

Council of Europe
The Secretary General

Strasbourg, 7 June 2023

Minister,

As I had the opportunity to indicate in previous letters to you, although the Russian Federation ceased to be a member of the Council of Europe on 16 March 2022, and a High Contracting Party to the European Convention on Human Rights as from 16 September 2022, the European Court of Human Rights (“the Court”) remains competent to deal with applications directed against the Russian Federation in relation to acts or omissions capable of constituting a violation of the Convention provided that they occurred until 16 September 2022.

At their Summit in Reykjavik on 16-17 May 2023, the Heads of State and Government of the member states of the Council of Europe underlined that the Russian Federation remains under the binding and unconditional obligation under international law to implement all final judgments and decisions of the Court.

Following the Reykjavik Summit, the Committee of Ministers has continued to supervise the execution of judgments against the Russian Federation. At its human rights meeting held on 5-7 June 2023, it adopted the following decisions:

- In *Georgia v. Russia (I)*, concerning the arrest, detention and expulsion from the Russian Federation of large numbers of Georgian nationals from the end of September 2006 until the end of January 2007, the Committee strongly reiterated again their profoundest concern that the payment of the just satisfaction and default interest accrued has not been made; strongly exhorted once again the Russian authorities to pay the just satisfaction, together with the default interest accrued, without any further delay; and in light of the deplorable failure to engage with the supervision process despite the authorities’ obligation to do so, invited the Chair of the Committee of Ministers to consider making a public statement conveying the Committee’s profound concerns;

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- In *Georgia v. Russia (II)*, concerning various violations of the Convention in the context of the armed conflict between the Russian Federation and Georgia in August 2008, the Committee called upon the Russian authorities to timely pay the sums awarded in the Court's judgment on just satisfaction of 28 April 2023 and exhorted them to thoroughly, independently, effectively and promptly investigate the serious crimes committed during the active phase of hostilities as well as during the period of occupation, so as to identify all those responsible for the purposes of bringing the perpetrators to justice. The Committee also decided to resume examination of this case at its 1483rd meeting (December 2023) (DH) and in the absence of any progress by then to consider new action;
- In the *Mozer* group of cases, concerning various violations of the Convention in the Transnistrian region of the Republic of Moldova, the Committee repeatedly expressed its utmost concern over the Russian authorities' failure to pay the just satisfaction and present an action plan setting out concrete measures. It exhorted the authorities to proceed with the payment of the amounts awarded by the Court and submit an action plan without further delay. In the absence of an action plan, the Committee instructed the Secretariat to prepare an analysis of the measures required for the execution of these judgments, in the light of the Court's findings and publicly available information concerning the current relevant factual circumstances;
- In the *Navalnyy and Ofitserov* group of cases, concerning eight judgments of the Court delivered in respect of Mr Aleksey Navalnyy, the Committee deplored that the conviction of Mr Navalnyy in March 2022, which was upheld on appeal, was imposed in complete disregard of the findings of the Court in the *Navalnyy and Ofitserov* case which had established that his conviction had been arbitrary and unreasonable; it also deeply deplored that Mr Navalnyy still remains in detention, insisted on the obligation of the Russian authorities to ensure his immediate release, and urged them, in addition, to ensure him free access to independent doctors and unimpeded visits from his lawyers;
- In the *Finogenov and Others* group of cases, concerning the failure to adequately plan and conduct a hostage rescue operation after a terrorist attack on the Dubrovka Theatre in Moscow in October 2002, and various failures in the handling of a school hostage crisis in Beslan in 2004, the Committee reiterated the obligation of the Russian authorities to introduce and enforce a legal framework to ensure that large-scale security operations are conducted with due respect to human rights, without the use of excessive or indiscriminate lethal force, and to undertake measures of "greater dissemination of information and better training for police, military and security personnel in order to ensure strict compliance with the relevant international legal standards" in practice.

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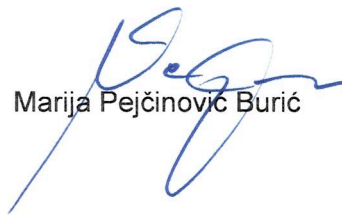
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The relevant decisions are enclosed.

On behalf of the Council of Europe, I once again deeply deplore the absence of any communication from the Russian authorities and strongly urge them to comply with their obligations under international law, including the obligation to fully and effectively implement the judgments adopted by the European Court of Human Rights with regard to the Russian Federation.

Yours sincerely,



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