

SECRETARIAT GENERAL

SECRETARIAT OF THE COMMITTEE OF MINISTERS
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Meeting: 1201 meeting (3-5 June 2014) (DH)

Item reference: Communications from a NGO (Open Nursery Education for All (RDDDO)) (06/01/2014) in the case of Timishev against Russian Federation (Application No. 55762/00)

Information made available under Rule 9.2 of the Rules of the Committee of Ministers for the supervision of the execution of judgments and of the terms of friendly settlements.

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Réunion : 1201 réunion (3-5 juin 2014) (DH)

Référence du point : Communications d'une ONG (Open Nursery Education for All (RDDDO)) (06/01/2014) dans l'affaire Timishev contre Fédération de Russie (Requête n° 55762/00)
(anglais uniquement)

Informations mises à disposition en vertu de la Règle 9.2 des Règles du Comité des Ministres pour la surveillance de l'exécution des arrêts et des termes des règlements amiables.

МЕЖРЕГИОНАЛЬНОЕ ОБЩЕСТВЕННОЕ ДВИЖЕНИЕ
«РОССИЙСКИМ ДЕТЯМ – ДОСТУПНОЕ ДОШКОЛЬНОЕ ОБРАЗОВАНИЕ»
(ДВИЖЕНИЕ «РДДО»)

<http://rdddo.ru>

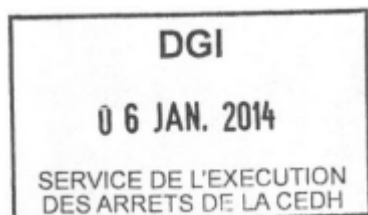
NON-GOVERNMENTAL ORGANIZATION FOR THE PROMOTION AND PROTECTION OF HUMAN RIGHTS «OPEN NURSERY EDUCATION FOR ALL» (RDDDO), RUSSIA

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2013-01-CoE-01



Council of Europe
Directorate General
Human Rights and Rule of Law
Department for the execution of judgments
of the European Court of Human Rights

COMPLAINT

against non-execution of ECHR judgement by Russia

In despite of a judgment of ECHR on case “Timishev v. Russia” (Applications nos. 55762/00 and 55974/00) issued on 13 December 2005 and actions that Russian Federation reported against violations of Article 14 and Article 2 of Protocol No. 1. Russian Federation continues to violate these acts. After a judgment of ECHR “Timishev v. Russia” Russian state authority responsible for supervision of education (РосОбрНадзор - RosObrNadzor) issued an instruction prohibiting refuses to access to educational institutions - letter of 24.07.2006 N 01-678/07-01 "about the rights of children to education in Russian Federation". Issuing of this act was reported to CoE and ECHR as one of the actions for execution of this judgment and prevention of such violations in a future.

Unfortunately this act is not executed and such violations still continue in a number of districts. By the fact, in 2011-2013 a number of unlawful legal acts were issued that forced discrimination on account of registered place of residence. Children not registered (or if both parents don't have their residence registered for any reason) on the place where school/nursery school locates (the same city or the same district) - are denied.

This practice was established in Moscow city too, and a lot of children were refused to get education in practically available nursery schools governed by the Moscow department of Education in 2011-2013. Refusals were given on the ground or Moscow registration absence. The estimated number of victims is about tens of thousands of children living in a Moscow or near its boundaries. Only during Q4 2013 **more than three hundred of parents complained us of such discrimination against their children and documented it**. They are: Abadjan A., Afanaseva O., Afriti N., Akbarova A., Akimova N., Alenkov V., Alexeeva I., Alexeeva N., Alimova O., Andreeva T., Anisina N., Aniskevich S., Arefin G., Arseneva E., Artyugina A., Askaralieva G., Askerova D., Avaeva G., Avazov N., Babakova O., Bagasheva E., Bakina I., Balakireva

V., Barylyuk T., Bekirova M., Belaya N., Belchikova E., Bikteeva L., Bogatyreva M., Bogdanova I., Bogomolova A., Bokareva N., Bolshigina T., Bondarenko A., Boos A., Borodulina A., Bortsova A., Boyarskaya T., Brezhnev A., Bryuhanskiy V., Buffett W., Bulkina M., Burkova O., Byulbyul E., Bzhania A., Chaevnikova M., Chemposova A., Cherednichenko N., Chernenko A., Chorueva Z., Danilkina E., Davletshina D., Diallo I., Dimchuk Y., Diyazheva D., Djalilova I., Dmitrieva M., Dolgova A., Dorofeeva A., Doychinova S., Drebezgova A., Dryuk N., Duksina E., Egner E., Elizarova T., Epaneshnikova E., Eremin D., Eremina V., Ermakova L., Ermakova O., Ermolaeva G., Erofeeva A., Fartushnaya O., Fedorik I., Filatova E., Filkina E., Frish I., Frolova E., Galimova R., Gamayunova M., Garipova N., Getmanov Y., Gilmanova I., Girchenko E., Glebova K., Gracheva V., Gridneva O., Groubich S., Gukepsheva V., Gumerova E., Hritonenko V., Ilyenko G., Ilyina N., Isachenko N., Ischik A., Ivanova T., Kacherov V., Kalachin A., Kalinicheva M., Kalkamanova O., Kamyshova V., Karas A., Karkhachev R., Kashirina E., Kazakova E., Kazakova N., Kazakova T., Kazimirova M., Kebu S., Khavayashkova I., Kichenko D., Kirova M., Kitaeva A., Klimenko N., Klimov I., Knyazev D., Kobazeva A., Kolcherina A., Kononenko A., Konovalova O., Kopteva A., Korableva L., Korotchenko N., Korotkova O., Kosareva A., Kosmina A., Kotovets M., Koval Y., Kovalchuk A., Kovaleva V., Koversun N., Krasnov A., Krestina O., Kronina Y., Kudrina L., Kulikova N., Kupavskaya I., Kurganova N., Kurochkina L., Kuzhba O., Kuzmina E., Kuzmina K., Labazova E., Lagutina M., Lapina E., Larionova M., Lazarenko E., Lazareva K., Lee S., Leletko V., Lemkin N., Leonova M., Lesovaya Y., Lobanova E., Lokteva L., Lotuashvili O., Lub O., Lushova I., Mahotenko E., Maksimova O., Maleva E., Malyshkina M., Maraeva E., Mardanova L., Mardylyeva M., Markova M., Martynyuk Y., Maskaev R., Maslova E., Matveev D., Mavlutova A., Medvedeva S., Mesheryakova O., Mesheryakova Y., Mikhailenko V., Mikhailova A., Mikhaleva O., Mikhina S., Mizahova H., Molafeeva O., Molchanova E., Morozova N., Mosavi O., Muntyan Y., Nakova M., Nazarova E., Nefedova I., Nikiforov E., Nikishin D., Nikolaeva I., Nikolaeva N., Nikolskaya O., Novoselov A., Nyaminova E., Oschepkova E., Oshonina O., Osipova T., Otyankina E., Ovsepyan A., Ovsyannikova T., Ozerova O., Pakhomova E., Palatkina L., Penkov M., Perekrestenko I., Petrova L., Pilishvili E., Pluzhnikov S., Ponomareva T., Porosenkova E., Prokhorova S., Prokosheva A., Pykhtina I., Rakhmankulova N., Rassoeva O., Razgradskaya T., Rerikh K., Reutova A., Romanova N., Rosolko T., Rubtsova E., Ryshkova S., Safaralieva N., Sagdeeva A., Sakhno E., Sakhnova O., Sardina E., Semenova Y., Serbul K., Sergeeva E., Sergeevna A., Shalina O., Sheremetyeva L., Shevyakova E., Shirochenkova N., Shirokova Y., Shugaeva I., Simonova N., Sizova I., Smirnova E., Smolyakova N., Sokolova M., Stepanova E., Stepanova M., Sviridov A., Syrova E., Tamrazyan K., Tihova K., Timofeeva E., Timofeeva S., Tishkina A., Tsubarenko S., Tsurenkova E., Tsvetkova N., Turchinskaya V., Turik O., Tyunikova A., Udachina I., Ukolova M., Urusova F., Vakula N., Valvacheva T., Varlamov K., Vartanyan M., Vasilyeva T., Vlasova I., Vlasova L., Vlasova Y., Volkova G., Vorobyev M., Vorotneva E., Votyakova I., Yamaletdinov A., Yanchin A., Yashpatrova N., Yuldasheva G., Zagorodneva S., Zagorodnova I.,

Zakharcheva E., Zakharova T., Zaklepenko N., Zaripova N., Zaryanskaya A., Zelenkova T., Zhavoronkova A., Zhdanova K., Zhulkina A., Zhumakpaeva O., Zvereva E., Zvezdina I. and 35 others who asked us not to disclose their names. Appeals and documents still coming and this number is increasing.

Among other remedies, RDDDO reported RosObrNadzor about violations of its letter of 24.07.2006 N 01-678/07-01 "about the rights of children to education in Russian Federation" by Moscow Department of Education and asked to enforce its execution. But RosObrNadzor has responded that all the terms and requirements for children «are determined by the institution itself». Furthermore, letter N 01-678/07-01 issued on the ECHR judgment and referenced to the ECHR practice, «is not mandatory and is nothing more than a recommendation». The Moscow city prosecutor's office says absolutely the same.

RosObrNadzor's letter N 01-678/07-01 and one of Rosobrnadzor's responses attached. Some of the victims are on the way to exhaustion of domestic remedies to admit their own applications to ECHR on this case, at least one has already admitted (dossier № 44061/13 Varlamov v. Russia).

We apologize that we have to apply to this exceptional procedure, and hope that Department for the Execution of Judgments pay attention to non-execution of judgment of ECHR "Timishev v. Russia".

Yours Sincerely,

RDDDO Chairman,

Kirill Druzhinin

