



Russia has to pay €10 million to Georgian Citizens

Today, on 31 January, the Grand Chamber of the European Court of Human Rights has announced the judgment into the inter-state case "Georgia v. Russia" (i) pursuant to which the Russian Federation has been imposed the payment of 10,000,000 Euros to Georgian citizens.

The European Court delivered a decision into the given case back on 3 July 2014, when it was established that **in 2006 the Russian Federation had implemented a coordinated policy of mass arrest, detention and expulsion of Georgian citizens, which had amounted to an administrative practice.** Consequently, the Court held that there had been a violation of Article 3 of the Convention (Prohibition of Torture), Article 5 (Right to Liberty and Security), Article 4 of Protocol No. 4 (Prohibition of Collective Expulsion of Aliens) and Article 13 (Right to an Effective Remedy).

However, when the above decision was rendered in 2014, the European Court reserved the compensation for the future and gave the parties a one-year term for

negotiations. The negotiations between the parties failed, and the Court resumed reviewing the issue of payment of the compensation by Russia.

Pursuant to the decision of 31 January 2019, the European Court of Justice deliberated the issue of granting the compensation to Georgian citizens deported from Russia and imposed the payment of 10 million Euros on the Russian Federation in favour to Georgian citizens. **According to the Court, EUR 2,000 from the compensation should be granted to those who had been victims of collective expulsion and EUR 10,000 to EUR 15,000 shall be allocated to those who had also been victims of inhuman and degrading treatment during the detention process in parallel with the collective expulsion.** The Court held that in determining the amount of the compensation for moral damage suffered by the latter group of citizens, Georgia should take into account the length of respective periods of detention.

The Court explained that the amount shall be paid to at least 1500 deportees. Although the Georgian government presented to the European Court a list and detailed data of 1795 identified victims, the Court held in relation to 290 persons the view that the compensation shall not be granted to them for the following reasons: victims had already received compensations under individual complaints, they had appealed to the Court with individual complaints regarding the same matter or persons were deported during another period, which had no connection with the above case, etc.

The Russian Federation shall pay the mentioned compensation to Georgia within three months. In turn, Georgia shall set up an effective mechanism under the supervision of the Committee of Ministers of the Council of Europe, within which the rule of distribution of the compensation shall be elaborated. The development of the mechanism and granting the compensation to the victims shall take place during 18 months.