMERZHITSKY Group)

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Réunion : 1419<sup>e</sup> réunion (décembre 2021) (DH)

Communication de l'Ukraine concernant l'affaire Bilozor et autres c. Ukraine (requête n° 54825/00) (Groupe NEVMERZHITSKY) (*anglais uniquement*)

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**Mr Pavlo Pushkar**

**Head of Division**

**Department for the execution of judgments  
of the European Court of Human Rights**

**Directorate of Human Rights**

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and Rule of Law**

Council of Europe

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*As to the execution of the Court's judgment  
in case of "Bilozor and others v. Ukraine"*

**Dear Mr Pushkar,**

As regards the execution of the Court's judgment in the case of "*Bilozor and Others v. Ukraine*" (appl. no. 9207/09 and 5 others), *i.e.* payment of just satisfaction sum awarded to Mr Aleksandr Vladimirovich Smirnov (appl. no. 44670/11), the Government of Ukraine would like to provide the information as follows.

In their previous communication of 8 April 2020<sup>1</sup>, the Government of Ukraine have noted that the enforcement proceedings concerning payment of just satisfaction awarded by the Court in the above Judgment, was opened on 17 October 2017. However, the applicant, Mr Smirnov, did not submit his full banking details to the State Bailiff Service within time limit. Thus, on 25 October 2017 the sum of just satisfaction in the amount of UAH 118 564, 21 (equivalent of EUR 3800) was transferred to the special deposit account of the Ministry of Justice of Ukraine. The applicant, his mother and his representative were also notified about this.

On 20 November 2018, the applicant submitted his authorised attorney banking details.

However, by the letter of the Joint Stock Company "The State Export-Import Bank of Ukraine" ("Ukreximbank" is a bank which carries out banking activities with special deposit

<sup>1</sup> [http://hudoc.exec.coe.int/eng?i=DH-DD\(2020\)321E](http://hudoc.exec.coe.int/eng?i=DH-DD(2020)321E)

Міністерство юстиції України

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Підписувач Давидчук Ольга Василівна

Сертифікат 58E2D9E7F900307B0400000D76B1700BB228A00

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account of the Ministry of Justice) dated 25 December 2018 the State Bailiff Service was notified that Russian Federation included the “Ukreximbank” to the list of legal entities regarding to which special economic measures as blocking of non-cash funds and others have been introduced (the Government of Russian Federation Resolution No. 1656 “On Amendments to the Government of Russian Federation Resolution No. 1300 dated 1 November 2018”). According to para 1 of the Government of Russian Federation Resolution No. 1300, sanctions mentioned above are also related to bank entities controlled by the “Ukreximbank”.

As of today the State Bailiff Service of the Ministry of Justice of Ukraine is deprived of the opportunity to transfer any funds to financial institutions controlled by the Russian Federation.

Therefore, on 12 March 2020 the State Bailiff Service invited Mr. Smirnov to provide his banking details (or his representative’s banking details) of the Ukrainian bank in order to transfer him the awarded just satisfaction sum in **euros** as it prescribed in the Court’s judgment.

As of today, the applicant has not submitted full details of his or his representative Ukrainian bank account, which is valid in territories under the governmental control.

The Government will keep the Committee of Ministers informed about further measures taken in this case.

**Yours sincerely,**

**Olga DAVYDCHUK**  
**Acting Agent before**  
**the European Court of Human Rights**