

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
SECRETARIAT DU COMITE DES MINISTRES



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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: 1201 meeting (3-5 June 2014) (DH)

Item reference: Communication from the authorities (30/04/2014)

Communication from the Russian Federation concerning the case of Vasiliy Vasilyev against Russian Federation (Application No. 16264/05).

Information made available under Rule 8.2.a of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1201 réunion (3-5 juin 2014) (DH)

Référence du point : Communication des autorités

Communication de la Fédération de Russie relative à l'affaire Vasiliy Vasilyev contre Fédération de Russie (Requête n° 16264/05) (**anglais uniquement**).

Informations mises à disposition en vertu de la Règle 8.2.a des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.



INFORMATION
on the enforcement of the judgment of the European Court of Human Rights
in case no. 16264/05 *Vasiliy Vasilyev v. Russia* (judgment of 19 February 2013,
final on 19 May 2013)

Violation

In its judgment in case *Vasiliy Vasilyev v. Russia* the European Court of Human Rights found a violation of Article 3 of the Convention for the Protection of Human Rights and Fundamental Freedoms on account of improper conditions of V. Vasilyev's detention in remand prison; Article 5 §§ 1 and 4 of the Convention on account of the applicant's 13-days detention in 2004-2006 without any court order, excessively length of judicial examination of his appeals against the detention orders and motions for release, and unlawful discontinuation of the proceedings upon examination of one of these motions.

Individual Measures:

1. Just Satisfaction

Pecuniary Damage	Non-pecuniary damage	Legal costs and expenses	Total
	EUR 6,500	EUR 5,000	EUR 11,500
The amount was fully paid on 31.07.2013 in roubles according to the exchange rate at the date of the payment. The amount was transferred to the applicant's account by payment order no. 1306375 for RUB 283,439.00. The amount was transferred to the applicant's account by payment order no. 1306431 for RUB 218030.00.			

2. Currently the Presidium of the Supreme Court of the Russian Federation received copy of the European Court's judgment in case *Vasiliy Vasilyev v. Russia* for examination the question of reopening of the proceedings in the case against the applicant in view of the violation of Article 5 of the Convention found by the European Court.

In relation with the violation, the European Court awarded to V. Vasilyev the compensation of non-pecuniary damage and legal costs and expenses, which, as it was mentioned above, was paid by the Russian authorities to the applicant in full.

According to the Vladimir Regional Court, neither the applicant nor his representative filed any applications with the courts after the European Court's judgment became final.

General measures:

1. Pursuant to the Regulations on Representative of the Russian Federation at the European Court of Humans Rights - the Deputy Minister of Justice of the Russian Federation approved by the Decree of the President of the Russian Federation of

29 March 1998 no. 310, the European Court's judgment in case *Vasiliy Vasilyev v. Russia* was forwarded to the Constitutional Court of the Russian Federation and competent state authorities (the Supreme Court of the Russian Federation, the Vladimir Regional Court, the General Prosecutor's Office of the Russian Federation, the Ministry of Interior of the Russian Federation, the Investigative Committee of the Russian Federation, the Federal Security Service of the Russian Federation, the Federal Drug Control Service of the Russian Federation) for practical consideration and application of general measures under their jurisdiction in order to prevent the violations found by the Court in future.

The above competent state bodies transferred a copy of the European Court's judgment to the lower courts, divisions, subordinate agencies and territorial bodies with the required instructions.

2. The European Court's judgment in case *Vasiliy Vasilyev v. Russia* was published in Russian on the websites of the Investigative Committee of the Russian Federation and the Ministry of Justice of the Russian Federation.

The information on the European Court's judgment in case *Vasiliy Vasilyev v. Russia* in Russian was published in Consultant Plus and Garant legal reference systems. The above judgment in English was published in Consultant Plus legal reference system.

3. General measures aimed on providing persons' rights during their detention as well as ensuring appropriate conditions of detention are taken within scope of enforcement of the European Court judgments in *Klyakhin* and *Kalashnikov* groups of cases as well as pilot judgment of the European Court in case *Ananiev and Others v. Russia*.