

Council of Europe
The Secretary General

Strasbourg, 13 June 2024

Minister,

I unequivocally recall the Russian Federation's unconditional and binding international law obligation to implement all final judgments and decisions of the European Court of Human Rights, although it ceased to be a High Contracting Party to the European Convention on Human Rights on 16 September 2022. In accordance with Article 46 of the Convention, the Committee of Ministers continues to supervise the execution of judgments and friendly settlements with respect to the Russian Federation at its quarterly human rights meetings (CM-DH meetings).

It is to be deeply deplored that your authorities have stopped all communication with the Council of Europe in respect of the implementation of the judgments by the European Court of Human Rights, and that so many of the judgments against the Russian Federation remain unimplemented (see in this respect the outstanding measures set out in the memorandum prepared by the Secretariat H/EXEC(2023)12).

At its last human rights meeting held on 11-13 June 2024, the Committee of Ministers adopted the following decisions in respect of the Russian Federation:

- In the *Blokhin, Fudin, Matytsina* group, the *Vasylev and Kovtun* group, the *Atyukov* group and the *Karelin* group, concerning several violations of the right to a fair trial due to legal shortcomings in several key areas, the Committee stressed the unconditional obligation of the authorities, in the context of the reopening of cases, to remedy, as far as possible, the procedural shortcomings identified by the European Court of Human Rights. As regards general measures, the Committee underlined the authorities' obligation to adopt legislative reforms in some key areas related to fair trial, by addressing shortcomings in the legislation clearly identifiable from the judgments of the European Court of Human Rights.

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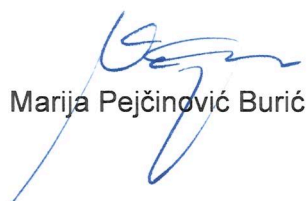
- In the *Boris Popov, Boyko, Gorlov and Others* group, the *Igranov and Others* group, the *N. T.* group, the *Khoroshenko* group and the *Resin and Vlasov* group, concerning several violations of prisoners' rights caused by laws found to be deficient in the judgments of the European Court of Human Rights, the Committee deeply regretted the refusal of the authorities to execute one of the judgments on the grounds that it "contradicts the basis of the constitutional order in the Russian Federation". It reiterated in this regard that the Russian Federation remains under an obligation to fully implement all final judgments of the European Court of Human Rights to which it is a party and that such a refusal is a manifest infringement of international law. As regards general measures, the Committee underlined that there is a need to adopt a number of legislative reforms to safeguard other prisoners' rights. It underlined that the authorities should: introduce a legal provision providing for the participation of prisoners in civil cases to which they are parties, as well as regulate family visits for prisoners detained under the minor offences' administrative procedure; address the discrimination between remand prisoners and convicted prisoners as regards the length and frequency of family visits; and ensure the existence of an effective remedy on these issues.

In both groups, the Committee emphasised the obligation of the authorities to ensure payment of just satisfaction in all cases, bearing in mind the unconditional nature of this obligation. To this end, I recall that in accordance with the Interim Resolution CM/ResDH(2022)354, adopted by the Committee of Ministers at its 1451st meeting (December 2022) (DH) and in line with the "Strategy paper regarding the supervision of the execution of cases pending against the Russian Federation" (CM/Inf/DH(2022)25), the Secretariat has created and published a public register of just satisfaction owing in all inter-state and individual cases against the Russian Federation. This register is regularly updated as regards the default interest accrued so that both the issue and the sums due can remain under close public scrutiny and be available to the Committee in the light of any future developments.

The relevant decisions adopted by the Committee are enclosed.

On behalf of the Council of Europe, I urge your authorities to comply with the unconditional obligation to abide by the judgments of the European Court of Human Rights in respect of the Russian Federation and to take all required measures to execute them.

Yours sincerely,



Marija Pejčinović Burić