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РОССИЯ / RUSSIE

**FIRST SECTION**

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14 January 2015

**Application no. 40377/10**  
**Zakharkin v. Russia**

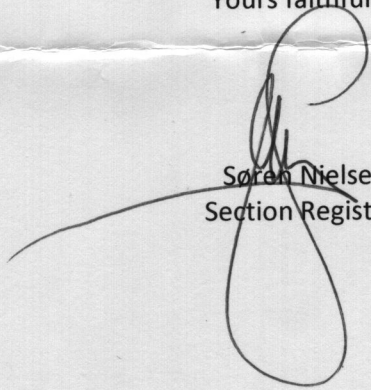
Dear Sir,

With reference to the above application, I enclose, for your information, a copy of the Government's letter of 12 January 2015 with their comments on the applicant's claims for just satisfaction and their further observations.

**You are requested not to reply to these submissions.** Any unsolicited submissions will normally not be included in the case file for the consideration of the Court except where they contain important new factual information (Rule 38 § 1).

You will be informed in due course of any decision taken by the Court in regard to the application.

Yours faithfully,

  
Søren Nielsen  
Section Registrar

Enc.



**УПОЛНОМОЧЕННЫЙ РОССИЙСКОЙ ФЕДЕРАЦИИ  
ПРИ ЕВРОПЕЙСКОМ СУДЕ ПО ПРАВАМ ЧЕЛОВЕКА -  
ЗАМЕСТИТЕЛЬ МИНИСТРА ЮСТИЦИИ РОССИЙСКОЙ ФЕДЕРАЦИИ**

**Representative  
of the Russian Federation at  
the European Court of Human Rights  
- deputy Minister of Justice  
of the Russian Federation**

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« 12 » January 20 15 г.

№ 14-0035-15

Mr Søren NIELSEN  
First Section Registrar,  
European Court  
of Human Rights

COUNCIL OF EUROPE  
STRASBOURG – FRANCE

**Application no. 40377/10**  
**Zakharkin v. Russia**

Dear Sir,

1. With reference to your letter of 25 November 2014, inviting the authorities of the Russian Federation to submit their comments regarding the applicant's claims for just satisfaction and any further observations, I would like to inform the Court of the following.

2. Since the applicant's observations in whole consist of disagreement with the stance embodied in the Memorandum of 17 July 2014 no. 14-3527-14 and repeat arguments of the initial application the authorities of the Russian Federation maintain their position stated in the Memorandum.

3. The applicant claimed EUR 10 000 for compensation for non-pecuniary damage. Such claims are excessive and unreasonable since the named sum does not correspond to the Court's case-law (*Zeleny Balkani v. Bulgaria*, application no. 63778/00, judgment of 12 April 2007; *Galstyan v. Armenia*, application no. 26986/03, judgment of 15 November 2007; *Sergey Kuznetsov v.*

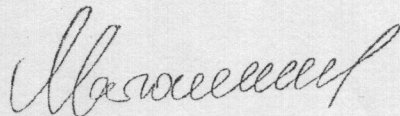


Russia, application no. 10877/04, judgment of 28 October 2007; *Singartiyskiy and Others v. Bulgaria*, application no. 48284/07, judgment of 18 October 2011). In any event the authorities of the Russian Federation suppose that no compensation for non-pecuniary damage is due to the applicant since his rights were not violated.

4. As to the compensation for pecuniary damage of RUB 1500 paid by the applicant, the authorities of the Russian Federation note that this sum was recovered by the judgment of the Justice of the Peace of court circuit no. 10 of Surgut of the 18 December 2009 as fine for commission of the administrative offence under Article 20.2 § 1 of the Code of Administrative Offences. As it was stated in the Memorandum bringing the applicant to administrative liability was lawful and substantiated and the applicant's rights were not violated. Thus, his claims for compensation for pecuniary damage are unfounded.

5. Since the applicant did not submit any claims in respect of compensation for costs and expenses no compensation should be awarded to the applicant under this head (*Ayrapetyan v. Russia*, application no. 21198/05, the judgment of 12 November 2007).

Best regards,



G. Matyushkin