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Contact: Clare Ovey  
Tel: 03 88 41 36 45

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Meeting: 1265 meeting (20-22 September 2016) (DH)

Item reference: Action plan (17/08/2016)

Communication from the Russian Federation in the case of Pizar against the Republic of Moldova and the Russian Federation (Application No. 42139/12)

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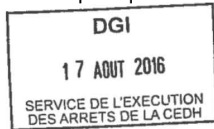
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Réunion : 1265 réunion (20-22 septembre 2016) (DH)

Référence du point : Plan d'action

Communication de la Fédération de Russie dans l'affaire Pizar contre la République de Moldova et la Fédération de Russie (Requête n° 42139/12) (**anglais uniquement**)

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## ACTION PLAN

### **on execution of the judgment of the European Court of Human Rights in case no. 42139/12 *Pisari v. the Republic of Moldova and Russia* (judgment of 21 April 2015, final on 19 October 2015)**

#### **Violation**

In the said judgment the European Court of Human Rights found a violation by the Russian authorities of Article 2 of the Convention for the Protection of Human Rights and Fundamental Freedoms on account of death of V.S. Pisari (applicants' son) as a result of use of fire arm by soldier of peacekeeping military forces of the Russian Federation located on the territory of Transdnestrian Moldova Republic and failure to ensure the effective investigation of the matter.

#### **Individual Measures:**

##### **1. Just satisfaction**

Applicants	Non-pecuniary damage	Legal costs and expenses	Payment
Pisari S. Pisari O.	35,000 EURO	5,580 EURO	The payment was fully made on 29 March 2016 (payment order # 3 in amount of 40,580 Euro).

2. With regard to the ineffectiveness of the investigation the European Court noted that the applicants were not granted the status of victims in the criminal proceedings allowing them to exercise procedural rights.

Following the findings of the European Court the deputy military prosecutor for Bryansk Garrison quashed the previously issued decision to discontinue the criminal case upon V.S. Pisari's killing, the criminal proceedings were reopened. The additional investigation was organized and written instructions were given by prosecutor.

#### **General measures:**

1. In accordance with the Regulations On the Representative of the Russian Federation at the European Court of Human Rights - the Deputy Minister of Justice of the Russian Federation approved by Decree of the President of the Russian Federation of 29 March 1998 no. 310, the European Court's judgment in the case *Pisari v. the Republic of Moldova and Russia* was forwarded to the competent state authorities for practical consideration and application of measures under their jurisdiction to prevent similar violations in future.

The competent state authorities forwarded a copy of the European Court's judgment to their structural divisions and territorial bodies along with the required instructions for practical consideration of the European Court's legal position.

2. The text of the European Court's judgment in the case *Pisari v. the Republic of Moldova and Russia* was published in Russian on the internal website of the Supreme Court in the "Departmental outline" section, on the official website of the Investigative Committee. The text of the European Court's judgment in English as well as the information about said judgment in Russian are posted in the legal reference systems Consultant Plus and Garant.