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РОССИЯ / RUSSIE

FIRST SECTION

ECHR-LE4.3aR
GID/ALV/tsh

10 April 2013

Application no. 17181/09
Lesnikovich v. Russia

Dear Sir,

I enclose a copy of the Government's observations on the above application and a letter indicating their position regarding a friendly settlement of the case.

The President of the Section has instructed me to invite you to submit by **12 June 2013** at the latest any written observations which you may wish to make in reply on behalf of the applicant, together with any claims for just satisfaction. Before formulating your claims for just satisfaction please take note of the enclosed Practice Direction. You are requested to send me a copy of your observations and your claims for just satisfaction (together with a copy of any enclosures) by mail and, if possible, a copy by fax. I would remind you that under Rule 34 § 3 all communications with and oral and written submissions by applicants or their representatives shall as a rule be in one of the Court's official languages. However, in order to facilitate the processing of the case, the President of the Section has authorised you to submit the applicant's observations in Russian if you so prefer. In that event, the observations in English or French should reach the Court no later than by **10 July 2013**.

I should be grateful if you would indicate by **12 June 2013** the applicant's position regarding a friendly settlement of the case, and any proposals he may wish to make. If the parties are interested in reaching a settlement, I would be prepared to make a suggestion for an appropriate arrangement. Having regard to the requirement of strict confidentiality under Rule 62 § 2 of the Rules of Court, any submissions or proposals in this respect should be set out in a **separate document**, the contents of which **must not** be referred to in any submissions made in the context of the contentious proceedings.

The Government have confirmed that they will be submitting their observations in English and have been requested to submit these by 6 May 2013. A copy will be sent to you for information.

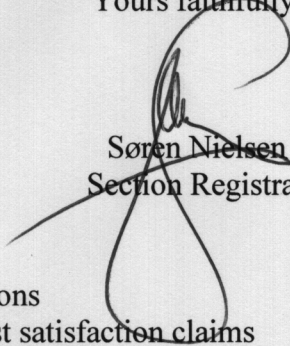
With regard to just satisfaction claims, I would draw your attention to Rule 60 and would remind you that failure to submit within the time allowed quantified claims, together with the required supporting documents, entails the consequence that the Chamber will either make no award of just satisfaction or else reject the claim in part. This applies even if the applicant has indicated his wishes concerning just satisfaction at an earlier stage of the proceedings.

The criteria established by the Court's case-law when it rules on the question of just satisfaction (Article 41 of the Convention) are: (1) pecuniary damage, that is to say losses actually sustained as a direct consequence of the alleged violation; (2) non-pecuniary damage, meaning compensation for suffering and distress occasioned by the violation; and (3) the costs and expenses incurred in order to prevent or obtain redress for the alleged violation of the Convention, both within the domestic legal system and through the Strasbourg proceedings. These costs must be itemised, and it must be established that they are reasonable and have been actually and necessarily incurred.

You must attach to your claims the necessary vouchers, such as bills of costs. The Government will then be invited to submit their comments on the matter.

These time-limits will not normally be extended.

Yours faithfully,



Søren Nielsen
Section Registrar

Encs: Government's observations
Practice direction on just satisfaction claims