



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

Information to the parties:

Proceedings after communication of an application brought against Russia, concerning complaints that are subject of well-established case-law of the Court (as from 01/03/2023)

1. Notification of an application to the respondent Government:

Following a preliminary examination of the admissibility of the application, the Court has decided, under Rule 54 § 2 (b) of its Rules, that notice of the application should be given to the respondent Government.

On account of the well-established case-law, the Court will not require any observations from the Government, who are to be given an opportunity only to submit such observations, if they so wish, on the admissibility and merits of the complaints set out in the Subject matter and Statement of Facts document published on the Court's on-line [HUDOC](#) database (under Communicated Cases). Their submissions should be sent to the Court by 6 weeks from the published date.

If a partial decision has been adopted, declaring the remainder of the application inadmissible, the examination of this/these complaint(s) is thereby terminated and no further submissions on this part of the application should be filed. Such application would be marked by an asterisk in the Subject matter and Statement of Facts document.

2. Friendly settlement and unilateral declaration

By way of exception to the usual rule, friendly settlement discussions will not be set in motion in the application. Instead, under Rule 62A of the Rules of Court, the Government may, if they so wish, to submit a unilateral declaration in order to settle the case in line with the Convention requirements and the Court's case-law.

Where the Government submit a unilateral declaration, the Court will decide, in accordance with Article 37 of the Convention, whether it is justified to continue its examination of the application. If the applicant agrees to the terms of the unilateral declaration the Court will examine the application under the friendly-settlement procedure.

3. Observations on the admissibility and merits and just satisfaction claims

If the Government submit observations, they will be forwarded to the applicants for information only or, in rare circumstances for comments.

The Court's approach to just satisfaction is likely to be based on the Article 41 awards in similar cases. The Court may, in certain types of cases, consider that the finding of a violation constitutes in itself sufficient just satisfaction.

4. Final examination of the application

Where the Court considers an application admissible and ready for determination on the merits, it may immediately adopt a judgment under Rule 54A § 2. As the issues raised by the application are already the subject of well-established case-law of the Court, the Court envisages assigning it to a Committee of three judges.

5. Belated and unsolicited submissions

The parties should not send any submissions unless they are instructed to do so in the present document or in later correspondence from the Court. Any unsolicited submissions or submissions sent outside a deadline set by the Court, will not normally be included in the case file for the Court's consideration (Rule 38 § 1).

6. Obligation to keep the Court informed

The applicants must inform the Court of any change in their address, as well as about any major developments regarding their application, and submit any further, relevant decisions of the domestic authorities (Rule 47 § 7). In any further correspondence, they should always refer to the file number relating to their case.

If this has not yet been done, the applicants should inform the Court of their email address if they have one. It may be useful for notification purposes in the final stage of the proceedings.

7. Legal aid

Where the Court's case-law is well established, legal aid is normally not granted.

8. Confidentiality

In accordance with Rule 33 of the Rules of Court, documents deposited with the Registry by the parties or by any third parties are to be accessible to the public, unless decided otherwise for the reasons set out in Rule 33 § 2. It follows that as a general rule any information contained in the documents which are filed with the Registry, including information about identified or identifiable persons, may be accessible to the public. Moreover, such information may appear in the Court's on-line HUDOC database if the Court includes it in a decision on admissibility or striking out, or a judgment.

9. Anonymity

Whenever an applicant is referred to using initials, this indicates that anonymity has been granted to that person. This entails consequences for any documents submitted to the Court. It has therefore also been decided that any documents deposited with the Registry in which the concerned applicant's name appears or which could otherwise easily lead to his or her identification will not be made accessible to the public (Rule 33 § 1).