

HUMAN RIGHTS COMMITTEE

Plotnikov v. Russian Federation

Communication N° 784/1997

25 March 1999

CCPR/C/65/D/784/1997

ADMISSIBILITY

Submitted by: Nicolai S. Plotnikov

Alleged victim: The author

State party: Russian Federation

Date of communication: 13 May 1997

The Human Rights Committee, established under article 28 of the International Covenant on Civil and Political Rights,

Meeting on 25 March 1999

Adopts the following:

Decision on admissibility

1. The author of the communication is Nicolai S. Plotnikov, a Russian citizen, born in 1930. He claims that he is the victim of a violation of his right to life by the Russian Federation.

The facts as submitted by the author

2.1 The author states that he suffered from tuberculosis until he was eleven years old, and that only at eleven he learned to sit and walk. He finished his studies at an institute for pedagogics and then found a job as a teacher of physics. He states that he used his savings (27,000 rubles by 1992) to buy expensive medicine, since he suffers from a disease affecting nerves and muscles which if untreated can result in paralysis.

2.2 The author submits that since 1991 he is no longer able to buy the medicine because of

the hyperinflation in the Russian Federation. According to the author, the inflation for industrial goods is between 10,000 to 20,000 per cent, but for medicine and medical treatment it reaches 25,000 even up to 80,000 per cent. His savings account has been indexed 60 per cent and as a consequence, he can no longer pay for his medicine, as a consequence of which his health will deteriorate.

2.3 In 1993, the author complained to the Swerdlowsk Regional Court and claimed that his savings had been incorrectly indexed. In its judgement of 20 May 1993, the Court found however that the author's savings had been indexed by the bank in accordance with the law. The Court declined to hold the bank accountable for the devaluation of the author's savings. On 12 July 1993 the Moscow District Court confirmed the judgement, and on 14 October 1993, the Supreme Court dismissed the author's appeal.

The complaint

3. The author claims that his life is threatened because of lack of money for medicine, caused by a wrong indexing law regarding savings accounts, in violation of article 6 of the Covenant.

Issues and proceedings before the Committee

4.1 Before considering any claim contained in a communication, the Human Rights Committee must, in accordance with rule 87 of its rules of procedure, decide whether or not it is admissible under the Optional Protocol to the Covenant.

4.2 The Committee notes that the author's claim is based on the level of hyperinflation in the State party and on the indexing law which reduced the value of his savings, thus preventing the author from buying medicine. The Committee notes that the arguments advanced by the author do not substantiate, for purposes of admissibility, that the occurrence of hyperinflation or the failure of the indexing law to counterbalance the inflation would amount to a violation of any of the author's Covenant rights for which the State party can be held accountable.

5. Accordingly, the Human Rights Committee decides

- a) that the communication is inadmissible under article 2 of the Optional Protocol;
- b) that this decision shall be communicated to the author and, for information, to the State party.

*/ The following members of the Committee participated in the examination of the communication: Mr. Afbelfattah Amor, Mr. Nisuke Ando, Mr. Prafullachandra N. Bhagwati, Mr. Thomas Buergenthal, Lord Colville, Ms. Elizabeth Evatt, Mr. Eckart Klein,

Mr. David Kretzmer, Mr. Rajsoomer Lallah, Mr. Fausto Pocar, Mr. Martin Scheinin, Mr. Hipólito Solari Yrigoyen, Mr. Roman Wieruszewski, Mr. Maxwell Yalden and Mr. Abdallah Zakhia.

[Adopted in English, French and Spanish, the English text being the original version. Subsequently to be issued also in Arabic, Chinese and Russian as part of the Committee's annual report to the General Assembly.]