

**Resolution ResDH(2004)47**  
**concerning the judgment of the European Court of Human Rights**  
**of 14 March 2002 (final on 14 June 2002)**  
**in the case of Puzinas against Lithuania**

*(Adopted by the Committee of Ministers on 20 July 2004  
at the 891st meeting of the Ministers' Deputies)*

The Committee of Ministers, under the terms of Article 46, paragraph 2, of the Convention for the Protection of Human Rights and Fundamental Freedoms, as amended by Protocol No. 11 (hereinafter referred to as "the Convention"),

Having regard to the judgment of the European Court of Human Rights in the Puzinas case delivered on 14 March 2002 and transmitted to the Committee of Ministers once it had become final under Articles 44 and 46 of the Convention;

Recalling that the case originated in an application (No. 44800/98) against Lithuania, lodged with the European Commission of Human Rights on 4 September 1998 under former Article 25 of the Convention by Mr Alvydas Puzinas, a Lithuanian national, and that the Court, seised of the case under Article 5, paragraph 2, of Protocol No. 11, declared admissible the complaint that his letters had been opened in his absence and censored while in prison;

Whereas in its judgment of 14 March 2002 the Court, unanimously:

- held that there had been a violation of Article 8 of the Convention;
- held that the government of the respondent state was to pay the applicant, within three months from the date at which the judgment became final, 300 euros in respect of non-pecuniary damage to be converted into national currency of the respondent state at the rate applicable on the date of the settlement and that simple interest at an annual rate of 5,95% would be payable on this sum from the expiry of the above-mentioned three months until settlement;

Having regard to the Rules adopted by the Committee of Ministers concerning the application of Article 46, paragraph 2, of the Convention;

Having invited the government of the respondent state to inform it of the measures which had been taken in consequence of the judgment of 14 March 2002, having regard to Lithuania's obligation under Article 46, paragraph 1, of the Convention to abide by it;

Whereas during the examination of the case by the Committee of Ministers, the government of the respondent state recalled that measures had already been taken to avoid new violations of the same kind as that found in this case (see ResDH(2004)44 in the case Valašinas against Lithuania), and that the Court's judgment had been published in the *Europos žmogaus teisių sprendimai byloje prieš Lietuvos Respubliką* (2002.01.01-2003.01.01) and sent out to the authorities directly concerned;

Having satisfied itself that on 8 April 2002, within the time-limit set, the government of the respondent state had paid the applicant the sum provided for in the judgment of 14 March 2002,

Declares, after having examined the information supplied by the Government of Lithuania, that it has exercised its functions under Article 46, paragraph 2, of the Convention in this case.