



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

Mr G. MATYUSHKIN
Representative of the Russian Federation
at the European Court of Human Rights
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COPY

FIRST SECTION

ECHR
MLO/ps

7 May 2010

BY E-TRANSMISSION ONLY

Application no. 33509/04
Burdov v. Russia (no. 2) – Judgment of 15 January 2009

Dear Sir,

I acknowledge receipt of your letter of 4 May 2010 informing me of the measures taken by the Russian Federation in response to the *Burdov (no. 2)* pilot judgment and requesting an extension of the time-limit for resolution of cases frozen in accordance with this judgment.

Your request for extension will be shortly examined by the Chamber which may decide to prolong the adjournment of the proceedings in all cases concerned, i.e. the cases lodged with the Court before the delivery of the pilot judgment (15 January 2009), which concern solely the non-enforcement and/or delayed enforcement of domestic judgments ordering monetary payments by the State authorities (see §§ 144-145 of the judgment and point 7 of the operative provisions). I will immediately inform you and the applicants of the Court's decision.

I also take due note of the entry into force on 4 May 2010 of the law introducing domestic remedies in respect of excessive length of judicial proceedings and delayed enforcement of domestic judgments. As a result, the applicants in all such cases, which were lodged with the Court after the delivery of the pilot judgment (15 January 2009) and have not been communicated to the Government, will in principle be invited by the Court to avail themselves of the opportunity to claim redress for alleged violations in domestic courts in accordance with the new law within six months of the date of its entry into force. Some 500 cases of this kind have to date been identified by the Registry. The Court will later decide on the admissibility of all those applications or strike them out of its list should the applicants decide to pursue the domestic proceedings instead of maintaining their applications before the Court.

As regards a certain number of other cases concerning delayed enforcement of domestic judgments and/or the length of domestic judicial proceedings which were lodged with the Court before that date and were not frozen in accordance with the pilot judgment, the Court will at this stage continue its usual proceedings and may, for the sake of fairness and effectiveness, decide them in accordance with the Convention following the principles established in the pilot judgment (see, *mutatis mutandis*, § 144 of the judgment). Most of those cases relate to some special issues, such as allocation of flats to vulnerable applicants or payments by special public entities or private persons, and find themselves at advanced stages of the proceedings in the Court.

Yours faithfully



Søren Nielsen
Section Registrar