



RUSSIA HAS PAID DEPORTED CITIZENS COMPENSATION WITHIN INDIVIDUAL CASE

The Russian Federation has paid the citizens compensation affected by collective deportations from Russia in 2006 who have filed individual complaints in the European Court of Human Rights.

The European Court delivered a decision on individual cases on 26 March 2019. According to the decision, Russia had to pay different amounts of compensation (2,000 euros and/or,000 to 15,000 euros) for the victims, including eight clients of GYLA. The amount of compensation for each applicant was individually determined by the severity, intensity, and duration of the violated rights.

The present decision became final on 26 June 2019. The Russian Federation had to

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pay the imposed amount of money within three months after the entry of the court ruling into force. The time limit expired on September 26, 2019. However, Russia has not paid the GYLA's clients within the specified period.

From July 2019 to January 2020, GYLA actively communicated with the Ministry of Justice of the Russian Federation. Within the framework of the communication, GYLA provided the bank account of applicants to the Russian Federation and identify documents and also called for the court to comply with the court decision on time.

In parallel, on 19 November 2019, GYLA submitted a written communication to the Committee of Ministers of the Council of Europe, which oversees the enforcement of the decision of the European Court. In presented communication, the GYLA stated that its clients had not yet received their compensation, even though the applicants had provided their data to the relevant authorities of Russia. Also, the GYLA substantiated that the enforcement of the decision of the European Court and the payment of compensation to the applicants constituted an unconditional obligation of the Russian Federation under Article 46 of the European Convention.

On 29 November 2019, GYLA was notified by the Ministry of Justice of the Russian Federation that one applicant would receive the money shortly and Russia has requested additional documents concerning the rest seven applicants. GYLA resubmitted the requested documentation to the Russian Ministry of Justice, after that on 21 January 2020, we were informed by the Ministry that 6 applicants would be paid the compensation and additional documents were still required for the seven applicants.

At this stage, the Russian Federation has paid compensation seven clients of GYLA by the decision of the European Court of 26 March 2019, and concerning one applicant, GYLA continues to communicate with the Russian Federation.

In addition to individual cases, Russia was also imposed to pay compensation to citizens affected by collective expulsion within an interstate complaint. In particular, by the decision of the European Court of 31 January 2019, Russia was imposed to pay 10 million euros in favor of Georgian citizens. Unfortunately, Russia has not yet paid the money imposed within the interstate complaint. The Committee of Ministers assessed the execution of the deportation process at a meeting on March 3-5, 2020,

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and criticized Russia for failing to pay the imposed compensation so far. The Committee of Ministers further clarified that Georgia's requirement to comply with certain conditions (submission of a precise list, creation of a mechanism at a national level) as a precondition for enforcement of the judgment contradicts the decision of the European Court.

Georgian Young Lawyers' Association is proceeding the case with the support of USAID / PROLoG.