



Pani Mecenas Monika Gąsiorowska
Kancelaria Adwokacka
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00-139 Warszawa
POLOGNE

FIRST SECTION

ECHR-LE4.3bR 000
MZ/ana

09/11/2022

BY E-TRANSMISSION ONLY

Application no. 2415/21
Sarata v. Poland

Dear Madam,

I enclose a copy of the Government's observations on the above application.

The President of the Section has instructed me to invite you to submit by **2 January 2023** your written observations in reply on behalf of the applicant, together with any claims for just satisfaction. Before formulating your claims for just satisfaction, please take note of the Practice Direction which may be found on the Court's Internet site (<http://www.echr.coe.int/practicedirections>).

To facilitate the processing of the case, you are requested to send all the documents, including annexes, in standard A4 format with numbered pages **by eComms only**. You are also reminded not to send to the Court the originals of the documents.

With regard to just satisfaction claims, I would draw your attention to Rule 60 and would remind you that failure to submit within the time allowed quantified claims, together with the required supporting documents, entails the consequence that the Chamber will either make no award of just satisfaction or else reject the claim in part. This applies even if the applicant has indicated his wishes concerning just satisfaction at an earlier stage of the proceedings.

The criteria established by the Court's case-law when it rules on the question of just satisfaction (Article 41 of the Convention) are: (1) pecuniary damage, that is to say losses actually sustained as a direct consequence of the alleged violation; (2) non-pecuniary damage, meaning compensation for suffering and distress occasioned by the violation; and (3) the costs and expenses incurred in order to prevent or obtain redress for the alleged violation of the Convention, both within the domestic legal system and through the Strasbourg proceedings. These costs must be itemised, and it must be established that they are reasonable and have been actually and necessarily incurred.

You must attach to your claims the necessary vouchers, such as bills of costs. The Government will then be invited to submit their comments on the matter.

This time-limit will not normally be extended.

Yours faithfully,

A handwritten signature in black ink, appearing to read 'R Degener', with a stylized flourish at the end.

Renata Degener
Section Registrar

Enc.: Government's observations