

**Resolution CM/ResDH(2016)195**  
**Execution of the judgment of the European Court of Human Rights**  
**Žičkus against Lithuania**

Application No.	Case	Judgment of	Final on
26652/02	ŽIČKUS	07/04/2009	07/07/2009

*(Adopted by the Committee of Ministers on 6 September 2016  
at the 1263<sup>rd</sup> 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, which provides that the Committee supervises the execution of final judgments of the European Court of Human Rights (hereinafter “the Convention” and “the Court”),

Having regard to the final judgment transmitted by the Court to the Committee in this case and to the violation established;

Recalling the respondent State’s obligation, under Article 46, paragraph 1, of the Convention, to abide by all final judgments in cases to which it has been a party and that this obligation entails, over and above the payment of any sums awarded by the Court, the adoption by the authorities of the respondent State, where required:

- of individual measures to put an end to violations established and erase their consequences so as to achieve as far as possible *restitutio in integrum*; and
- of general measures preventing similar violations;

Having invited the government of the respondent State to inform the Committee of the measures taken to comply with the above-mentioned obligation;

Having examined the information provided by the government indicating the measures adopted in order to give effect to the judgment including the information provided regarding the payment of the just satisfaction awarded by the Court (see the Appendix);

Having satisfied itself that all the measures required by Article 46, paragraph 1, have been adopted,

DECLARES that it has exercised its functions under Article 46, paragraph 2, of the Convention in this case and

DECIDES to close the examination thereof.

## Appendix to Resolution CM/ResDH(2016)195

### Information about the measures to comply with the judgment in the case of Žičkus against Lithuania

#### Introductory case summary

Discrimination in the enjoyment of the right to respect for private life due to the imposition of disproportionate professional restrictions in the private sector on the applicant who was disbarred in 2001 on the ground that he was a “former secret collaborator of the KGB”, pursuant to the “Law on registering, confession, entry into records and protection of persons who have admitted to secret collaboration with special services of the former USSR”, which was enacted on 23 November 1999, and came into effect on 1 January 2000 (violation of Article 14 taken in conjunction with Article 8).

#### I. Payment of just satisfaction and individual measures

##### a) Details of just satisfaction

Pecuniary damage	Non-pecuniary damage	Costs and expenses	Total
-	-	3 432 EUR	<b>3 432 EUR</b>
			<b>Paid on 23/07/2009</b>

##### b) Individual measures

The just satisfaction awarded by the European Court in respect of the legal costs and expenses has been paid. The applicant has not applied before the Lithuanian Bar Association to be recognised and relisted as a practising advocate. There is also no information that he has complained before the domestic courts of any difficulties finding employment in the private sector.

In these circumstances, the Lithuanian authorities consider that no other individual measure is required.

#### II. General measures

A law amending the relevant parts of the “Law on registering, confession, entry into records and protection of persons who have admitted to secret collaboration with special services of the former USSR” was enacted on 30 June 2010 and came into force on 20 July 2010. As a result, all the restrictions on employment in the private sector for former secret collaborators with the USSR special services have been lifted. In addition, the individuals concerned are now eligible to apply for public service, with certain exceptions.

The judgment has been translated, published and disseminated to all the domestic courts.

In view of the above, and also taking into account that the Convention is directly applicable in the Lithuanian legal system, the Lithuanian authorities consider that no further general measures are required.

#### III. Conclusions of the respondent State

The government considers that no individual measure is required, apart from the payment of the just satisfaction, and that the general measures adopted will prevent similar violations and that Lithuania has thus complied with its obligations under Article 46, paragraph 1, of the Convention in the present case.