Parliamentary Assembly
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How to ensure that the Russian Federation implements the judgments of the European Court of Human Rights, including paying the compensation awarded

Motion for a resolution
tabled by the Committee on Legal Affairs and Human Rights

This motion has not been discussed in the Assembly and commits only those who have signed it

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Under international law, the Russian Federation has a continuing obligation to implement judgments of the European Court of Human Rights relating to events up until 16 September 2022, when it ceased to be a party to the European Convention on Human Rights (ETS No. 5). However, the Russian Government has ceased payment of just satisfaction awarded by the Court in such cases.

The amount of money at stake is significant, with over € 3 billion owed to applicants by the Russian Federation. Over € 156 million relate to two interstate cases brought by Georgia. The rest is due in individual cases, mostly involving Russian victims, amounting to over € 2.85 billion.

In June 2024, the Court delivered a judgment in *Ukraine v. Russia (re Crimea)*, an interstate case mainly related to violations in Crimea since 2014. The issue of just satisfaction for the violations found will be decided in a future judgment. The Court has not yet issued judgments concerning violations resulting from the downing of flight MH17 or the full-scale invasion of Ukraine in February 2022. When the Court issues rulings and determines damages for these cases, it will be important that the victims are paid the compensation that is owed to them.

In public debate, a number of interesting proposals have been raised in regard to securing payment of such sums of just satisfaction. The two principal suggestions have been: enforcement in domestic courts of member States; and the establishment of an *ad hoc* funding mechanism. However, any potential solution will involve significant legal and political challenges.

The Parliamentary Assembly should analyse the different options available, in order to provide recommendations to States, the Committee of Ministers, and other international stakeholders about possible steps to ensure the payment of the just satisfaction and the adoption of other measures required for the implementation of these judgments.