

Resolution ResDH(2004)65
concerning the judgment of the European Court of Human Rights
of 13 November 2001 (final on 13 February 2002)
in the case of Šleževičius against Lithuania

*(Adopted by the Committee of Ministers on 12th October 2004
at the 897th 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 Šleževičius case delivered on 13 November 2001 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. 55479/00) against Lithuania, lodged with the European Court of Human Rights on 9 March 2000 under Article 34 of the Convention by Mr Adolfas Šleževičius, a Lithuanian national, and that the Court declared admissible the complaint relating to the excessive length of certain criminal proceedings;

Whereas in its judgment of 13 November 2001 the Court unanimously:

- held that there had been a violation of Article 6, paragraph 1, 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, 30 000 Lithuanian litai in respect of non-pecuniary damage and 70 000 Lithuanian litai in respect of costs and expenses and that simple interest at an annual rate of 6.89% would be payable on those sums from the expiry of the above-mentioned three months until settlement;
- dismissed the remainder of the applicant's claim for just satisfaction;

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 13 November 2001, 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 gave the Committee information about the measures taken to prevent new violations of the same kind as that found in the present judgment;

Whereas during the examination of the case by the Committee of Ministers, the government of the respondent state drew the Committee's attention to the fact that, on account of the specific circumstances of the case, new similar violations of the Convention could be avoided for the future by informing the authorities concerned of the requirements of the Convention: copies of the judgment had accordingly been sent out to them together with a circular letter from the Government Agent representing Lithuania before the European Court; in addition,

the Court's judgment has been published in Lithuanian translation in the annual compendium "Europos žmogaus teisių teismo sprendimai bylose prieš Lietuvos Respubliką 01/01/2001-01/01/2002" ("The reports of the European Commission of Human Rights and the judgments of the European Court of Human Rights against the Republic of Lithuania 01/01/2001–01/01/2002"), and the judgment was included in the curriculum of magistrates' training in 2002;

Having satisfied itself that on 13 December 2001, within the time-limit set, the government of the respondent state had paid the applicant the sums provided for in the judgment of 13 November 2001,

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.