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

THIRD SECTION

DECISION

Application no. 13986/05
Efletdin Muratkhanovich MIRZAKHANOV against Russia
and 16 other applications
(see list appended)

The European Court of Human Rights (Third Section), sitting on 5 January 2017 as a Committee composed of:

Branko Lubarda, *President,*
Pere Pastor Vilanova,
Georgios A. Serghides, *judges,*
and Fatoş Aracı, *Deputy Section Registrar,*

Having regard to the above applications lodged on the dates set out in the appendix,

Having regard to the decision to apply the pilot-judgment procedure taken in the case of *Gerasimov and Others v. Russia* (nos. 29920/05 and 10 others, § 218, 1 July 2014),

Having regard to the declarations submitted by the Government and the applicants' acceptance of their terms,

Having deliberated, decides as follows:

FACTS AND PROCEDURE

The applicants are Russian nationals whose names and dates of birth are set out in the appendix.

The Russian Government ("the Government") were represented by Mr G. Matyushkin, Representative of the Russian Federation to the European Court of Human Rights.

The applicants complained, among other matters, about the delayed enforcement of the judgments in their favour imposing various obligations in kind on domestic authorities and the lack of the effective remedies in

respect of the non-enforcement complaint. Dates of the judgments, their entry into force and their full enforcement are set out in the appendix.

In the wake of the pilot judgment, on various dates in late 2014 the applications were communicated to the Government (see *Gerasimov and Others,* cited above, §§ 230-31, and point 13 of the operative part).

On the dates specified in the appendix the Government submitted unilateral declarations with a view to resolving the issues raised by the applications.

In their declarations they acknowledged, in each case, the lengthy enforcement of the judgment in the applicant's favour. The unilateral declarations further contained, in each case, the dates of the judgment at issue, its entry into force and its full enforcement, as well as an overall enforcement delay.

The authorities stated their readiness to pay to the applicants the sums listed in the appendix as just satisfaction. The payments were to cover any pecuniary and non-pecuniary damage as well as costs and expenses, and would be free of any taxes that may be applicable. They would be payable within three months from the date of notification of the decision taken by the Court. In the event of failure to pay the sums within the said period, the Government undertook to pay simple interest on them, from expiry of that period until settlement, at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points. The payments would constitute the final resolution of the cases.

In their letters received on the dates indicated in the appendix, the applicants informed the Court that they agreed to the terms of the Government's declarations.

THE LAW

Having regard to the similarity of the main issues under the Convention in the above cases, the Court decides to join the applications and examine them in a single decision.

The Court attaches particular weight to the applicants' express agreement to the terms of the declarations made by the Government. It finds that such agreement shall be considered as a friendly settlement between the parties (see *Cēsnieks v. Latvia* (dec.), no. 9278/06, § 34, 6 March 2012, and *Bakal and Others v. Turkey* (dec.), no. 8243/08, 5 June 2012).

The Court therefore takes formal note of the friendly settlement reached between the parties. The Court further considers that the settlement is based on respect for human rights as defined in the Convention and its Protocols (Article 37 § 1 in fine of the Convention and Rule 62 § 3 of the Rules of Court).

In any event the Committee of Ministers remains competent to supervise the execution of the terms of the friendly settlement as set out in the present decision (Article 39 § 4 of the Convention and Rule 43 § 3 of the Rules of Court). Further, in any event the Court's present ruling is without prejudice to any decision it might take to restore, pursuant to Article 37 § 2 of the Convention, the present applications to its list of cases.

In view of the above, it is appropriate to strike the cases out of the list in accordance with Article 39 of the Convention.

The Court considers that the amounts proposed by the Government should be converted into the currency of the respondent State at the rate applicable on the date of payment.

For these reasons, the Court, unanimously,

Decides to join the applications;

Decides, having regard to the terms of the Government's declarations, and the arrangements for ensuring compliance with the undertakings referred to therein, and the applicants' acceptance of the terms of the declarations, to strike the applications out of its list of cases in accordance with Article 39 of the Convention.

Done in English and notified in writing on 26 January 2017.

Fatoş Aracı
Deputy Registrar

Branko Lubarda
President

APPENDIX

No.	Application no. Lodged on	Applicant Date of birth Place of residence	Representative	Date of judgment Final on	Enforcement date Enforcement delay as specified in the unilateral declaration	Date of unilateral declaration Remedial offer (euros)	Date of applicant's letter in reply
1.	13986/05 14/03/2005	**Efletdin Muratkhanovich MIRZAKHANOV** 04/03/1937 Pyatigorsk		24/12/2004 21/03/2006	17/09/2007 1 year 5 months 26 days	15/06/2016 1,460	29/07/2016
2.	29140/09 24/03/2009	**Mikhail Vladimirovich OVCHINNIKOV** 05/12/1982 Perm		17/03/2008 27/03/2008	14/02/2011 2 years 10 months 18 days	31/05/2016 2,830	09/08/2016
3.	51269/10 05/07/2010	**Viktor Viktorovich KISHKEL** 10/09/1959 Kaliningrad **Irina Ivanovna KISHKEL** 23/07/1962 Kaliningrad **Sofiya Adolfovna KISHKEL** 22/02/1938 Kaliningrad		1) 20/05/1999 quashed on 11/10/1999 2) 09/12/1999 quashed on 17/07/2000 3) 01/02/2001 28/03/2001	07/05/2008 7 years 1 month	14/07/2016 6,500 (jointly)	06/09/2016
4.	14509/11 22/01/2011	**Lyudmila Fedorovna DAVYDOVA** 08/09/1955 Yaroslavl	Andrey Dmitriyevich KRYLOV	18/02/2008 02/06/2008	09/06/2014 6 years 7 days	14/07/2016 5,900	05/09/2016
5.	18309/11 02/03/2011	**Igor Anatolyevich STRILCHUK** 29/11/1964 Moscow		05/11/2009 24/11/2009	22/05/2013 3 years 5 months 28 days	18/01/2016 3,420	09/03/2016

No.	Application no. Lodged on	Applicant Date of birth Place of residence	Representative	Date of judgment Final on	Enforcement date Enforcement delay as specified in the unilateral declaration	Date of unilateral declaration Remedial offer (euros)	Date of applicant's letter in reply
6.	14208/12 11/02/2012	**Marziya Galyanovna SHEVELEVA** 15/07/1936 Chita		11/03/2011 06/07/2011	07/07/2014 3 years 1 day	18/01/2016 2,940	16/03/2016
7.	23724/12 03/04/2012	**Sergey Ivanovich GONCHAROV** 19/01/1970 Moscow		01/04/2010 20/04/2010	29/03/2013 2 years 11 months 9 days	18/01/2016 2,880	29/02/2016
8.	33390/12 14/04/2012	**Aleksandra Konstantinovna ARONOVA** 02/05/1932 Sokol		13/10/2011 23/10/2011	24/12/2014 3 years 2 months 1 day	18/01/2016 3,110	11/03/2016
9.	73421/12 15/10/2012	**Raisa Yevgenyevna ZHIGALOVA** 04/08/1988 Syktyvkar		21/11/2011 08/12/2011	04/02/2014 2 years 1 month 27 days	18/01/2016 2,120	07/03/2016
10.	3040/13 12/11/2012	**Dmitriy Olegovich MALYSHEV** 16/06/1970 Kaliningrad		15/09/2010 26/09/2010	17/12/2013 3 years 3 months	14/07/2016 3,160	14/09/2016
11.	15685/13 31/01/2013	**Yuriy Gennadyevich KONDRATYEV** 18/04/1959 Ryazan		21/05/2009 09/07/2009	12/04/2013 3 years 9 months	14/07/2016 3,680	04/11/2016
12.	25252/13 19/03/2013	**Yuriy Grigoryevich GOLOVIN** 25/06/1954 Pechora	Aleksey Leonidovich SHEVELEV	14/08/2008 26/08/2008	07/11/2014 6 years 2 months 12 days	17/02/2016 6,000	07/04/2016
13.	39190/13 04/06/2013	**Fedor Vasilyevich RUSSKIKH** 27/02/1954 Izhevsk		11/04/2012 25/06/2012	20/03/2015 2 years 8 months 23 days	17/02/2016 1,340	22/03/2016

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14.	58566/13 26/08/2013	**Darya Andreyevna KOMIRNAYA** 21/02/1995 Volsk	Aleksey Borisovich VOLOGIN	15/03/2011 26/03/2011	15/08/2013 2 years 4 months 19 days	15/07/2015 2,340	26/08/2015
15.	72348/13 09/11/2013	**Ruzaliya Ivanovna AKMALETDINOVA** 10/06/1965 Kazan **Flera Kamilyevna KHAKIMOVA** 14/04/1983 Kazan **Alsu Railevna MINNIVALEYEVA** 17/05/2005 Kazan	Yaroslav Teodorovich PODVA	19/03/2010 04/04/2010	24/07/2013 3 years 3 months 21 days	17/02/2016 3,240 (jointly)	08/04/2016
16.	25541/14 13/03/2014	**Dmitriy Yuryevich SHILKIN** 01/05/1985 Syktyvkar	Aleksey Leonidovich SHEVELEV	08/08/2012 08/08/2012	10/03/2016 3 years 7 months 2 days	20/09/2016 3,510	16/11/2016
17.	28403/14 21/03/2014	**Yelena Viktorovna OVCHINNIKOVA** 21/08/1971 Lipetsk		18/01/2012 29/02/2012	20/10/2014 2 years 7 months 19 days	17/02/2016 2,590	29/03/2016