



COUR EUROPÉENNE DES DROITS DE L'HOMME
EUROPEAN COURT OF HUMAN RIGHTS

FIRST SECTION

CASE OF NINA KAZMINA AND OTHERS v. RUSSIA

(Applications nos. 746/05, 13570/06, 13574/06, 13576/06 and 13579/06)

JUDGMENT

STRASBOURG

13 January 2009

FINAL

13/04/2009

This judgment may be subject to editorial revision.

In the case of **Nina Kazmina and Others v. Russia**,
The European Court of Human Rights (First Section), sitting as a
Chamber composed of:
Christos Rozakis, *President*,
Anatoly Kovler,
Elisabeth Steiner,
Dean Spielmann,
Sverre Erik Jebens,
Giorgio Malinverni,
George Nicolaou, *judges*,
and André Wampach, *Deputy Section Registrar*,
Having deliberated in private on 16 December 2008,
Delivers the following judgment, which was adopted on that date:

PROCEDURE

1. The case originated in five applications (nos. 746/05, 13570/06, 13574/06, 13576/06 and 13579/06) against the Russian Federation lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by six Russian nationals (“the applicants”). The applicants’ names and the dates of their applications to the Court appear in the appended table.

2. The applicants in cases nos. 13570/06, 13574/06, 13576/06 and 13579/06 were represented by Mr I. Sivoldayev, a lawyer practising in Voronezh. The applicant in case no. 746/05 was not represented by a lawyer. The Russian Government (“the Government”) were represented by Ms V. Milinchuk, the former Representative of the Russian Federation at the European Court of Human Rights.

3. On various dates the President of the First Section decided to give notice of the applications to the Government. It was also decided to examine the merits of the applications at the same time as their admissibility (Article 29 § 3).

4. The Government objected to the joint examination of the admissibility and merits of the application no. 13579/06, but the Court rejected this objection.

THE FACTS

I. THE CIRCUMSTANCES OF THE CASE

5. The applicants live in Voronezh, the Voronezh Region. Their names and dates of birth are indicated in the appended table.

A. Judgments in the applicants' favour

6. The applicants are pensioners. They sued the local social welfare authorities for underpaid cost-of-living adjustment of their pensions. On the dates set out in Appendix I the domestic courts granted their claims and ordered the welfare authorities of different districts of Voronezh to pay them the respective amounts. The judgments became final on the dates indicated in Appendix I.

B. Enforcement proceedings

7. In 2001 all the applicants except for Mrs Gurova submitted the writs of execution to the bailiffs. On various dates of the same year the bailiffs discontinued the enforcement proceedings and returned the writs to the respective courts, referring to the debtor's lack of funds. In 2004 these applicants resubmitted the enforcement documents for execution. The bailiffs returned the writs unenforced, with reference to the lack of funds.

1. Particular details of the application by Mrs Sadchikova (case no. 13570/06)

8. On 16 June 2006 the Levoberezhnyy District Court of Voronezh rejected Mrs Sadchikova's complaint about the bailiffs' negligence.

9. In their observations the Government submitted, without further detail, that at some point, apparently after 25 November 2005, the Main Department of Pension Fund of the Levoberezhnyy District of Voronezh had invited the applicant to receive the judgment debt, but she had refused. They informed the Court that on 3 July 2007 the unspecified documents regarding payment of the judgment debt had been sent to a local post office, for delivery to the applicant. They furnished no information or documents confirming that the applicant had received the amount.

2. Particular details of the application by Mrs Gurova (case no. 13576/06)

10. According to the Government, the writ of execution issued in respect the award in favour of Mrs Gurova was on 14 June 2000 returned to the

Zheleznodorozhnyy District Court of Voronezh, on account of full execution of the award. All the documents concerning the enforcement proceedings were subsequently archived and destroyed. The Government submitted that, apparently, the judgment had been enforced in 2000, but they were not in possession of any documents evidencing the enforcement.

11. In 2005 Mrs Gurova asked the district pension authority to execute the judgment, but the authority rejected her claim on the ground that the domestic courts' findings in her favour had been incorrect.

12. On 11 July 2007 1,489.60 Russian Roubles (RUB) of the judgment debt were transferred to her bank account. According to the Government, this payment had been made due to humanitarian considerations and respect for human rights.

3. Three remaining applications (nos. 746/05, 13574/06 and 13579/06)

13. The judgments in favour of the other applicants had been enforced on the dates tabulated in Appendix I.

C. Interviews at the prosecutor's office of Mrs Sadchikova, Mrs Gurova and Mrs Sedykh

14. The above applicants submitted in their observations, without further detail, that at some point after communication of their cases by the Court they had been summoned for interviews by the local prosecutor's office. It followed from the summonses they received that they were called in respect of their complaints to the Court. The summonses contained a reference to Article 6 of the Federal Law on Prosecutor's Office of the Russian Federation stipulating that the prosecutor's instructions were binding, and the failure to comply with them might result in administrative responsibility.

15. Mrs Gurova furnished a copy of a prosecutor's explanatory note («объяснение») concerning her interview. It transpires from the note that the prosecutor asked the applicant questions about the judgment in her favour, the state of the enforcement proceedings and the authorities' refusals to execute the award. The applicant confirmed that she was not willing to settle. Mrs Sadchikova and Mrs Sedykh did not furnish any details in respect of the interviews.

II. RELEVANT DOMESTIC LAW

16. Under section 9 of the Federal Law on Enforcement Proceedings of 21 July 1997, a bailiff must enforce a judgment within two months. Under section 242.2.6 of the Budget Code of 31 July 1998, the Ministry of Finance must enforce a judgment within three months.

THE LAW

I. JOINDER OF THE APPLICATIONS

17. Given that the five applications at hand concern similar facts and complaints and raise almost identical issues under the Convention, the Court decides to consider them in a single judgment.

II. ALLEGED VIOLATION OF ARTICLE 6 OF THE CONVENTION AND ARTICLE 1 OF PROTOCOL NO.1 ON ACCOUNT OF NON-ENFORCEMENT OF THE JUDGMENTS IN THE APPLICANTS' FAVOUR

18. The applicants complained under Article 6 of the Convention and Article 1 of Protocol No.1 thereto about non-enforcement of the final judgments in their favour. Insofar as relevant, these Articles read as follows:

Article 6 § 1

“In the determination of his civil rights and obligations ..., everyone is entitled to a fair ... hearing ... by [a] ... tribunal...”

Article 1 of Protocol No. 1

“Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

The preceding provisions shall not, however, in any way impair the right of a State to enforce such laws as it deems necessary to control the use of property in accordance with the general interest or to secure the payment of taxes or other contributions or penalties.”

A. Admissibility

19. The Government contested admissibility of the applications on various grounds. The applicants maintained their claims.

1. Compliance with the six months rule

20. The Government argued that the applications by Mrs Sadchikova, Mrs Gurova and Mrs Sedykh were inadmissible, because they had been lodged more than six months after the judgments in their favour had become final.

21. The Court reiterates that in cases of non-enforcement six months run from the date of execution of the judgment (see *Gorokhov and Rusyayev v. Russia*, no. 38305/02, § 27, 17 March 2005). In the cases at hand, on the dates of their introduction the respective judgments either had not been enforced, as in cases of Mrs Sadchikova and Mrs Gurova (cases no. 13570/06 and 13576/06) or less than six months elapsed from the date of their full enforcement, as in the case of Mrs Sedykh (case no. 13574/06). The objection is accordingly dismissed.

2. Exhaustion of the domestic remedies

22. The Government claimed that all the five applications were inadmissible, since the applicants had not exhausted domestic remedies, such as a negligence complaint against the respondent authorities or bailiffs, a claim for non-pecuniary damages, and adjustment for the cost of living.

23. The Court finds that the applicants had no remedies satisfying the requirements of Article 35 § 1 of the Convention. A complaint about the authorities' negligence would have been ineffective, since it would yield a declaratory judgment that would reiterate what was in any event evident from the original judgment: the State was to honour its debt. Such new judgment would not bring the applicants closer to their desired goal, that is the actual payment of the judicial award or, if appropriate, compensation for late payment (see *Jasiūnienė v. Lithuania* (dec.), no. 41510/98, 24 October 2000; *Plotnikovy v. Russia*, no. 43883/02, § 16, 24 February 2005). A claim for non-pecuniary damages has not been shown to be sufficiently certain in practice so as to offer the applicants reasonable prospects of success as required by the Convention (see *Wasserman v. Russia* (no. 2), no. 21071/05, §§ 51–58, 10 April 2008). An adjustment for the cost of living was equally inadequate because it did not compensate non-pecuniary damage. It follows that the complaints cannot be rejected for non-exhaustion of domestic remedies.

3. Objection as regards the applicants' victim status and request for the striking the application by Mrs and Ms Pisarevy out of the list

24. The Government submitted that the Mrs Sedykh, Mrs Gurova, Mrs Pisareva and Mr Pisarev had lost their status as victims, because the judgments had been enforced fully, and because the applicants had refused settlement offers, with an intention to obtain higher compensation from the Court. They argued that Mrs Sadchikova can no longer be regarded as a victim, since she had refused to accept the payment of the judgment debt. They also asked to strike the application by Mr Pisarev and Mrs Pisareva out of the Court's list of cases, because the applicants had refused to settle.

25. The Court reiterates that the mere fact that the authorities comply with the judgment after a substantial delay cannot be viewed as

automatically depriving the applicants of their victim status under the Convention (see *Petrushko v. Russia*, no. 36494/02, § 16, 24 February 2005). As regards the case of Mrs Sadchikova, the Court notes that the authorities' attempts to comply with the terms of the judgment took place not earlier than in 2005. There is nothing in her case to suggest that the authorities recognised a violation of her rights and afforded her redress. Nor is there any evidence that she had indeed refused to accept the payment. In such circumstances, the mere attempt to enforce the judgment after a significant delay cannot be regarded as depriving Mrs Sadchikova of her victim status. In respect of the other cases the Court notes that, even assuming that the agreements proposed by the local authorities contained an implicit recognition of a breach of the applicants' Convention rights, each of the applicants refused the terms of the proposed settlement, for which reason such agreements did not give rise to any binding undertakings on the part of the Government. Therefore, the applicants retained their victim status (see *Chebotarev v. Russia*, no. 23795/02, § 20, 22 June 2006).

26. As regards the request for striking out the application by Mr and Mrs Pisarevy, the Court has earlier refused to strike out cases where applicants refused settlement. The Court will do so in the case at hand, too (see, with further references, *Svitich v. Russia*, no. 39013/05, § 21, 31 July 2007).

4. Other inadmissibility grounds

27. The Court notes that the applicants' complaint is not manifestly ill-founded within the meaning of Article 35 § 3 of the Convention and it is not inadmissible on any other grounds. It must therefore be declared admissible.

B. Merits

1. The parties' submissions

28. As regards the application by Mrs Gurova (case no. 13576/06), the Government submitted that the judgment of 22 February 2000 had been enforced in 2000. They admitted that they were unable to prove the enforcement, and confirmed that the award had been paid to her on 11 July 2007. In respect of all the five applications the Government claimed that the authorities had taken all possible measures to enforce the judgments, which proved unsuccessful due to the debtor's lack of funds. On the other hand, the applicants protracted the enforcement proceedings, because they did not submit the enforcement documents to the competent domestic authorities, either in good time or at all. Mrs Sadchikova (case no. 13570/06) on an unspecified date refused to accept the payment of the judgment debt.

29. The applicants maintained their claims. They submitted that they had obtained enforceable judgments against the State and could not be required to resort to enforcement proceedings in order to have the awards executed.

2. The Court's assessment

30. The Court reiterates that an unreasonably long delay in the enforcement of a binding judgment may breach the Convention (see *Burdov v. Russia*, no. 59498/00, ECHR 2002-III).

31. As regards the application by Mrs Gurova (case no. 13576/06), the Court notes the Government's submission that there had existed no proof that the judgment in her favour had been enforced in 2000. The Court accordingly finds, in the absence of any evidence to the contrary, that 11 July 2007 should be considered as the date of enforcement. Thus, the award in favour of Mrs Gurova had remained without execution for more than 7 years and 4 months. As regards the judgment in favour of Mrs Sadchikova (case no. 13570/06), nothing suggests that the applicant had received the payment allegedly made to her on 3 July 2007. The Court accordingly considers that the judgment in her favour has not been enforced to date, and the delay in execution has exceeded seven years and nine months. As regards the remaining applications, the Court notes that the delay in enforcement of the judgment in favour of Mrs Kazmina (case no. 746/05) had lasted for 5 years and 15 days, in favour of Mrs Sedykh (case no. 13574/06) for 5 years and 5 days and in favour of Mrs Pisareva and Mr Pisarev (case no. 13579/06) for 4 years and 11 months and 4 years, 9 months and 30 days, respectively.

32. The Court notes the Government's argument that the delays in enforcement for which the authorities were responsible should run from the date when the applicants had submitted the enforcement papers to the correct authority. However, the Court reiterates that where a judgment is against the State, the State must take the initiative to enforce it (see *Akashev v. Russia*, no. 30616/05, § 21–23, 12 June 2008). As regards the argument advanced by the Government in case no. 13570/06 that Mrs Sadchikova evaded receipt of the judgment debt, the Court notes, first, that this allegation was not substantiated by any evidence or any further details and, second, in any event the authorities had not taken any initiative to execute the award of 16 February 2001 until at least the end of 2005. Such a delay is incompatible with the Convention requirements.

33. In view of the foregoing, the Court considers that delays in enforcement of the judgments in the applicants' favour were unreasonable, impaired the applicants' right to a court and prevented them from receiving the money they had legitimately expected to receive. The Court considers that there has been a violation of Article 6 § 1 of the Convention and Article 1 of Protocol No. 1 in the present five cases.

III. OBSERVANCE OF ARTICLE 34 OF THE CONVENTION

34. In their observations Mrs Sadchikova, Mrs Sedykh and Mrs Gurova complained, without further detail, that the prosecutor's office summoned them for interviews in a manner incompatible with Article 34 of the Convention. They referred to the fact that the respective summonses contained an indication that a failure to comply with the prosecutor's order might have given rise to an administrative sanction. Article 34, in so far as relevant, reads as follows:

“The Court may receive applications from any person, ... claiming to be the victim of a violation by one of the High Contracting Parties of the rights set forth in the Convention or the Protocols thereto. The High Contracting Parties undertake not to hinder in any way the effective exercise of this right.”

35. The Court recalls that the issue of whether or not contacts between the authorities and an applicant amount to unacceptable practices from the standpoint of Article 34 must be determined in the light of the particular circumstances of the case. In the context of the questioning of applicants about their applications under the Convention by authorities exercising a domestic investigative function, this will depend on whether the procedures adopted have involved a form of illicit and unacceptable pressure which may be regarded as hindering the exercise of the right of individual application. “Pressure” includes not only direct coercion but also other improper indirect acts or contacts designed to dissuade or discourage applicants from pursuing a Convention remedy. (see, for example, *Aydın v. Turkey*, judgment of 25 September 1997, Reports of Judgments and Decisions 1997-VI, pp. 1899-1900, §§ 115-117; and *Salman v. Turkey* [GC], no. 21986/93, § 130, ECHR 2000-VII). The Court further recalls that a threat of criminal or disciplinary proceedings invoked, for instance, against an applicant's lawyer concerning the contents of a statement submitted to the Court has previously been found to interfere with the applicant's right of petition (see *McShane v. the United Kingdom*, no. 43290/98, § 151, 28 May 2002)

36. Turning to the cases at hand, the Court observes, and it is not disputed by the parties, that no criminal or administrative proceedings were opened against the applicants. It appears from the applicants' extremely brief submissions that their only concern was the form of the summonses containing a reference to the binding force of the prosecutor's instructions and a possibility of application of an unspecified administrative sanction. No further details were submitted by them in respect of the complaint. Furthermore, Mrs Sadchikova and Mrs Sedykh submitted no information as regards the respective interviews. It is therefore unclear whether such interviews took place in respect of them, at all. Turning to Mrs Gurova's interview, the Court observes that she was asked about the domestic judgment in her favour and her unsuccessful attempts to obtain its

execution. There is nothing in the case materials to suggest that the interview trespassed into verifying the authenticity of her application and whether she wanted to continue it (see, by contrast, *Dulaş v. Turkey*, no. 25801/94, § 81, 30 January 2001, and *Fedotova v. Russia*, no. 73225/01, § 49-51, 13 April 2006). The Court further finds no evidence in the submissions that Mrs Gurova was forced to give evidence to the prosecutor (see *Tarariyeva v. Russia*, no. 4353/03, § 121, ECHR 2006-... (extracts)). In the absence of any additional factual information on the circumstances of these particular cases, the Court is unable to conclude that the interviews, or the manner in which the applicants had been summoned for them, involved any form of illicit and unacceptable pressure put on the applicants in order to dissuade them from pursuing their applications to the Court. The Court concludes that the Government have not breached their obligations under Article 34.

IV. APPLICATION OF ARTICLE 41 OF THE CONVENTION

37. Article 41 of the Convention provides:

“If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party.”

A. Damage

1. *Pecuniary damage*

(a) *The parties' submissions*

38. Mrs Kazmina claimed RUB 1,392.20 in respect of pecuniary damage. This amount represented her estimate of the interest arising out of the delayed enforcement of the judgment of 5 December 2000, calculated on the basis of the refinancing rate of an unspecified “Bank”, apparently the Central Bank of Russia. Mrs Sadchikova, Mrs Sedykh, Mrs Gurova, Mrs Pisareva and Mr Pisarev claimed the interest arising out of the delayed enforcement of the judgments in their favour. They suggested that the compensation should be calculated on the basis of the refinancing rate of the Central Bank of Russia on the date of their application to the Court (12 % in respect of all the applications concerned). Mrs Sedykh (application no. 13574/06) specified that 29.65 euro (EUR), calculated this way, should be awarded to her. The other applicants did not specify the amounts they sought to obtain for pecuniary damage as a result of adjustment of the judgment debts on the basis of the refinancing rate mentioned above.

39. The Government contested the claim by Mrs Kazmina as not substantiated with any evidence. They pointed out that she had not indicated to which bank's rates she had been referring. They did not comment on the claims by Mrs Sedykh. As regards the claims by Mrs Sadchikova, Mrs Gurova, Mrs Pisareva and Mr Pisarev, the Government submitted that the Russian courts had been better placed to determine the applicants' inflationary loss, and it had remained open to them to apply there. They further objected to the method of calculation suggested by Mrs Gurova arguing that the refinancing rate applicable at the date of the domestic judgment's entry into force, not at the date of the application to the Court, should be taken into account. They did not make comments on the method of calculation proposed by Mrs Sadchikova, Mrs Pisareva and Mr Pisarev.

(b) The Court

40. As regards the application by Mrs Sadchikova (case no. 13570/06), the Court notes that the State's unfulfilled obligation to execute the judgment of 16 February 2001, which has not been enforced to date, is not in dispute in the present case (see paragraph 20 above). The Court therefore considers that the Government should secure, by appropriate means, the enforcement of the judgment of 16 February 2001 in favour of Mrs G. Sadchikova.

41. The Court further recalls, in respect of all the applications, that the adequacy of the compensation would be diminished if it were to be paid without reference to various circumstances liable to reduce its value, such as an extended delay in enforcement (see *Gizzatova v. Russia*, no. 5124/03, § 28, 13 January 2005). It also reiterates that applicants cannot be required to exhaust domestic remedies to obtain compensation for pecuniary loss since this would prolong the procedure before the Court in a manner incompatible with the effective protection of human rights (see *Papamichalopoulos and Others v. Greece* (Article 50), judgment of 31 October 1995, Series A no. 330 B, § 40, and *Gridin v. Russia*, no. 4171/04, § 20, 1 June 2006). In the cases at hand, the Court discerns a causal link between the violation found and the pecuniary loss sustained by the applicants. Making its estimate on the basis of the information at its disposal, the Court awards them the amounts as indicated in the relevant part of Appendix II under this head, plus any tax that may be chargeable, and dismisses the remainder of their claims for pecuniary damage.

2. Non-pecuniary damage

42. Mrs Kazmina (application no. 746/05) claimed EUR 5,000 in one part of her observations and EUR 3,900 in another part of her observations as compensation for non-pecuniary damage. Mrs Sadchikova, Mrs Sedykh, Mrs Gurova, Mrs Pisareva and Mr Pisarev (cases nos. 13570/06, 13574/06, 13576/06 and 13579/06) each claimed EUR 3,900 under this head.

43. The Government submitted that no award should be made since there had been no violation of the applicants' rights. In any event, they considered the amounts claimed excessive and unreasonable.

44. The Court accepts that the applicants must have been distressed by the delayed enforcement of the judgments. Making its assessment on an equitable basis, and taking into account the delays in execution of the respective judgments in the applicants' favour, the Court awards them the amounts as indicated in the relevant part of Appendix II in respect of non-pecuniary damage, plus any tax that may be chargeable, and dismisses the remainder of their claims under this head.

B. Costs and expenses

45. The Court reiterates that, according to the Court's case-law, an applicant is entitled to the reimbursement of costs and expenses only in so far as it has been shown that these have been actually and necessarily incurred and were reasonable as to quantum.

1. Claim by Mrs N. Kazmina (application no. 746/05)

46. Mrs Kazmina claimed RUB 431 of the expenses related to copying and postage of the application to the Court. She submitted postal receipts in support of her claim. The Government disagreed, claiming that the applicant only substantiated her expenses in the amount of RUB 231.

47. Regard being had to the information in its possession and the criteria cited above, the Court allows the applicant's claim and awards Mrs Kazmina EUR 12 in respect of costs and expenses, plus any tax that may be chargeable.

2. Claims by Mrs Sadchikova, Mrs Sedykh, Mrs Gurova and Mrs and Mr Pisarevy (nos. 13570/06, 13574/06, 13576/06 and 13579/06)

48. In each of the above cases the applicants claimed EUR 44 in respect of lawyer's fees and postal expenses. They did not submit copies of the respective fee agreements to that effect, but argued, with reference to the case of *Timishev v. Russia* (no. 3) (no. 18465/05, § 36, 14 June 2007) that in each case the applicants and their representative spent about one day preparing the materials for the Strasbourg proceedings, and the amount claimed represented the average value of a lawyer's working day.

49. The Government did not comment on the claims by Mrs Sedykh (case no. 13574/06). They contested the claims raised by the other applicants as unsubstantiated.

50. Regard being had to the information in its possession, the Court finds it appropriate to award EUR 44 for costs and expenses in respect of each of the above four applications, plus any tax that may be chargeable.

C. Default interest

51. The Court considers it appropriate that the default interest should be based on the marginal lending rate of the European Central Bank, to which should be added three percentage points.

FOR THESE REASONS, THE COURT UNANIMOUSLY

1. *Decides* to join the applications;
2. *Declares* in respect of all applications the complaint under Article 6 of the Convention and Article 1 of Protocol No. 1 concerning non-enforcement of judgments in the applicants' favour admissible;
3. *Holds* in respect of all applications that there has been a violation of Article 6 of the Convention and Article 1 of Protocol No. 1 in all cases on account of delayed enforcement of the judgments in the applicants' favour;
4. *Holds*, in respect of the applications nos. 13570/06, 13574/06 and 13576/06, that the respondent State had not failed in its obligations under Article 34 of the Convention;
5. *Holds*
 - (a) in respect of the application no. 13570/06, that the respondent State, within three months from the date on which the judgment becomes final according to Article 44 § 2 of the Convention, is to secure, by appropriate means, the enforcement of the judgment of 16 February 2001 by the Levoberezhnyy District Court of Voronezh in favour of Mrs G. Sadchikova;
 - (b) in respect of all applications, that the respondent State is to pay the applicants, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the following sums, to be converted into Russian roubles at the rate applicable at the date of the settlement:
 - (i) in respect of pecuniary damage:
 - EUR 25 (twenty five euros) to N. Kazmina;
 - EUR 35 (thirty five euros) to G. Sadchikova;
 - EUR 29 (twenty nine euros) to L. Sedykh;
 - EUR 54 (fifty four euros) to A. Gurova;
 - EUR 27 (twenty seven euros) to A. Pisareva;
 - EUR 25 (twenty five euros) to D. Pisarev;

(ii) in respect of non-pecuniary damage:

EUR 3,000 (three thousand euros) to N. Kazmina;

EUR 3,000 (three thousand euros) to G. Sadchikova;

EUR 3,000 (three thousand euros) to L. Sedykh;

EUR 3,000 (three thousand euros) to A. Gurova;

EUR 3,000 (three thousand euros) to A. Pisareva;

EUR 3,000 (three thousand euros) to D. Pisarev;

(iii) in respect of costs and expenses:

EUR 12 (twelve euros) to N. Kazmina;

EUR 44 (forty four euros) to G. Sadchikova;

EUR 44 (forty four euros) to L. Sedykh;

EUR 44 (forty four euros) to A. Gurova;

EUR 44 (forty four euros) to A. Pisareva and D. Pisarev jointly;

(c) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

6. *Dismisses* the remainder of the applicants' claim for just satisfaction.

Done in English, and notified in writing on 13 January 2009, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

André Wampach
Deputy Registrar

Christos Rozakis
President

APPENDIX I.

APPLICATION NUMBER, DATE OF INTRO.	NAME OF APPLICANT, YEAR OF BIRTH	JUDGMENT TO BE ENFORCED (date, decision body)	AWARDED AMOUNT (RUB, if applicable)	DATE OF ENFORCEMENT OF THE AWARD (if applicable)
746/05 9 December 2004	Kazmina Nina Grigoriyevna (1934)	5 December 2000, the Levoberezhnyy District Court of Voronezh, final on 16 December 2000	1,035.80	27 December 2005
13570/06 12 March 2006	Sadchikova Galina Vladimirovna (1942)	16 February 2001, the Levoberezhnyy District Court of Voronezh, final on 26 February 2001	1,014.06	Not enforced to date (see § 9 of the judgment for details)
13574/06 17 February 2006	Sedykh Lidiya Ivanovna (1942)	24 November 2000, the Levoberezhnyy District Court of Voronezh, final on 4 December 2000	1,206.20	8 December 2005
13576/06 3 March 2006	Gurova Alla Leonidovna (1941)	22 February 2000, the Zheleznodorozhnyy District Court of Voronezh, final on 6 March 2000	Recalculated pension for 1998 (multiplier of 0.7 to be applied)	11 July 2007, RUB 1,489.60 transferred to the applicant's bank account
13579/06 4 March 2006	Pisareva Anna Ivanovna (1937)	24 January 2001, the Levoberezhnyy District Court of Voronezh, final on 5 February 2001	1,118.36	9 January 2006
	Pisarev Dmitriy Andreyevich (1936)	16 February 2001, the Levoberezhnyy District Court of Voronezh, final on 27 February 2001	1,052.40	27 December 2005

APPENDIX II.

APPLICATION NUMBER	NAME OF THE APPLICANT	AMOUNT TO BE PAID IN RESPECT OF NON- PECUNIARY DAMAGE (EUR)	AMOUNT TO BE PAID IN RESPECT OF PECUNIARY DAMAGE (EUR)
746/05	Kazmina Nina Grigoriyevna	3,000	25
13570/06	Sadchikova Galina Vladimirovna	3,000	35
13574/06	Sedykh Lidiya Ivanovna	3,000	29
13576/06	Gurova Alla Leonidovna	3,000	54
13579/06	Pisareva Anna Ivanovna	3,000	27
	Pisarev Dmitriy Andreyevich	3,000	25