

Numéro de dossier 19841/06

COUR EUROPÉENNE DES DROITS DE L'HOMME
EUROPEAN COURT OF HUMAN RIGHTS

Conseil de l'Europe - *Council of Europe*

REQUEST FOR PRIORITY
PURSUANT TO RULE 41 OF THE RULES OF COURT

Bagdonavichus and Others v. Russia

17 February 2011

I. BACKGROUND AND SUMMARY OF THE REQUEST

1. In June 2006, the Russian authorities bull-dozed all the houses owned by Roma families in the village of Dorozhnoe, Kaliningrad, where Roma had been living since they were settled there in 1956. The two houses occupied by non-Roma families remain standing today.¹ For the past four and a half years, the Roma families who had lived in Dorozhnoe village have been dispersed, to live in poor accommodation or temporary lodgings through the harsh winters, with an inevitable effect on their health. The authorities failed to provide the applicants with any alternative accommodation, and instead harassed those who tried to construct shelters in the remains of their village. Since the filing of the initial complaint in this case almost five years ago, four applicants have died, and one applicant has been missing since the day her home was demolished, and is presumed dead. These deaths and disappearances arose out of the inhuman and degrading circumstances in which they were left following the destruction of their homes. Two of the deaths were as a direct result of illness caused by their living conditions. Without permanent accommodation, the remaining applicants are denied access to social services, including medical care, and many of their children are unable to attend school.
2. The applicants request that the Court give priority to their case pursuant to Rule 41 of the Rules of the Court. The Court's "Priority Policy" makes clear that alleged violations that place the life or health of applicants at risk or that impact on the well-being of children are the most urgent (Category I) cases.² The applicants' claims in this case raise precisely these issues.
3. The applicants initially requested the Court to intervene prior to the destruction of their village. On 10 May 2006 an Initial Complaint letter was filed with the Court, and on 18 May 2006 the applicants made a request for interim measures pursuant to Rule 39 and for urgent notification under Rule 40. On 19 May 2006, the Court denied both requests. On 29 May 2006, 10 days later, the destruction of their houses commenced.
4. On 2 November 2006, the applicants filed a full application with the Court. The applicants argued that the conduct of the Russian authorities had endangered their lives (Art.2), subjected them to inhuman and degrading treatment (Art.3) and destroyed their family life (Art.8), for which there had been no effective recourse to the courts (Art.6) or adequate remedy (Art.13). They were treated in this way because they were Roma (Art.14).
5. At the time of filing the application in November 2006, the applicants again requested urgent notification of the case to the Russian authorities pursuant to Rule 40. This request was made on the basis that:

"As a result of their violent expulsion from their homes, the six applicant families have been forcibly separated and are effectively homeless, living in temporary, makeshift shelters that do not have any heat, gas, electricity or water. As winter approaches, the applicants are exposed to the elements, facing sub-freezing temperatures that endanger their health and lives. The children applicants are unable to go to school and all of the applicants, now that they have no official residence, face difficulties obtaining medical care for chronic conditions or

¹ See Exhibits 10-12, Photographs taken in December 2010, depicting the area where the Roma houses once stood, which is now occupied by two non-Roma houses, left untouched, as well as a large factory, constructed after the demolition.

² European Court of Human Rights, *The Court's Priority Policy*, available at http://www.echr.coe.int/NR/rdonlyres/AA56DA0F-DEE5-4FB6-BDD3-A5B34123FFAE/0/2010_Priority_policy_Public_communication.pdf.

illnesses arising from the mental hardship and the harsh conditions they endure as a result of their forced evictions.”³

The applicants’ representatives have not been informed of any action on this request.

6. The concerns expressed in the application proved well-founded, and in March 2007 the applicants filed a Supplemental Memorandum which informed the Court of the deaths of two applicants, Vitautas Mikolo Kasperavichus (Applicant 30) and Anastasiya Alexandrovna Arlauskajte (Applicant 13).⁴ The Supplemental Memorandum also described the impact of these deaths on the families concerned, the inhuman and degrading conditions in which the applicants lived, and their consequently poor state of health. The applicants renewed their request that the Court urgently notify the Russian government of the application under Rule 40 of the Rules of Court. The applicants’ representatives have not been informed of any action on this request.
7. Since that time, the living conditions, health and family situation of many of the applicants have continued to deteriorate. Now in their fifth winter since the demolition of their houses, many continue to live in dangerous and substandard conditions. A further two applicants have died, namely Nikolaj Ivanovich Alexandrovich (Applicant 22) and Graf Viktorovich Kosporovichus (Applicant 32). The impact of the dislocation and separation of families caused by the demolition of their homes, in particular the deaths of some of the applicants, has been particularly harsh on the children. Kristina Kasperavichute (Applicant 33), now 11 years-old, has lost her entire immediate family and lives in an orphanage. None of the children in the Arlauskas family or the Zhguleva family attend school. All the children lack regular access to healthcare. They are enduring daily life in oppressively harsh conditions, especially in winter, and their families are virtually helpless to protect them.

II. REASONS FOR EXPEDITED CONSIDERATION

8. The updated facts presented in this request demonstrate not only that the Russian authorities’ actions constitute ongoing violations of the applicants’ rights, but that the continued impact of the violations is in fact aggravating their suffering. Expedited consideration of the application is necessary for the following reasons:
 - *A. Inhuman and Degrading Treatment.* The applicants have been forced to live in a state of abject destitution, at great risk to their physical and mental health, amounting to treatment contrary to Article 3. Because many of the applicants have no fixed address, they are unable to register and so cannot obtain social services, including regular access to healthcare and education for their children.
 - *B. Consequential Deaths.* As a result of their vulnerable situation, and as presaged in the original application to this Court, four applicants have died, two of whom died as a direct result of ill-health brought about by their living conditions. Two other applicants are missing, at least one of whom is presumed by the police to be dead. While the current situation continues, the applicants’ lives continue to be endangered.
 - *C. Impact on the Children.* Without permanent addresses, the children are unable to attend school and lack access to healthcare even for chronic illnesses. Families have

³ *Bagdonavichus v. Russia*, File No. 19841-06, Application, filed 2 November 2006 (“Application”), pages 2-3, 58 at para. 16.6.

⁴ *Bagdonavichus v. Russia*, File No. 19841-06, Supplemental Memorandum, filed 29 March 2007 (“Supplemental Memorandum”).

been forced apart, and deaths and disappearances of applicants have left some children to live in orphanages.

A. Inhuman and Degrading Treatment

9. The actions of the Russian authorities have left the applicants broken and destitute, living in inhuman and degrading conditions in violation of Article 3. Despite the applicants' vulnerability, the authorities have failed to provide any alternative accommodation or assistance to the families, even as their living conditions have continued to deteriorate, constituting a continuing threat to their physical integrity in violation of Articles 2, 3 and 8 of the Convention. Many applicants are elderly and in poor health, and the fact that they face the freezing conditions of a fifth winter in sub-standard accommodation places severe stress on their health.
10. Most of the applicants who remained in Kaliningrad now live in makeshift wooden shacks ("dacha" in Russian, often translated as "bungalow" in English), traditionally used for camping in the summer. These shacks are typically made of plywood, without electricity, gas, running water, indoor toilets, or any insulation or heating for the winter.⁵
11. In addition, the destruction of their homes also means that many applicants are denied formal residence status or registration papers, and as a result they face difficulties accessing medical care for the illnesses from which they suffer. Registration at a permanent address is required for access to virtually all state services, including medical insurance, employment, pension benefits and education.⁶ However, registration is impossible when living in temporary lodgings such as the shacks where most of the applicants are forced to live.⁷ The applicants are also members of a minority group which this Court has recognised is a "disadvantaged community"⁸ which faces difficulties when interacting with government bureaucracy⁹ and who need "special protection":

⁵ *Ibid.*, at para. 7; see also Supplementary Affidavit of Anastasiya Petravichute, dated 15 December 2010, attached as Exhibit 5, at para. 6; Supplementary Affidavit of Lyubov' Matulevich, dated 15 December 2010, attached as Exhibit 4, at para. 5; Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 8; Supplementary Affidavit of Mariya Arlauskene, dated 15 December 2010, attached as Exhibit 2, at para. 6.

⁶ See Supplementary Affidavit of Leonas Iono Bagdonavichus, dated 15 December 2010, attached as Exhibit 1, at para. 9; Supplementary Affidavit of Lyubov' Matulevich, dated 15 December 2010, attached as Exhibit 4, at para. 7; Supplementary Affidavit of Mariya Arlauskene, dated 15 December 2010, attached as Exhibit 2, at para. 13; Supplementary Affidavit of Anastasiya Petravichute, dated 15 December 2010, attached as Exhibit 5, at para. 17; Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 10, 11, 21.

⁷ See Supplementary Affidavit of Lyubov' Matulevich, dated 15 December 2010, attached as Exhibit 4, at para. 6; Supplementary Affidavit of Anastasiya Petravichute, dated 15 December 2010, attached as Exhibit 5, at para. 17; Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 10.

⁸ See *D.H. and Others v The Czech Republic*, ECtHR (GC) Judgment of 13 November 2007, at para. 203.

⁹ *Ibid.*, at para. 13 ("As a result of centuries of rejection many Roma communities today live in very difficult conditions, often on the fringe of society in the countries where they have settled, and their participation in public life is extremely limited.").

“the vulnerable position of Roma/Gypsies means that special consideration should be given to their needs and their different lifestyle both in the relevant regulatory framework and in reaching decisions in particular cases.”¹⁰

12. In September 2008, the UN Committee on the Elimination of Racial Discrimination (CERD) specifically criticized the use of forced evictions against Roma communities in Russia in its concluding observations on the combined 18th and 19th periodic reports of the Russian Federation:

“The Committee is concerned about the destruction of Roma settlements, often on the basis of court orders to demolish illegally constructed dwellings, in numerous cities and regions of the State party, and about the disproportionate effects that such demolitions and forced evictions may have on the Roma families concerned (art. 5 (e) (iii)). The Committee recommends that the State party review its policy of demolishing illegally constructed Roma settlements when the dwellings have existed for a long time, legalize existing settlements to the extent possible, and provide adequate alternative housing whenever forced evictions of Roma take place.”¹¹

13. Ignoring these duties, the authorities have made no effort to support the applicants after their homes were destroyed.
14. The situation is aggravated by the fact that the families have been divided and some applicants had to leave the Kaliningrad region. This fragmentation and dislocation has increased the impact of the other violations because it has deprived the applicants of much of the network on which they would usually rely for support, and it means that family members are sometimes unable to care for each other.

1. Bagdonavichus Family

15. Since their home was demolished on 1 June 2006, the Bagdonavichus family has been separated within the Kaliningrad region and between Russia and Lithuania.
16. Immediately after the demolition, the head of the household, Leonas Bagdonavichus (Applicant 1), and his wife, Magdalena Bagdonavichene (Applicant 2) lived in an abandoned railway carriage for nearly a year. Mr. Bagdonavichus then purchased a shack, which has no insulation, plumbing or heating, where they spend the summer.¹² During the winter Mr. and Mrs. Bagdonavichus rent a one-room flat located close to Kaliningrad City where they live with their granddaughter Tamila Bagdanavichute (Applicant 6), and grandsons, Nikita Alexandrovich and Leonid Alexandrovich (Applicants 8 and 9), so that the children can attend school.¹³
17. Leonas Bagdonavichus runs his own business focusing on cross border auto transfers. He is also a successful farmer. His sons are employed in the family business. Leonas is the only family member who has maintained citizenship of both Lithuania and Russia. He has also obtained permanent residence registration in Kaliningrad City.
18. Magdalena Bagdonavichene (Applicant 2) has kept her Lithuanian citizenship. She managed, after three years, to register irregularly at an address where the couple does

¹⁰ *Ibid.*, at para. 181.

¹¹ See CERD, Consideration of reports submitted by States parties under article 9 of the Convention: concluding observations: Russian Federation, 22 September 2008, CERD/C/RUS/CO/19, available at: <http://www.unhcr.org/refworld/docid/48ef5f4d2.html>.

¹² See Supplementary Affidavit of Leonas Iono Bagdonavichus, dated 15 December 2010, attached as Exhibit 1, at para. 7; see also Exhibit 13, Photograph of Bagdonavichus family, October 2009.

¹³ See Supplementary Affidavit of Leonas Iono Bagdonavichus, dated 15 December 2010, attached as Exhibit 1, at para. 7

not live.¹⁴ Mr. and Mrs. Bagdonavichus are in poor health, which continues to deteriorate as a result of the conditions in which they were living. Magdalena suffered a heart attack last year and Leonas has high blood pressure.¹⁵ Their access to medical care is limited.

19. The families of Leonas Bagdonavichus's sons, Sasha (Applicant 3), and Olegas (Applicant 5), used to live together in Mr. Bagdonavichus's home in Dorozhoe village, but now live in rental houses elsewhere in the Kaliningrad region.¹⁶ Olegas's new house is very far from the local school, and when they first moved there his 10-year-old son Nikita (Applicant 9) and 12-year-old son Leonid (Applicant 8) were forced to walk long distances to go to school. As a result, the children now live with Leonas in the flat he rents in the winter so that they are able to attend school more easily.¹⁷ Russian authorities required Olegas Bogdanovitchus to renounce his Lithuanian citizenship in order to obtain a Russian passport.¹⁸
20. Helena Bagdanavichute (Applicant 4) and Ana Bagdanavichute (Applicant 7) have Lithuanian citizenship. According to Leonas, they are currently living in Lithuania.¹⁹
21. Natalia Antano (Applicant 10), Leonas's daughter-in-law, lives in Kaliningrad, but recently traveled to St. Petersburg to seek treatment for liver problems that she has experienced since the demolition. The family sold a cow and some calves to pay for her medical care and travel.²⁰
22. Although some members of this family have managed to obtain a stable income, in order to do so the family has scattered across different cities and countries. The members of the family who have obtained a stable income are those who have either foreign citizenship or formal residence status. This underscores the impact of the Russian authorities' denial of residence status to members of the other applicant families, who have generally been unable to obtain steady work.

2. Arlauskas Family

23. The Arlauskas family has also been separated as a result of the demolition of their house in Dorozhoe village. Prior to the demolitions, Alexandras Arlauskas (Applicant 11), his wife Mariya Arlauskene (Applicant 12) lived in a large house in the village with their four children and their grandchildren.²¹ They are now homeless and constantly change their residence, moving between the houses of their relatives.
24. Following the demolition, they temporarily resided with the brother of Alexandras Arlauskas in a one-room shack located in Maloe Isakovo, close to Kaliningrad City. Because of the size of the shack, it was impossible for the family to live together, and Mariya and Alexandras have been forced to live separately for long periods. Mariya currently lives alone in a different shack in Maloe Isakovo, separated from her husband and the rest of her family. Alexandras Arlauskas has been hospitalized in Lithuania for

¹⁴ *Ibid.*, at para. 8-9 (describing the process of registration without a permanent address at a legalized building, which entails paying a landlord to obtain the formal approval required for registration at a rental property).

¹⁵ *Ibid.*, at para. 13.

¹⁶ See Application, Exhibit 1, at para. 11; see also Exhibit 14, Photograph of Olegas Bagdonavichus and his son Leonid Bagdonavichus, October 2009.

¹⁷ See Supplementary Affidavit of Leonas Iono Bagdonavichus, dated 15 December 2010, attached as Exhibit 1, at para. 7, 15.

¹⁸ *Ibid.*, at para. 11.

¹⁹ *Ibid.*, at para. 10.

²⁰ *Ibid.*, at para. 12.

²¹ See Application, Exhibit 5, at para. 9; see also Exhibit 18, Photograph of Mariya Arlauskene (Applicant 12), October 2009.

the last six months due to heart problems and a nervous condition which arose since the demolition of the village and death of his daughter.²²

25. As discussed in Section B, below, Anastasiya Arlauskajte, Mariya's daughter, died as a result of the poor living conditions the family suffered immediately after the demolition. Her two sons, Alexander (born after the demolition) and Rustam (Applicant 19, age 8), now live in a shack with their father in Cherniahovsky city, 80 kilometers away from Kaliningrad.
26. The registration of Mariya, Alexandras and their son Mihail Arlauskas was cancelled following the demolition of their permanent residence, so they cannot obtain registration papers. The children of Mariya and Alexandras, Mihail (Applicant 14) and Angela (Applicant 15), are now not even able to prove that they are Russian citizens.²³
27. Mihail Arlauskas (Applicant 14), Mariya's son, age 34, now lives with his mother-in-law in a shack without plumbing and heating in Sovetsk City, 120 kilometers from the city of Kaliningrad.²⁴ He does not have registration papers, and therefore is unemployed. He also lives with his son, Mihail M. Arlauskas (Applicant 16), the grandson of Mariya Arlauskene, who is 15 years-old and also does not have any registration papers. Mihail's lack of registration means that his son Mihail M. cannot go to school, and is therefore illiterate. It also means that he faces difficulties obtaining medical care.²⁵
28. Angela Arlauskaite (Applicant 15) Mariya's daughter, now resides with her children Olga Arlauskaite (Applicant 18), age 8, and Vanya Arlauskas (Applicant 17), age 9, in Kibartai in Lithuania.

3. Zhguleva and Alexandrovich Family

29. Nonna Zhguleva (Applicant 20), her son Dinari Arunovich Zhgulev (Applicant 21, age 8), and her mother Tamara Alexandrovich (Applicant 23) now live in a small shack in the Moskovsky district, 16 kilometers away from the former Dorozhnoe village. Due to the disappearance (see paragraph 48 below) of Margarita Matulevich (Applicant 24 – sister of Nonna and daughter of Tamara) whom the police presume to be dead, Margarita's daughter Lyubov' Matulevic (Applicant 25, age 18) also lives with them.
30. The shack where they live is not legalized, meaning it does not comply with municipal building codes and regulations and therefore cannot serve as a permanent home for registration purposes.²⁶ It is a building constructed primarily of plywood, which is not adequate for winter conditions.²⁷ It contains only a small living room where Nonna Zhguleva and her son sleep and an enclosed entry room that serves as a kitchen.²⁸ In the annex to the house there is a separated space for Tamara Alexandrovich and her

²² See Supplementary Affidavit of Mariya Arlauskene, dated 15 December 2010, attached as Exhibit 2, at paras. 15, 17.

²³ *Ibid.*, at paras. 7-9.

²⁴ *Ibid.*, at paras. 18-19.

²⁵ *Ibid.*, at para. 18.

²⁶ See Supplementary Affidavit of Leonas Iono Bagdonavichus, attached as Exhibit 1, at para. 9.

²⁷ See Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 8-9.

²⁸ See Exhibit 17, Photograph of Nonna Zhguleva (Applicant 20) and her son, Dinary Zhgulev (Applicant 21), in their room in a shack with a stove for heating, October 2009.

granddaughter, Lyubov' (Applicants 23 and 25).²⁹ The poorly furnished rooms are heated only by a stove. There is no bathroom inside the house.³⁰

31. Nonna was able to register at a temporary residence, but this has now expired and she has no registration papers. As a result, her son Dinary, who is 8 years-old, lacks the means necessary even to prove his citizenship.³¹
32. In 2009, Tamara Alexandrovich and Lyubov' Matulevich paid a landlord so that their passports were issued with a stamp certifying permanent residence at 31 Pushkinskaya Str., Maloe Isakovo settlement, Gur'evskij District, Kaliningrad region, allowing them to obtain registration papers.
33. The Zhguleva and Alexandrovich families are in financial distress and the applicants feel insecure and helpless. They endure grave health conditions without regular access to medical care. Tamara suffered two heart attacks shortly after the demolition. Her health remains extremely poor.³² To obtain medical care, they would have to travel to the district where they are registered.³³ The address is over 15 kilometers from their shack, severely restricting their access to medical care as a practical matter, especially in the winter, even though they are registered. The family obtains emergency medical care by calling an ambulance and begging to be taken to a hospital.³⁴ Tamara is now able to access her pension benefits, and uses them to help to support the family. Other than that, the family relies on occasional jobs, although this is difficult without registration. Tamara also begs for alms in the streets, and they raise poultry and animals in the yard.³⁵
34. As described below, Nikolaj Ivanovich Alexandrovich (Applicant 22) died on 17 January 2008; and no information is available about Margarita Matulevich (Applicant 24), who remains missing and is presumed dead by the police.

4. Samulajtis-Petravichute Family

35. For the past two years, Anastasiya Petravichute (Applicant 27) has lived with her daughter, Ramina Arlauskaite (Applicant 29, age 13), in a shack in the area of Romashka. They had previously lived in a shack in another community, closer to Ramina's school. However, the other residents forced them out after one year because they are Roma.³⁶ Now, they live over one hour by bus from Ramina's school. Anastasiya and Ramina have managed to register at a small flat in Kaliningrad City owned by Anastasiya.³⁷ Anastasiya rents the flat out to tenants in order to support her family.³⁸

²⁹ See Exhibit 16, Photograph of Tamara Alexandrovich in her bedroom, October 2009.

³⁰ See Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 8.

³¹ Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 10, 17.

³² *Ibid.*, at para. 16.

³³ *Ibid.*, at para. 12.

³⁴ See Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 11; Supplementary Affidavit of Lyubov' Matulevich, dated 15 December 2010, attached as Exhibit 4, at para. 8.

³⁵ See Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 12, 20-21.

³⁶ See Supplementary Affidavit of Anastasiya Petravichute, dated 15 December 2010, attached as Exhibit 5, at para. 6, 9 and 11.

³⁷ *Ibid.*, at para. 9-10.

³⁸ *Ibid.*

36. Anastasiya's brother Konstantin Samulajtis (Applicant 26) used to work as a security guard for a private company. Konstantin Samulajtis and his wife Rada Viktorovna Arlauskajte (Applicant 28) also live with Anastasiya in the area of Romashka.³⁹ They used to live in a rented shack outside Kaliningrad City. They have not obtained permanent residence registration and Konstantin is unable to work. They cannot register because they have no permanent residence. He suffers from epilepsy and high blood pressure, conditions which have grown worse since the demolition. Because he is not registered, he has no medical insurance.⁴⁰ The family must struggle to pay for his medical care.

5. Kasperavichus Family

37. As set out below, two members of the Kasperavichus family have died: Vitautas Kasperavichus and Graf Kasperavichus (Applicants 30 and 32). As a result, Kristina Kasperavichute (Applicant 33), age 11, is now living in the Kaliningrad orphanage. Given the breakdown of this family unit, the location and address of the final member of the family, Alexander Kasperavichus (Applicant 31), is unknown.

B. Consequential Deaths

38. Since filing the application to this Court, four of the applicants have died, one is missing, presumed dead, and a further applicant is missing. The deaths and disappearances of these applicants arose out of the circumstances in which their homes were destroyed nearly five years ago, and the great stress, suffering, destitute living conditions, and lack of access to appropriate medical care resulting from the Russian authorities' actions. Two of them died as a direct result of ill-health caused by their living conditions.
39. In the original application it was argued that the lives of the applicants were endangered by the destruction of their homes, owing to lack of adequate alternative shelter and concomitant exposure to unsanitary conditions and harsh winters without access to heat or medical care.⁴¹ These circumstances persist unabated today, threatening the lives and health of the applicants who continue to suffer from the effects of the demolition.
40. In March 2007, the applicants informed the Court of the deaths of Vitautas Mikolo Kasperavichus (Applicant 30) and Anastasiya Alexandrovna Arlauskajte (Applicant 13). Since that time, two more applicants have died: Nikolaj Ivanovich Alexandrovich (Applicant 22) and Graf Viktorovich Kosporovichus (Applicant 32). In addition, Margarita Matulevich (Applicant 24) has been missing since just after the demolition of the village and the police have indicated that she is also likely to be dead. The whereabouts of Alexander Vitautovich Kasperavichus are also unknown.

Death of Anastasiya Alexandrovna Arlauskajte (Applicant 13)

41. Anastasiya Alexandrovna Arlauskajte was nearly seven months pregnant at the time of the demolition. She was the 26-year-old daughter of Alexandras Arlauskas (Applicant 11) and Mariya Arlauskas (Applicant 12). She gave birth to her son, Alexander Dmitrievich Arlauskas, on 18 July 2006, one and a half-months after the authorities destroyed her home.
42. The demolition of her home forced her to live in a makeshift tent in a field after she returned from hospital with her newborn son, exposed to the elements, including

³⁹ *Ibid.*, at para. 7.

⁴⁰ See Supplementary Affidavit of Anastasiya Petravichute, dated 15 December 2010, attached as Exhibit 5, at para. 16-17.

⁴¹ See Application, para. 15.4-15.8.

pouring rain.⁴² Anastasiya's health and that of her son were therefore placed in grave danger. While living in these conditions, Anastasiya contracted a debilitating kidney infection, which quickly worsened.⁴³ She died on 15 August 2006, one month after the birth of her son and two and a half-months after the demolition of her house.⁴⁴

43. As noted in paragraph 24 above, Anastasiya's father, Alexandras Arlauskas (Applicant 11) has been hospitalized in Lithuania for the last six months due to heart problems and a heart condition which arose since the death of his daughter.

Death of Vitautas Mikolo Kasperavichus (Applicant 30)

44. Vitautas Mikolo Kasperavichus (Applicant 30) was 54 years-old when the Russian authorities demolished the home that he built in Dorozhnoe village in 1964. He was already in poor health at the time of the demolition, and his heart condition in particular deteriorated as a result of the stress he was subjected to after his house was demolished.⁴⁵
45. After the demolition of his house on 30 May 2006, Vitautas Kasperavichus lived for a short time with his sister in Dorozhnoe village, but then the authorities demolished her house as well. He then went to live with a friend in a rented flat, as a result of which his family was separated. Vitautas Kasperavichus died of stomach cancer on 14 December 2006.⁴⁶

Death of Nikolaj Ivanovich Alexandrovich (Applicant 22)

46. Nikolaj Ivanovich Alexandrovich (Applicant 22) died on 17 January 2008 after a long struggle against the illness he developed as a direct result of having to sleep in a tent after the demolition. When he died he was 62 years-old. His daughter, Nonna Zhguleva, explains that Nikolaj developed acute bronchitis due to sleeping outdoors in a tent immediately after the demolition, exposed to wind and rain.⁴⁷ According to an extract from his medical record, Mr Alexandrovich appeared in the Municipal Central city hospital of Kaliningrad on 16 January 2008 in a grave condition. He died one day later. Postmortem examination revealed chronic obstructive purulent bronchitis and bilateral basal pneumonia among other diseases.⁴⁸
47. Since the destruction of their home, Mr. Alexandrovich and his wife Tamara (Applicant 23) had been living in a critical and precarious situation. They moved from their tent in the former Dorozhnoe village into an old train coach several months after the

⁴² See Supplemental Memorandum, paras. 6-7; Supplementary Affidavit of Mariya Arlauskene, dated 15 December 2010, attached as Exhibit 2, at para. 1.

⁴³ See Supplementary Affidavit of Mariya Arlauskene, dated 15 December 2010, attached as Exhibit 2, at para. 11.

⁴⁴ The applicants attached a copy of the death certificate to the Supplemental Memorandum as Exhibit 20.

⁴⁵ In para. 25 of his affidavit, submitted to this Court on 2 November 2006 as Exhibit 11, Vitautas Kasperavichus explained, "The heaviest load was on my heart. I have heart problems that were very exacerbated by the demolition." See also Supplemental Memorandum, paras. 9-11.

⁴⁶ The applicants attached a copy of the death certificate to the Supplemental Memorandum as Exhibit 19.

⁴⁷ Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, para. 13.

⁴⁸ See Extract from the medical record No. 844 of Alexandrovich Nikolaj Ivanovich, attached as Exhibit 6 (with English translation); Death Certificate of Alexandrovich Nikolaj Ivanovich series I-PE No. 663361, attached as Exhibit 7 (with English translation).

demolition. The train coach provided inadequate shelter from the elements,⁴⁹ yet they were forced to live there for over a year, until Nikolaj's death in January 2008.

48. In his affidavit, submitted to this Court on 2 November 2006, Mr. Alexandrovich explained how his poor health was aggravated by the stress of losing his house and living in uncertain shelters as follows:

“This situation could not be worse. I feel the smell of death. The winter is coming, where can we go? Who can I ask for support, and when will this help come? We need a decent life. I said that if I cannot find a way out, if I cannot get out of the tent, then I swear to God, I will not be able to remain patient and watch my family suffer so much. My wife and I will poison ourselves or we will pour petrol on ourselves and burn ourselves. I also have a heart and cannot bear how my family is suffering. It is just too much.”⁵⁰

Death of Graf Viktorovich Kosporovichus (Applicant 32)

49. The second applicant to have died since the applicants filed their March 2007 Supplemental Memorandum and the fourth to die since the destruction of the village is 28 year-old Graf Viktorovich Kosporovichus (Applicant 32). Graf Kosporovichus was killed on 1 June 2008, in the Moscow district of Kaliningrad region.⁵¹ Information about the circumstances of his death is unavailable.⁵² As set out above, Graf's father, Vitautas Mikolo Kasperavichus (Applicant 30), has also died since the commencement of these proceedings.

Missing Applicant (Margarita Matulevich, Applicant 24)

50. Margarita Matulevich has been missing since shortly after the destruction of the village, and is presumed dead. No information is available regarding her location or her fate. According to her sister, Nonna Zhguleva, Margarita was sick at the time of the demolition.⁵³ Their mother, Tamara Alexandrovich (Applicant 23), requested that the police investigate Margarita's disappearance and find her. The police responded that Margarita is likely to be dead.⁵⁴ They demanded a bribe to investigate the matter further, but the family could not pay.⁵⁵ Margarita's daughter, Lyubov' Matulevic (Applicant 25), now lives with other members of the family (see paragraph 29 above).
51. The circumstances strongly suggest that Margarita Matulevich may be dead. Her disappearance followed the dispersal of the Roma applicant families that was caused by the destruction of their homes in the village.

Missing Applicant (Alexander Vitautovich Kasperavichus, Applicant 31)

52. The whereabouts of Alexander Kasperavichus are also unknown. He is the son of Vitautas Kasperavichus and the brother of Graf Kosporavichus, both now deceased as

⁴⁹ Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 9.

⁵⁰ Application, Exhibit 9, para. 28.

⁵¹ See Medical Death Certificate of Kosporovichus Graf Viktorovich series AC No. 059994 of 2 June 2008, attached as Exhibit 8 (with English translation); Death Certificate of Graf Viktorovich Kosporovichus series I-PE No. 683145 issued on 4 June 2008, attached as Exhibit 9 (with English translation).

⁵² See Supplementary Affidavit of Leonas Iono Bagdonavichus, dated 15 December 2010, attached as Exhibit 1, at para. 20 (stating that, to his knowledge, the authorities did not investigate the murder).

⁵³ See Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 14.

⁵⁴ See Exhibit 15, Photograph of Tamara Alexandrovich holding a black-and-white photograph of her missing daughter, Margarita Matulevich, December 2010.

⁵⁵ *Ibid.*, at para. 15.

described above. The fate of the Kasperavichus family dramatically illustrates the tragic separation experienced to varying degrees by all of the applicant families since their forced eviction from Dorozhnoe village. The only remaining family member known to be alive is 11-year-old Kristina (Applicant 33), now living in an orphanage.⁵⁶

C. The Impact of the Demolition of Dorozhoe on the Children

53. The demolition of the village has had a particularly severe impact on the well-being of the children. Like all the applicants, many of the children are forced to live in inadequate housing, suffer from chronic illnesses and lack access to healthcare. However, certain consequences of the demolition have caused additional hardship and damage to the children of the village that is specific to their status *as children*, namely: (1) the forced fragmentation of their families and (2) their lack of access to education.

Separation of children from their families

54. The separation of the families which resulted from the demolition of their homes has resulted in severe disruption to the family lives of all the eleven applicants who are children, and also the daughter of Helena Bagdonavichute (Applicant 4, whose daughter, Olya, was born in 2008, after the demolition) and Alexander Dmitrievich Arlauskas, born 18 July 2006, the son of the late Anastasiya Arlauskene (Applicant 13) and grandson of Mariya Arlauskene (Applicant 12).
55. Two children have been taken into care, one of whom remains in Kaliningrad Orphanage today. As the applicants informed the Court in March 2007, two children were placed in the Kaliningrad Orphanage, Dom Rebjenka, as an immediate result of the demolition of the village. After the death of Anastasiya Alexandrovna Arlauskajte (Applicant 13) in August 2006, her family was unable to care for her newborn son, Alexander Dmitrievich Arlauskas, because the family had been separated and her parents were forced to live in temporary shelters. Mariya Arlauskene, Anastasiya's mother, applied to become the legal guardian to **Alexander** and his brother **Rustam** (Applicant 19), then aged 3, as their grandmother, but her application was denied because she did not have proper registration papers, as a result of living in temporary accommodation.⁵⁷ As a result, Alexander was taken into care at the Kaliningrad Orphanage, beginning on 2 October 2006.⁵⁸ At a later date he returned to his family, and he is now living in a shack with his brother, Rustam, and his father, 80 kilometres from the rest of his family.
56. Vitautas Kasperavichus (Applicant 30) had initially cared for his granddaughter, **Kristina Kasperavichute** (Applicant 33, age 7 at the time of the demolition), despite being separated from his family. However, following Vitautas's death in December 2006, Kristina was placed in the Kaliningrad Orphanage, where she remains today.⁵⁹
57. All of the other children have had their family life disrupted by the demolition of their homes and the consequent fragmentation of the Roma community of Dorozhnoe village. Two further children have lost close family members as a result of the demolition: **Dinary Zhgulev** (Applicant 20, age 8) and **Lyubov' Matulevich** (Applicant 25, age 18) lost their grandfather, Nikolaj (Applicant 22) and Lyubov's

⁵⁶ See Supplementary Affidavit of Leonas Iono Bagdonavichus, dated 15 December 2010, attached as Exhibit 1, at para. 21-22.

⁵⁷ Supplementary Affidavit of Mariya Arlauskene, dated 15 December 2010, attached as Exhibit 2, at para. 14.

⁵⁸ Supplemental Memorandum, para. 6-8, 17.

⁵⁹ Supplemental Memorandum, para. 11, 24; Supplementary Affidavit of Leonas Iono Bagdonavichus, dated 15 December 2010, attached as Exhibit 1, at para. 21.

mother, Margarita Matulevich (Dinary's aunt, Applicant 24), has disappeared and is presumed dead.

58. Four children have to live with only a handful of family members and rarely see their other relatives because their families have splintered, unable to find adequate permanent housing. **Mihail M. Arlauskas** (Applicant 16, age 15) now lives with his father, 120 kilometers from his other relatives, including his grandmother, Mariya Arlauskas (Applicant 12, who lives alone in Kaliningrad City) and his aunt, Angela (Applicant 15, currently living in Lithuania with her children). **Leonid Olegovich** (Applicant 8, age 12) and **Nikita Alexandrovich** (Applicant 9, age 10) spend half of the year living with their grandparents, Leonas and Magdalena (Applicants 1 and 2), in order to attend school. They seldom see their parents during these months. **Ramina Arlauskajte** (Applicant 29, age 13) lives with her mother, Anastasiya Petravichute (Applicant 27), and her aunt and uncle (Rada Arlauskajte, Applicant 28, and Konstantin Samulajtis, Applicant 26), but she is far away from her other relatives.⁶⁰
59. Finally, four children now live in Lithuania and rarely communicate with their family members still in Kaliningrad. **Ana Bagdonavichute** (Applicant 7, age 6) and her sister, **Olya** (born in 2008), live with their mother Helena (Applicant 4) in Lithuania. They used to live under the same roof with Helena's mother and father, Leonas Bagdonavichus (Applicant 1) and Magdalena Bgdonavichene (Applicant 2). **Vanya Alexandrovich** (Applicant 17, age 9) and **Olga Alexandrovna** (Applicant 18, age 8) live in Lithuania with their mother, Angela Arlauskajte (Applicant 15), separated from their grandmother, Mariya Arlauskene (Applicant 12), and her other grandchildren.

Limited access to education

60. The dislocation caused by the demolition of the village and the refusal of the Russian authorities to register the residence of the applicants also has had a serious impact on the ability of the children to obtain an education.
61. Four of the applicant children who remained in the Kaliningrad region after their homes were demolished no longer attend school. **Mihail M. Arlauskas** (Applicant 16) is 15 years old and, as a minor, does not have any registration papers. He is illiterate because he is not able to go to school.⁶¹ His situation is representative of many of the applicants' children who cannot go to school because they do not have official residence or registration papers. **Rustam Arlauskas** (Applicant 19), age 8, and **Dinary Zhgulev** (Applicant 21), age 8, should have started classes this year; but neither of them has been able to attend school because their parents lack registration papers.⁶² Nonna Zhguleva was told by school officials that her son, Dinary, "does not exist."⁶³ Rustam's brother, **Alexander Dmitrievich Arlauskas** is turning 5 this year. According to their grandmother, Mariya Arlauskene (Applicant 12), the two boys are "growing up as if they live in a forest."⁶⁴

⁶⁰ Supplemental Affidavit of Anastasiya Petravichute, dated 15 December 2010, attached as Exhibit 5, at para. 13.

⁶¹ See Supplementary Affidavit of Mariya Arlauskene, dated 15 December 2010, attached as Exhibit 2, at para. 18.

⁶² *Ibid.*, at para. 13; Supplementary Affidavit of Nonna Zhguleva, dated 15 December 2010, attached as Exhibit 3, at para. 10.

⁶³ *Ibid.*, at para. 10.

⁶⁴ See Supplementary Affidavit of Mariya Arlauskene, dated 15 December 2010, attached as Exhibit 2, at para.13.

62. **Lyubov' Matulevich** (Applicant 25) is now 18 years old and has never attended school as a result of the demolition of the village.⁶⁵ Lyubov' characterizes the situation of all of the children succinctly in her statement to the Court: "The other children from Dorozhnoe village, like me, will have nowhere to live now. They have no money. They cannot afford studying. They have no future."⁶⁶
63. The education of a further three of the applicant children has been severely disrupted because the demolition of their homes and separation of their families makes their attendance at school difficult. For example, **Ramina Arlauskajte**, (Applicant 29, age 13), is forced to travel over one hour each way by bus to get to school. As a result of the destitution in which they are forced to live, aggravated by winter weather conditions and the distance from the school, she is often sick, missing two or three weeks at a time. Her mother is of the opinion that she would not be allowed to enroll her in a school which is closer.⁶⁷
64. In addition, two children had their education severely disrupted by the long distances that they had to walk to get to school. **Nikita Alexandrovich** (Applicant 8, age 12) and **Leonid Alexandrovich** (Applicant 9, age 10) are the children of Olegas Bagdonavichus (Applicant 5, the son of Leonas Bagdonavichus). The house where Olegas Bagdonavichus now lives is far from the local school. As a result, Nikita and Leonid were rarely able to attend. In order to attend school more regularly the two children must live during the winter with their grandparents, Leonas and Magdalena Bagdonavichus, in their rented one-room flat near to Kaliningrad City, which is much closer to the school.⁶⁸
65. This denial of access to education has a severe impact on the lives of these children. It will further entrench the disadvantages from which they are suffering as a result of the destruction of their homes, and as a result of the systemic discrimination against the Roma which underpinned it.

III. REQUEST FOR PRIORITY TO BE GIVEN PURSUANT TO RULE 41

66. This case should be given priority due to the serious impact to date of the violations upon the lives of the applicants, and the serious risk of ongoing and future harm to the applicants, many of whom are children, caused by the continuing violation of their rights under the Convention.
67. As set out above, and further to the March 2007 Supplementary Memorandum, the applicants continue to suffer as a result of their violent expulsion from their demolished houses through the deliberate and systematic actions of the Russia authorities. The impact of these violations increases as time goes on. Living in inadequate temporary shelters and separated from their family members, the applicants face grave deterioration of their health. Four of the applicants have died, two of them as a direct result of the conditions in which they lived (**Anastasiya Arlauskajte**, Applicant 13, and **Nikolaj Alexandrovich**, Applicant 22). Two other applicants are missing, at least one of whom is presumed by the police to be dead. The death of these applicants and the separation of families have forced two children to be cared for in orphanages for extended periods, including **Kristina Kasperavichus**, whose family has virtually vanished since the demolition and who remains in the orphanage. At least four children

⁶⁵ See Supplementary Affidavit of Lyubov' Matulevich, dated 15 December 2010, attached as Exhibit 4, at para. 7.

⁶⁶ *Ibid.*, at para. 9.

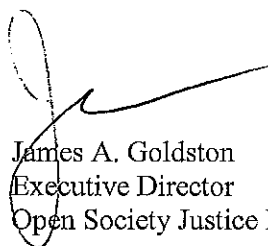
⁶⁷ See Supplementary Affidavit of Anastasiya Petravichute, dated 15 December 2010, attached as Exhibit 5, at para. 13-14.

⁶⁸ See Supplementary Affidavit of Leonas Iono Bagdonavichus, dated 15 December 2010, attached as Exhibit 1, at para. 15.

have no access to education, and three have had their education severely disrupted, a situation which only gets worse as time passes.

68. The Court recently announced its “Priority Policy”, under which the highest priority cases are those in Category I, which are considered “urgent applications”. These consist of applications which involve “risk to life or health of the applicant, other circumstances linked to the personal or family situation of the applicant, particularly where the well-being of a child is at issue”. In the present case, all of these criteria are met. The demolition of the applicants’ houses, the living conditions that they have since been forced to endure, and the lack of access to proper medical services resulting from their lack of registration papers poses a direct risk to their life and health. The separation of families which was the foreseeable result of the demolition of the village demonstrates that this case is linked with the family situation of the applicants. Finally, this case directly involves the well-being of children, in particular as many of the children from the applicant families are currently denied access to education.
69. As a result of these exigent circumstances, in particular the danger posed to the lives and health of the applicants and the ongoing impact on the rights of children, the applicants request that the Court give priority to this case pursuant to Rule 41 of the Rules of the Court.

17 February 2011



James A. Goldston
Executive Director
Open Society Justice Initiative

INDEX OF SUPPLEMENTAL EXHIBITS

Supplementary Affidavits

- Ex. 1. Supplementary Affidavit of Leonas Iono Bagdonavichus (English and Russian)
- Ex. 2. Supplementary Affidavit of Mariya Arlauskene (English and Russian)
- Ex. 3. Supplementary Affidavit of Nonna Zhguleva (English and Russian)
- Ex. 4. Supplementary Affidavit of Lyubov' Grafovna Matulevich (English and Russian)
- Ex. 5. Supplementary Affidavit of Anastasiya Silvestras Petravichute (English and Russian)

Official Documents

- Ex. 6. Extract from the medical record No. 844 of Alexandrovich Nikolaj Ivanovich of 7 October 2009 from Municipal Central city hospital of Kaliningrad (with English translation).
- Ex. 7. Death Certificate of Alexandrovich Nikolaj Ivanovich series I-PE No. 663361 issued on 18 January 2008 by Special civil registration department of administration of Oktyabrsky district of Kaliningrad City (with English translation).
- Ex. 8. Medical Death Certificate of Kosporovichus Graf Viktorovich series AC No. 059994 of 2 June 2008 issued by the State Office of forensic medical examination of Kaliningrad region (with English translation).
- Ex. 9. Death Certificate of Graf Viktorovich Kosporovichus series I-PE No. 683145 issued on 4 June 2008 by Special civil registration department of administration of Oktyabrsky district of Kaliningrad City (with English translation).

Photographs

- Ex. 10. Photograph of Kotov home, still standing, in December 2010.
- Ex. 11. Photograph of Hristeva home, still standing, in December 2010.
- Ex. 12. Photograph of former Dorozhnoe village where a factory now stands, December 2010.

Bagdonavichus Family

- Ex. 13. Photograph of Bagdonavichus family (from left to right): Magdalena Bagdonavichene (Applicant 2) with Bagdanavichute Olya (daughter of Applicant 4, born on 21 October 2008) in her hands, Tamila Bagdanavichute (Applicant 6) and Leonas Iono Bagdonavichus (Applicant 1) in a rented house in Lesnoe settlement, October 2009.
- Ex. 14. Photograph of Olegas Bogdanovichus (Applicant 5) and his son Leonid Bagdonavichus (Applicant 8) in Leonas Bagdonavichus house in Lesnoe settlement, October 2009.

Zhguleva and Alexandrovich Family

- Ex. 15. Photograph of Tamara Alexandrovich (Applicant 23) holding a black-and-white photograph of her missing daughter, Margarita Matulevich (Applicant 24), December 2010.
- Ex. 16. Photograph of Tamara Alexandrovich in her bedroom, October 2009.

Ex. 17. Photograph of Nonna Zhguleva (Applicant 20) and her son, Dinary Zhgulev (Applicant 21), in their room in a shack with a stove for heating, October 2009.

Arlauskas Family

Ex. 18. Photograph of Mariya Arlauskene (Applicant 12), October 2009.

EUROPEAN COURT OF HUMAN RIGHTS

AFFIDAVIT OF LEONAS IONO BAGDONAVICHUS

15 December 2010

I, Leonas Iono BAGDONAVICHUS, do hereby depose and truthfully state the following:

1. My name is Leonas Iono BAGDONAVICHUS.
2. I was born November 16, 1950 in Lithuania.
3. I have two nationalities: Russian and Lithuanian.
4. I am Roma by ethnic identity. I speak the Roma language, Russian and Lithuanian.
5. I resided in Dorozhnoe village, Kaliningrad, Russia, from 1963 until June 1, 2006, when authorities demolished my home.
6. More information about the demolition of my home and the immediate aftermath of this action appears in my Affidavit, dated 4 August 2006, Exhibit 1 to the original Application to the Court, dated 2 November 2006, file number 19841/06.
7. After the demolition, we lived in an abandoned railway carriage for almost one year. We had not other place to go. Then I bought a bungalow (“datcha,” in Russian), which is like a shack or a slum. The walls are made of plywood and there is no plumbing or heating. Now, in the wintertime, it’s impossible to live there and I rented a one-room flat for the school year, for the children. In spring, we will go back to the shabby bungalow we bought. Five of us live together: myself, my wife, Magdalena, and three of our grandchildren, Nikita, Leonid and Tamila. My sons rent bungalows as well, in other parts of the city.
8. We paid a landlord to use his address for our registration—an address where we have never lived. We paid the landlord and the landlord gave us his formal approval to give to the police when we registered. This was before the authorities demolished our home in Dorozhnoe village. To get official registration we had to use an address outside the village because the authorities refused to legalize our house; even before the demolition, we had many problems registering because we are Roma.
9. Today, many people from the former Dorozhnoe village are obtaining registration by paying landlords because they no longer have any address besides bungalows. It is not possible to register your address at a bungalow because bungalows are just slums in the woods, which do not comply with building regulations. The fact that we are Roma also makes even this irregular registration more difficult. It took us 3 years to register my wife. Registration

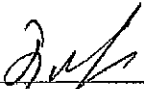
Exhibit 1 (English)

is important because without registration of a legal residence you can do nothing. You cannot have health insurance, you cannot apply for a job, and your children cannot go to school. You are not a human being without registration.

10. My daughter Helena and her two children, Anna and Olya (who was born in 2008, after the demolition) are living in Lithuania. The majority of us stayed here around Kaliningrad. Before the demolition, there was enough space for all of us. Now there is not sufficient space for all of our family.
11. My son Olegas had to denounce his Lithuanian citizenship. He gave it up because the authorities made him do so to keep his Russian citizenship.
12. My daughter-in-law, Natalia Antano, is in St. Petersburg to visit doctors about her liver problems. These health problems are connected to the demolition. She was not sick before the demolition and she's been ill ever since. I am helping her pay for her doctor. We sold a cow and some calves so that she could get some help.
13. Our health is not good at all. I have high blood pressure and one year ago Magdalena had a heart attack. She also has neck problems because of the cold and her nerves. Living the way we live now, after the demolition, our health just keeps getting worse.
14. When we lived in the tent after the demolition, Leonid caught cold, but then it developed into sinusitis. He had to have two operations this year for that. We didn't have to pay because it was in the children's hospital. Unofficially, we gave some compensation to the doctors, otherwise they would have not operated at all. They didn't ask for medical insurance at that hospital.
15. Our grandchildren are attending school regularly. They are not the best students, but still, they never miss classes. That's why I rented a flat near the school. It wouldn't be possible otherwise. Before, they had to walk 5 kilometers or take buses to get to school. So for the past two years I have rented the flat.
16. The children of our community have been deprived of everything. Most of them do not go to school. If you can make some kind of special, unofficial arrangement, they can go to school, but they have no rights. Even when they attend, they are there unofficially.
17. We are in a critical condition now. Our family is broken apart. The event separated all of us and it deprived us of the means of existence. We are completely vulnerable, with no roof above us, living in the wind. We have nothing.

Kasperavichus Family


18. The demolition has been especially destructive for one of the families of our community: the Kasperavichus family. Virtually none of them are left now. In that family, both father and son died.
19. I know the father, Vitautas, died in December 2006, but I had not seen him since the demolition.
20. Graf, the son, was murdered in June 2008. We don't know any details about the murder. Why would the authorities investigate? Maybe his unofficial wife would have known something, but she too has died.
21. According to our information, the little girl Kristina is in an orphanage. We don't know where Alexander is either.
22. I can only relate what has happened to their family to the eviction. Everyone had to separate because of that. The family fell apart because of the eviction. We used to have a large family, too. Now you see the result.

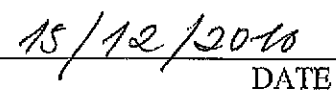

LEONAS I. BAGDONAVICHUS


DATE

Kaliningrad, RUSSIA

I, Vladimir Luzin, am a Russian attorney who speaks and understands both English and Russian. With my signature below, I attest to the fact that from 13-15 December 2010, I was present during the interviews of the OSI Justice Initiative clients in Kaliningrad, Russia, including the interview of Leonas I. Bagdonavichus. I personally heard the Russian/English interpreter, Eduard Kurilovich, translate into Russian accurately and fully the English language questions of the lawyer, Laura Bingham, to the clients. Each client's responses were translated contemporaneously from Russian into English. The contemporaneous and verbatim English translations formed the basis of each client's affidavit. I then personally translated these English affidavits verbatim and in writing into Russian. The Russian translations were read back to each client. I personally confirmed with each client, including Leonas I. Bagdonavichus, that every word in each of their affidavits was a correct representation of the statements they made to Laura Bingham via the interpreter. After this process, each client signed his or her name to his or her English language affidavit as well as to the version that was translated into Russian.


VLADIMIR LUZIN


DATE

В Европейский Суд по правам человека

ПИСЬМЕННЫЕ ПОКАЗАНИЯ ЛЕОНАСА ИОНО БАГДОНАВИЧУСА

15 декабря 2010

Я, Леонас Ионо Багдонавичус, настоящим свидетельствую и достоверно заявляю следующее:

1. Мое имя Леонас Ионо Багдонавичус.
2. Я родился 16 ноября 1950 в Литве.
3. У меня два гражданства: российское и литовское.
4. По национальности я цыган. Я говорю на цыганском, русском и литовском языках.
5. Я проживал в поселке Дорожное, Калининград, Россия с 1963 г. До 1 июня 2006 г., когда власти разрушили мой дом.
6. Более полная информация о сносе моего дома и немедленных последствиях этого представлена в моих показаниях от 4 августа 2006 г., приложение 1 к жалобе в Суд от 2 ноября 2006 г., номер файла 19841/06.
7. После сноса мы жили в брошенном железнодорожном вагончике почти год. У нас не было другого места. Затем я купил дачу, которая напоминала сарай. Стены были сделаны из фанеры, не было водопровода и отопления. Сейчас в зимнее время невозможно жить там и я арендовал однокомнатную квартиру во время учебного года для детей. Весной мы вернемся на дачу, которую я купил. Пятеро человек живут вместе: я, моя жена Магдалена, два моих внука и внучка: Никита, Леонид и Тамила. Мои сыновья арендуют дачи также в других частях города.
8. Мы заплатили хозяину, чтобы использовать его адрес для регистрации, в месте, в котором мы никогда не жили. Мы заплатили хозяину, и он дал нам формальное разрешение для милиции, чтобы получить регистрацию. Это случилось до того, как власти снесли наш дом в Дорожное. Чтобы получить официальную регистрацию мы использовали адреса за пределами поселка, потому что власти отказались легализовать наш дом, и мы имели много проблем с регистрацией из-за того, что мы цыгане.
9. Сегодня многие люди из бывшего Дорожного получают регистрацию, платя хозяинам, потому что они больше не имеют адресов кроме дач. Это невозможно зарегистрироваться на дачах, потому что эти дачи просто сараи из дерева, которые не отвечают строительным требованиям. Но факт, что мы цыгане, также делает такую регистрацию затруднительной. Это

Exhibit 1 (Russian)

потребовало около 3 лет от меня, чтобы зарегистрировать мою жену. Регистрация важна, потому что без регистрации вы не можете делать ничего. Вы не имеете медицинской страховки, вы не можете обратиться за получением работы, ваши дети не могут ходить в школу. Вы - не человек без страховки.

10. Моя дочь Елена и двое ее детей, Анна и Оля, которая родилась в 2008 г. после сноса) живут в Литве. Большинство нас живет здесь рядом с Калининградом. До сноса было достаточно места для всех. Сейчас нет достаточно места для всей нашей семьи.
11. Мой сын Олег отказался от литовского гражданства. Он сделал это, потому что власти заставили его сделать это, чтобы сохранить российское гражданство.
12. Моя невестка Наталия Антано в Санкт-Петербурге, чтобы встретиться с врачом из-за проблем с печенью. Эти проблемы связаны со сносом дома. Она не болела до сноса, это началось только после сноса. Я помогаю ей платить за лечение. Мы продали корову и телят, так что она получила некоторую помощь.
13. Наше здоровье не в порядке. У меня высокое кровяное давление, и год назад у Магдалены был инфаркт. У нее также проблемы с шеей из-за холода и нервов. Продолжая жить так, как мы живем сегодня, после сноса, наше здоровье ухудшается.
14. Когда мы жили в палатке после сноса Леонид простудился, и это развилось в синусит. Он перенес уже две операции в этом году. Мы ничего не платили за это, потому что это детская больница. Неофициально мы дали некоторую компенсацию врачам, иначе они вообще бы не стали оперировать. Они не спрашивали про медицинскую страховку в этой больнице.
15. Мои внуки посещают школу регулярно. Они не самые лучшие ученики, но на хорошем счету, они не пропускают занятия. Поэтому я арендовал квартиру рядом со школой. Иначе это было бы невозможно. До этого они ходили пешком 5 км и добирались до школы на автобусе. Таким образом, в течение последних двух лет я арендовал эту квартиру.
16. Дети нашей общины были лишены всего. Большинство их не ходят в школу. Если вы можете сделать особую неофициальную договоренность, они могут ходить в школу, но у них нет прав. Даже если они присутствуют в школе, они там неофициально.
17. Мы в критическом положении сейчас. Наши семьи распались. Случившееся разделило всех нас и лишило средств к существованию. Мы полностью уязвимы, без крыши над нами, живя на ветру. У нас ничего нет.

Семья Касперавичус

18. Снос имел особое разрушительное воздействие на одну из семей общины, на семью Касперавичус. Фактически, никого не осталось сейчас. В этой семье умерли и отец и сын.
19. Я знаю. Что отец, Витаутас, умер в декабре 2006 г., но я не видел его с момента сноса.
20. Граф, сын, был убит в июне 2008 г. Мы не знаем обстоятельств его смерти. Почему власти не расследовали? Может его неофициальная жена могла что-то знать, но она также умерла.
21. Согласно нашей информации маленькая Кристина в Детском доме. Мы не знаем, где находится Александр.
22. Я могу связать то, что случилось с этой семьей, только со сносом. Все разъединены из-за этого. Семьи распались из-за сноса. У нас была большая семья также. Сейчас вы видите результат.



Леонас Моно Багдонавичус

15 декабря 2019

Дата

Калининград, Россия

EUROPEAN COURT OF HUMAN RIGHTS

AFFIDAVIT OF MARIYA ARLAUSKENE

15 December 2010

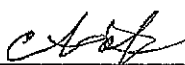
I, Mariya Savel'evna ARLAUSKENE, do hereby depose and truthfully state the following:

1. My name is Mariya Savel'evna ARLAUSKENE.
2. I was born in Dorozhnoe Village in 1958 and lived there until my home was destroyed, on June 1, 2006.
3. My nationality is Russian.
4. I am Roma. I speak the Roma language and Russian.
5. I described the demolition of my home and the immediate impact of this action on my family in my Affidavit of 4 August 2006. Today, over four years have passed since I gave this statement and the situation keeps getting worse for us.
6. My family just moves from place to place now. We are homeless. We live in different bungalows ("datcha," in Russian) for a few months at a time and then move on. These are just unoccupied cabins outside of the city. They do not have heat, plumbing or running water. They are constructed of plywood only. We ask different people to give us shelter and help them around the house, gardening and harvesting. That's how we support ourselves. After the demolition, we used to live with the brother of my husband, Alexandras Arlauskas, in a bungalow located in Maloe Isakovo, close to Kaliningrad City. It was just a very small room and there were six of us there: my husband and his brother, my three grandsons, and myself. Now I live by myself at a bungalow that belongs to a kind woman. We help her in summertime and she lets us live there during the winter. She is not family, just a kind Russian woman. There are still good people around.
7. As always with bungalows, there are no conveniences and it's very cold where I live. There is a small heater, no toilet, nothing else. I live alone in this bungalow. My husband is in the hospital and my children and grandchildren live at different places.
8. I was registered, but it was for the demolished village and therefore it has been invalid since 2006. My husband has the same registration as myself. None of our family managed to get valid registration after the demolition. We all have Russian citizenship, but it's difficult to register here. Our children are Russian citizens, too, but they cannot prove it. We applied to different authorities but nobody would help us.

Exhibit 2 (English)

9. My son Mihail's registration was cancelled without his even being present. He had registration in the village like the rest of us, but he lost it. The authorities have cancelled the registration of many other people from the village when their passports are expired. They did what they wanted to us. Today, the authorities say they've been instructed not to make any efforts to help us; they say, "you have no rights" and we are not given a chance to be heard. No home, no job, no registration. Now Mihail lives in the town of Sovietsk, in Kaliningrad region, 120 kilometers from the city of Kaliningrad.
10. My daughter Angela lives in Lithuania with her children, Vanya and Olga. She decided to go because she has nowhere to live and she has dual nationality. My other children and grandchildren do not have this option.
11. My daughter, Anastasiya Arlauskajte, died after the demolition and after giving birth, in August 2006. When the demolition took place, we were just living in tents on the ground. We slept there. It started to rain and there was a flood. She was pregnant. It caused a kidney infection. She told me that she had some problems. She spent some time in the hospital and then gave birth to a child, Alexander. About a month later she died. Then we went to the hospital and received the death certificate and it was related to the kidney problem that she developed in the tents.
12. Anastasiya's baby, Alexander, lives with his father in Cherniahovsky city, 80 kilometers from the city of Kaliningrad. Rustam, Anastasiya's other son, also lives there. Rustam used to live with me, but only in summertime. In winter, I can't provide for him. He has to live somewhere else. I go to see him sometimes, when I can. He lives with his father.
13. Rustam does not go to school. He never started school. Without school, the children are growing up as if they live in a forest. I want them to be well educated so they will become decent people. But the school will not admit them because we have no registration.
14. When my daughter died, I wanted to become the guardian of her children and I went to the authority that provides children's benefits. My application was rejected because my registration is invalid. I cannot register because I have no home or fixed address. They told me that I didn't have a place to live. I have nothing, and I cannot become a guardian. Now the children also live at a bungalow and they cannot go to school. They told me we can't give you this right, because if a commission comes to check, we'll have to prove that you have all the necessary conveniences and you don't.
15. My husband, Alexandras Arlauskas, has been in a Lithuanian hospital for the last 6 months. He was born in Lithuania and has Lithuanian citizenship and a passport. He has dual citizenship. I think he got it after the demolition, but after my daughter's death, my memory is getting worse.

16. In Lithuania, the treatment is different, they have different doctors. They could have treated my daughter better. At the time of her death, one had to pay for her medicine, but we were very short of money. Here, if you have money, you can get treatment. In Lithuania, there are relatives who are supporting my husband.
17. He has a nervous condition and heart problems. I think this is because we must live separated and because of my daughter's death. We are suffering from our entire family's problems. My husband and I have been separate for long periods since the demolition. There is no way for us to live together in a tiny bungalow. We have five grandchildren. For the grandchildren, we have to live separately.
18. My other grandson Mihail Mihajlovich, is illiterate without access to healthcare. His father, my son, Mihail Arlauskas, is unemployed because he does not have registration papers. He cannot register because he has no legal address. My grandson was not admitted to school because his father is not registered. He is still has not been admitted to school. He has no rights. He's not working. He is just living with his father. He has never gone to school.
19. The conditions where Mihail and his son are living are similar to mine. They are renting a bungalow. They have no toilet or proper heating system, there is just a water well. I don't know how we are living like this.
20. It was so cruel and aggressive what the authorities did to us. They have no respect for human life. This has had an incredible impact on my family. We've lost everything: our health, our family members. I've lost my daughter. I have nothing now.

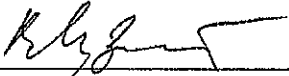
15.12.10

MARIYA S. ARLAUSKENEDATE

Kaliningrad, RUSSIA

I, Vladimir Luzin, am a Russian attorney who speaks and understands both English and Russian. With my signature below, I attest to the fact that from 13-15 December 2010, I was present during the interviews of the OSI Justice Initiative clients in Kaliningrad, Russia, including the interview of Mariya S. Arlauskene. I personally heard the Russian/English interpreter, Eduard Kurilovich, translate into Russian accurately and fully the English language questions of the lawyer, Laura Bingham, to the clients. Each client's responses were translated contemporaneously from Russian into English. The contemporaneous and verbatim English translations formed the basis of each client's affidavit. I then personally translated these English affidavits verbatim and in writing into Russian. The Russian translations were read back to each client. I personally

confirmed with each client, including Mariya S. Arlauskene, that every word in each of their affidavits was a correct representation of the statements they made to Laura Bingham via the interpreter. After this process, each client signed his or her name to his or her English language affidavit as well as to the version that was translated into Russian.


VLADIMIR/LUZIN

15/12/2010
DATE

В Европейский Суд по правам человека

ПИСЬМЕННЫЕ ПОКАЗАНИЯ МАРИИ САВЕЛЬЕВНЫ АРЛАУСКЕНЕ

15 декабря 2010 года

Я, Мария Савельевна Арлаускене, настоящим свидетельствую и достоверно заявляю следующее:

1. Мое имя Мария Савельевна Арлаускене.
2. Я родилась в поселке Дорожное в 1958 году и жила там до разрушения моего дома 1 июня 2006 года.
3. У меня российское гражданство.
4. Я цыганка по национальности. Я говорю на цыганском и русском языках.
5. Я описала снос своего дома и непосредственное влияние этого события на мою семью в своих Письменных показаниях от 4 августа 2006 года. Теперь прошло более четырех лет с тех пор, как я сделала те письменные показания, а ситуация у нас становится все хуже.
6. Моя семья теперь просто кочует с места на место. Мы остались без крова. Мы живем на разных дачах, каждый раз по несколько месяцев, а затем переезжаем. Это всего лишь незанятые будки за пределами города. В них нет тепла, канализации или водопровода. Они изготовлены только из фанеры. Просим разных людей дать нам приют и помогаем им по дому, на огороде и при сборе урожая. Так мы зарабатываем на жизнь. После сноса поселка мы жили с братом моего мужа Александра Арлаускаса на даче, расположенной в Малом Исаково, недалеко от Калининграда. Это была очень маленькая комната, а нас там было шестеро: мой муж со своим братом, три моих внука и я. Теперь я живу одна на даче, принадлежащей одной доброй женщине. Мы помогаем ей в летом, и она позволяет нам жить там в течение зимы. Она не является членом семьи, просто добрая русская женщина. Есть еще хорошие люди.
7. Как всегда на дачах, никаких удобств, и там, где я живу, очень холодно. Есть небольшой обогреватель, туалета нет, ничего больше. На этой даче я живу одна. Мой муж находится в больнице, а мои дети и внуки живут в разных местах.
8. У меня была регистрация, но она распространялась на разрушенный поселок, а поэтому с 2006 года стала недействительной. У мужа такая же регистрация, как и у меня. Никому из нашей семьи не удалось получить полноценную регистрацию после сноса поселка. У всех нас есть гражданство России, но зарегистрироваться здесь трудно. Наши дети тоже

Exhibit 2 (Russian)

являются гражданами России, но не могут доказать это. Мы обращались в различные органы, но никто нам не помогает.

9. Регистрацию моего сына Михаила аннулировали даже без его информирования. У него была регистрация в поселке, как у всех нас, но он ее потерял. Власти отменили регистрацию многих других людей из поселка, когда истек срок действия их паспортов. Они делали с нами все, что хотели. Сегодня власти говорят, что они были проинструктированы ничего не делать, чтобы помочь нам, они говорят: «У вас нет прав». Нам не дают возможность ничего сказать. Ни дома, ни работы, ни регистрации. Сейчас Михаил живет в Советске Калининградской области, 120 км от Калининграда.
10. Моя дочь Анжела живет в Литве со своими детьми Ваней и Ольгой. Она решила уехать, потому что ей негде жить, и у нее двойное гражданство. У моих других детей и внуков такой возможности нет.
11. Моя дочь Анастасия Арлаускайте умерла после сноса поселка и после родов в августе 2006 года. После сноса поселка, мы жили просто в палатках на земле. Мы там спали. Пошел дождь, и был потоп. Она была беременна. Это привело к почечной инфекции. Она говорила мне, что у нее были проблемы. Она провела некоторое время в больнице, а затем родила ребенка Александра. Примерно через месяц она умерла. Потом мы пошли в больницу и получили свидетельство о смерти, и это было связано с почками, болезнь которых развилась у нее в палатках.
12. Ребенок Анастасии Александр живет с отцом в Черняховске, в 80 километрах от Калининграда. Рустам, другой сын Анастасии также живет там. Рустам жил со мной, но только в летнее время. Зимой я не могу его обеспечить. Он должен жить в другом месте. Иногда я его навещаю, когда могу. Он живет с отцом.
13. В школу Рустам не ходит. В школу никогда не ходил. Без школы, дети растут, как будто в лесу. Я хочу, чтобы они получили хорошее образование, стали порядочными людьми. Но в школу их не пустят, потому что у нас нет регистрации.
14. Когда моя дочь умерла, я хотела стать опекуном своих детей, пошла в орган, обеспечивающий пособия на детей. Мою заявку отклонили, потому что моя регистрация недействительна. Я не могу зарегистрироваться, потому что у меня нет дома или постоянного места жительства. Они сказали мне, что у меня не было места для жизни. Я ничего не имею, и я не могу стать опекуном. Теперь дети живут на даче, и они не могут ходить в школу. Они сказали мне, что мы не можем дать вам это право, потому что, если придет комиссия для проверки, мы должны будем доказать, что у вас есть все необходимые удобства, а у вас их нет.

EUROPEAN COURT OF HUMAN RIGHTS

AFFIDAVIT OF NONNA ZHGULEVA

15 December 2010

I, Nonna Alexeevna ZHGULEVA, do hereby depose and truthfully state the following:

1. My name is Nonna Alexeevna ZHGULEVA.
2. I was born in Kaliningrad, Russia, on December 26, 1970.
3. My nationality is Russian.
4. I am Roma by ethnicity. I speak the Roma language and Russian.
5. I resided in Dorozhnoe Village my whole life until the authorities destroyed my home in late May 2006. I lived in a house that I bought 19 years ago from some other Roma residents for \$3000. I lived there with my son, Dinary Arunovich Zhgulev. He is now 8 years old. In a neighboring house, my mother, Tamara Alexandrovich, lived with my oldest sister, Magarita Matulevich, and her daughter, Lyubov' Grafovna Matulevich.
6. I have already given a detailed statement about the demolition of my home in Dorozhnoe Village and the immediate aftermath, on 4 August 2006 (Exhibit 8 to the original Application to the Court, dated 2 November 2006, file number 19841/06).
7. Right after the demolition we lived in tents where our homes used to be, but that was a mess because people were coming to burn the tents and poison the water in the wells. Some people used to come in masks and shoot near our feet just to scare us. Drunken special police force came and threatened us. After that, we were staying in empty bungalows. Then at some point the owner would come and kick us out and we had to move.
8. My son, Dinary, and I have been living in the current bungalow ("datcha," in Russian) in the Moskovsky district of Kaliningrad for two years. We have no alternatives. Bungalows are primitive cabins meant for camping in the summer. They typically have no plumbing, no gas, and no electricity. They are poorly constructed out of flimsy wood. Our toilet is outside and we get heat from the stove. We asked some Russians to give us a place to live, to give us asylum, but no one will help us. We should be able to stay where we are, but the conditions are terrible, especially for the children. The walls have absolutely no insulation. It is so cold.
9. My mother, Tamara Alexandrovich, lives with us now that my father, Nikolaj, died. She and my niece, Lyubov' Matulevich, live in a separate room. She says that the bungalow is so cold that it is just like being outside, except

Exhibit 3 (English)

without the snow. Before, they were living together in an abandoned train coach.

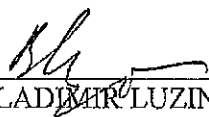
10. I was registered in the Dorozhnoe village, but now the authorities bulldozed my home. My temporary registration has expired. I have to pay a fine if the police catch me with my invalid registration. Dinary is not admitted to school because I have no registration. They say we do not exist. I can't register at the bungalow where we live because bungalows are not considered permanent homes. I cannot afford to pay a landlord to register me and my son. Now when my passport expires, I will have no proof of who I am. According to the law, I am required to renew my passport and passport photograph at age 45, but I will not be able to if I am still living like this in a bungalow with no registration.
11. I am HIV positive. I have asthma, bronchitis, pneumonia and problems with my kidneys, all of which are directly related to the conditions in which we have been enduring since our homes were destroyed. I don't have registration, so I don't have medical insurance. I have to call an ambulance to get medical care. I have to beg them just to take us to a hospital. In the hospital, they always ask for a passport and registration, but I can't get it because I am living in a makeshift shack.
12. My mother and my niece paid a landlord to allow them to register at an address where they do not actually live. This is the only way to get registration. The address is far away, at 31 Pushkinskaya Str., Maloe Isakovo settlement, Gur'evskij District, Kaliningrad region. Because it is so far, Tamara and Lyubov' cannot use the registration to help with medical care. They would have to travel to the region stated on her registration. The registration only helps because Tamara will not have to pay fines for being unregistered and she can access pension benefits.
13. My father, Nikolaj Alexandrovich, caught a cold because we were living in tents in the rain. He had acute bronchitis. He had problems already but the special policemen did very bad things, we were not able to eat. Just imagine a sick man sleeping outside in the wind and rain with no heat in these conditions. He died on 17 January 2008 from these illnesses.
14. My sister, Margarita Matulevich, disappeared after the demolition. We still don't know where she is. I looked for her everywhere: the central market, the railway station. We looked in hospitals. She was very nervous and was crying while they were destroying our homes, she didn't know where to go with the children. Our parents were old and helpless. The police were shooting at us. Margarita was sick.
15. We talked to the police to try to find my sister, but why would the police help if they were shooting us in the village? They would be happy if all of us disappeared. When my mother made an application with the district police they demanded a bribe, but how could we pay?

16. Our mother, Tamara, had two heart attacks during this period. The disappearance of my sister has been a crushing blow for her. She has continued to suffer from high blood pressure and has been in and out of the hospital ever since.
17. My son Dnary is 8 years old now. He has no citizenship because I can't register. He cannot begin school because I have no registration. For a child to go to school, the parents must be registered. They told us our son "does not exist." The principal and the police told us that. When we showed them the registration in the village, they say the registration is invalid. He helps me around the house and stays with me. I try to teach him myself how to read and write myself, but only a little. I can only manage a little.
18. Lyubov' is the daughter of my sister Margarita. When her mother disappeared, Lyubov' stayed with the family. She has been with us ever since. My sister was sick and Lyubov' didn't go to school, she had some lessons at home.
19. Now Lyubov' has no mother or father. Her grandmother has had two heart attacks. She has no home, just an old bungalow in the cold. She has no education. We would like to have a better life for her. She's young and she should learn like other people. But now we walk through the city and people are happy that we are suffering. Our children sleep with their eyes open because of the terrifying experiences of 2006. It has already been five years and we are still wandering and homeless.
20. Now we support ourselves any way we can. I have some geese, rabbits, sheep and hens. I sell them for money. I wash people's clothes. In summertime, I have a garden. My mother begs for alms in the street and sometimes works as a babysitter.
21. When they see that we are Roma and have no registration they say "no job for you." I don't know how to think about the future. We are just freezing in that small house. We have no support, no help.
22. The impact is not just on our family. Our entire community has been eradicated. We've been deprived of registration, of schools for our children. We are homeless. We live in bungalows hoping not to die. Living without a house is impossible, especially with children.

NONNA A.ZHGULEVA 15 12 10

Kaliningrad, RUSSIA

I, Vladimir Luzin, am a Russian attorney who speaks and understands both English and Russian. With my signature below, I attest to the fact that from 13-15 December 2010, I was present during the interviews of the OSI Justice Initiative clients in Kaliningrad, Russia, including the interview of Nonna A. Zhguleva. I personally heard the Russian/English interpreter, Eduard Kurilovich, translate into Russian accurately and fully the English language questions of the lawyer, Laura Bingham, to the clients. Each client's responses were translated contemporaneously from Russian into English. The contemporaneous and verbatim English translations formed the basis of each client's affidavit. I then personally translated these English affidavits verbatim and in writing into Russian. The Russian translations were read back to each client. I personally confirmed with each client, including Nonna A. Zhguleva, that every word in each of their affidavits was a correct representation of the statements they made to Laura Bingham via the interpreter. After this process, each client signed his or her name to his or her English language affidavit as well as to the version that was translated into Russian.


VLADIMIR LUZIN

15/12/2010
DATE

В Европейский Суд по правам человека

ПИСЬМЕННЫЕ ПОКАЗАНИЯ НОННЫ АЛЕКСЕЕВНЫ ЖГУЛЕВОЙ

15 декабря 2010 года

Я, Нонна Алексеевна Жгулева, настоящим свидетельствую и достоверно заявляю следующее:

1. Мое имя Нонна Алексеевна Жгулева.
2. Я родилась в Калининграде, Россия 26 декабря 1970 г.
3. У меня российского гражданство.
4. Я – цыганка по национальности. Я говорю на цыганском и русском языках.
5. Я всю свою жизнь проживала в поселке Дорожное, пока власти не разрушили мой дом в конце мая 2006 года. Я жила в доме, который купила 19 лет назад у других жителей-цыган за 3 тыс. долларов. Я жила там с своим сыном, Динарием Аруновичем Жгулевым. Сейчас ему 8 лет. В соседнем доме, моя мать Тамара Александрович жила со своей старшей сестрой Маргаритой Матулевич и ее дочерью Любовью Графовой Матулевич.
6. Я уже давала подробные показания, касающиеся сноса моего дома в деревне Дорожное и событий сразу после этого, 4 августа 2006 года (Приложение 8 к жалобе в Суд от 2 ноября 2006 года, регистрационный номер 19841/06).
7. Сразу после сноса дома мы жили в палатках, где раньше находились наши дома, но там царил хаос, потому что приходили люди, чтобы сжечь палатки и отравить воду в колодцах. Приходили люди в масках и стреляли у наших ног с целью напугать нас. К нам приходили и угрожали пьяные омоновцы. После этого, мы жили на пустых дачах. Потом, в какой-то момент, приходил хозяин дачи, выгонял нас, и мы были вынуждены переезжать.
8. Мой сын Динарий и я сейчас живем на даче в Московском районе Калининграда в течение двух лет. У нас нет других вариантов. Дачи представляют собой примитивные будки, предназначенные для проживания в летнее время. Как правило, в них нет ни водопровода, ни газа, ни электричества. Они плохо построены из тонкого дерева. Туалет на улице, а мы греемся от печки. Мы просили некоторых русских людей приютить нас, но никто не помогает. Мы должны оставаться там, где мы сейчас, но условия ужасные, особенно для детей. У стен абсолютно никакой теплоизоляции. Там так холодно.

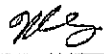
Exhibit 3 (Russian)

9. Моя мать, Тамара Александрович живет сейчас с нами, потому что мой отец Николай умер. Она и моя племянница Матулевич Любовь живут в отдельной комнате. Она говорит, что на даче так холодно, как на улице, только без снега. До этого они жили вместе в заброшенном вагончике.
10. У меня была регистрация в поселке Дорожное, но теперь власти расчистили бульдозерами мой дом. Срок действия моей временной регистрации истек. Я должна платить штраф, если милиция поймает меня с недействительной регистрацией. Динария не берет в школу, потому что у меня нет регистрации. Они говорят, что мы не существует. Я не могу зарегистрироваться на даче, где мы живем, потому что дачи не считаются постоянным жильем. Я не могу позволить себе заплатить какому-нибудь хозяину, чтобы он зарегистрировал меня и моего сына. Теперь, когда срок действия моего паспорта заканчивается, у меня не будет доказательств того, кто я. В соответствии с законом, я обязана продлить действие паспорта и обновить фотографию в паспорте в возрасте 45 лет, но не смогу, если буду и дальше проживать на даче без регистрации.
11. У меня ВИЧ. У меня астма, бронхит, пневмония проблемы с почками, которые напрямую связаны с условиями, которые мы терпели из-за разрушения своих домов. В апреле, я была в больнице. У меня нет регистрации, поэтому нет и медицинской страховки. Мне приходится вызывать скорую помощь для получения медицинской помощи. Я умоляю их отвезти нас в больницу. В больнице они всегда спрашивают паспорт и регистрацию, но я не могу получить, потому что я живу во временной лачуге.
12. Моя мама и племянница заплатили хозяину съемного жилья, чтобы он позволил им зарегистрироваться по адресу, по которому они фактически не живут. Это единственный способ получения регистрации. Это далеко, адрес: ул. Пушкинская 31, пос. Малое Исаково, Гурьевский район, Калининградская область. Из-за того, что это так далеко, Тамара и Любовь не могут воспользоваться своей регистрацией для получения медицинской помощи. Им пришлось бы ехать в район, указанный в регистрации. Эта регистрация помогает только тем, что Тамаре не приходится платить штрафы за отсутствие регистрации, и можно получать пенсионное обеспечение.
13. Мой отец Николай Александрович простудился, потому что мы жили в палатках под дождем. У него был острый бронхит. У него уже были проблемы, но омоновцы делали столько плохих поступков, что у нас не было возможности даже принимать пищу. Только представьте себе больного, спящего на улице в дождь на ветру, без отопления в таких условиях. Он умер 17 января 2008 года от этих болезней.
14. Моя сестра Маргарита Матулевич исчезла после сноса поселка. Мы до сих пор не знаем, где она. Я искала ее повсюду: на центральном рынке, ж.-д.

вокзале. Искали в больницах. Она очень нервничала и плакала, когда они уничтожали наши дома, не зная, куда идти с детьми. Наши родители были стары и беспомощны. Милиция стреляла по нам. Маргарита была больна.

15. Мы обращались в милицию, чтобы попытаться найти мою сестру, но с какой стати милиция будет помогать, если они стреляли по нам в поселке? Они были бы рады, если бы мы все исчезли. Когда моя мама сделала заявление в районную милицию, они требовали взятку, но как мы могли заплатить?
16. У нашей матери Тамары было два инфаркта в течение этого времени. Исчезновение моей сестры стало для нее сокрушительным ударом. Она по-прежнему страдает от высокого давления, и с тех пор несколько раз попадала в больницу.
17. Моему сыну Динарию сейчас 8 лет. У него нет гражданства, потому что я не могу его зарегистрировать. Он не может пойти школу, потому что я не могу получить регистрацию. Чтобы ребенок ходил в школу, родители должны быть зарегистрированы. Они сказали нам, что наш сын «не существует». Это сказал нам директор школы и милиция. Когда мы показали им регистрацию в поселке, говорят, эта регистрация недействительна. Он помогает мне по дому и живет со мной. Я стараюсь научить его читать и писать сама, но только немного. Я могу лишь немного.
18. Любовь – это дочь моей сестры Маргариты. Когда ее мать исчезла, Любовь жила с семьей. Она живет с нами до сих пор. Моя сестра была больна, и Любовь не ходила в школу, у нее были некоторые уроки на дому.
19. Теперь у Любви нет ни матери, ни отца. У ее бабушки было два инфаркта. У нее нет дома, только старая дача в холода. Она не получила образования. Мы хотели бы, чтобы у нее была жизнь лучше. Она молодая и должна учиться, как другие люди. Но сейчас мы идем по городу, а люди радуются тому, что мы страдаем. Наши дети спят с открытыми глазами из-за ужасных событий 2006 года. Уже прошло пять лет, а мы все скитаемся бездомные.
20. Теперь мы зарабатываем любыми доступными способами. У меня несколько гусей, кроликов, овец и кур. Я продаю их. Стираю одежду других людей. В летнее время, у меня есть сад. Моя мать просит милостыню на улице, а иногда работает сиделкой с ребенком.
21. Когда они видят, что мы цыгане без регистрации, они говорят: «Для вас работы не будет». Я не знаю, что думать о будущем. Мы просто замерзаем в этом маленьком доме. У нас нет поддержки, никакой помощи.

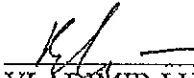
22. Затронута не только наша семья. Вся наша община была ликвидирована. Мы были лишены регистрации, школ для своих детей. Мы остались без крова. Живем на дачах, надеясь не умереть. Жизнь без дома невозможно, особенно с детьми.

 15 12 10

НОННА А,ЖГУЛЕВА ДАТА

Калининград, РОССИЯ

I, Vladimir Luzin, am a Russian attorney who speaks and understands both English and Russian. With my signature below, I attest to the fact that from 13-15 December 2010, I was present during the interviews of the OSI Justice Initiative clients in Kaliningrad, Russia, including the interview of Lyubov' Grafovna Matulevich. I personally heard the Russian/English interpreter, Eduard Kurilovich, translate into Russian accurately and fully the English language questions of the lawyer, Laura Bingham, to the clients. Each client's responses were translated contemporaneously from Russian into English. The contemporaneous and verbatim English translations formed the basis of each client's affidavit. I then personally translated these English affidavits verbatim and in writing into Russian. The Russian translations were read back to each client. I personally confirmed with each client, including Lyubov' Grafovna Matulevich, that every word in each of their affidavits was a correct representation of the statements they made to Laura Bingham via the interpreter. After this process, each client signed his or her name to his or her English language affidavit as well as to the version that was translated into Russian.


VLADIMIR LUZIN

15/12/2010
DATE

В Европейский Суд по правам человека

ПИСЬМЕННЫЕ ПОКАЗАНИЯ ЛЮБОВЬ ГРАФОВНЫ МАТУЛЕВИЧ

15 декабря 2010

Я, Любовь Графовна Матулевич, настоящим свидетельствую и достоверно заявляю следующее:

1. Мое имя Любовь Графовна Матулевич.
2. Я родилась 10 апреля 1992 г., в Калининграде, поселке Дорожное.
3. Я – цыганка по национальности. Я говорю на цыганском и русском языках.
4. Милиция разрушила мой дом, когда мне было 14 лет. Я лишилась нашего дома. Мой дедушка умер. Мой дядя заболел. Моя мама исчезла. Она была больной, и очень испугалась, когда люди начали стрелять. После этого она исчезла.
5. Мы не имеем дома сейчас. Негде жить. Я живу с моей бабушкой и моей тетей на даче, сделанной из фанеры. Эти дачи это просто домики, в которых люди проводят время летом. Это действительно просто сарай из досок. Зимой там тяжело и холодно. Нет удобств: нет газа, туалета, водопровода, отопления кроме печки.
6. Я зарегистрирована с моей бабушкой по адресу: Пушкинская улица, 31, село Малое Исаково, Гурьевский район, Калининградская область, но это не наш дом. Мы платим хозяину, чтобы можно было использовать данный адрес для регистрации, потому что мы не можем зарегистрироваться на даче, в которой мы живем.
7. Я не могу читать по-русски хорошо, потому что я – самоучка. Я никогда не ходила в школу. Если наша деревня не была разрушена, то я бы пошла в школу. Я болела, и моя мама тоже во время сноса домов. Я могла бы заниматься в вечерней школе, если бы мы могли жить в деревне.
8. У меня по-прежнему проблемы со здоровьем. У меня есть медицинская страховка, но срок ее действия закончился. Я не могу возобновить ее, потому что место моей регистрации находится далеко от того места, где я живу. У меня нет возможности отправиться туда, чтобы увидеть врача. Если мне нужен врач, я вызываю скорую помощь, чтобы получить экстренную помощь. Это единственная моя возможность.

Exhibit 4 (Russian)

9. Другим детям из Дорожного, как я, негде жить сейчас. У них нет средств. Они не могут учиться. У них нет будущего.



ЛЮБОВЬ ГРАФОВНА МАТУЛЕВИЧ

15.12.10
ДАТА

Калининград, Россия

EUROPEAN COURT OF HUMAN RIGHTS

AFFIDAVIT OF ANASTASIYA SILVESTRAS PETRAVICHUTE

15 December 2010

I, Anastasiya Silvestras PETRAVICHUTE, do hereby depose and truthfully state the following:

1. My name is Anastasia Silvestras PETRAVICHUTE.
2. I was born in Dorozhnoe Village, on February 16, 1975, and lived there all of my life. On May 30, 2006, my home in Dorozhnoe Village was destroyed and burned by the Russian special police.
3. I am a Russian citizen. I am of Roma ethnicity. I speak Russian and the Roma language.
4. I am not married and I am not employed.
5. More information about the demolition of my home and the immediate aftermath of this action appears in my Affidavit, dated 4 August 2006, Exhibit 10 to the original Application to the Court, dated 2 November 2006, file number 19841/06.
6. We are now living in the garden society of Romashka. A "garden society" is a place where local people build small, primitive cabins to camp in during the summer. These cabins, or bungalows ("datcha," in Russian), are constructed of thin plywood, with no insulation. They are not true houses and they do not comply with any building codes. It is probably better to call them a shack.
7. I live in a small bungalow with my daughter, Ramina, my brother, Konstantin and his wife, Rada. The whole space is 4-by-6 meters. We have lived there for two years. We burn wood in the oven for heat and we frequently have electricity problems. Sometimes we have no electricity. All facilities are outside, including the well and the toilets.
8. We are far away from most of our relatives and our former community in Dorozhnoe Village. It takes a long time to get to the bus stop, and a long time to go anywhere by bus. We have to get up at 6 a.m. to take Ramina to school.
9. We used to be in another garden community after the demolition of our home. This was closer to Ramina's school. We were there for one year. The other people living in that community did not want us there because we are Roma. When we moved there, I did not have all the necessary papers to show that I had purchased our bungalow. They did not want me to be there. They wanted to kick us out right away. When I showed them the papers we had, they switched off the power and said that only when you have all your ownership

Exhibit 5 (English)

documents will we give you power again. Our power was off for weeks at a time.

10. I remember several times when Ramina wanted to take a walk outside the community and our neighbors—adults, not other children—would not allow her to do so. They didn't allow it because she is a Roma. I had no choice but to let them treat my daughter this way. I did not want to make the conflict more acute. We knew the Chairman of the garden society did not want us there, so I tried to soften the conflict as much as I could. We tried to be invisible.
11. We had difficult times in the winter. I was alone with Ramina and without my brother. The bungalow nearly burnt down because of the stove. After that year, I sold the first bungalow and we moved to a tiny flat, which I own. I am registered there at 5 Koshevogo St., Kaliningrad City. This is the only way we can be registered. It is not possible to register at a bungalow because these are not considered to be permanent homes. I must be registered somewhere though, as this is the only way that Ramina can continue to attend school. I still own the flat, but I rent it out to tenants and use the money to support myself and my daughter. We moved to where we live now to be with my brother.
12. I wouldn't say our current home is better. We are trying to remain anonymous there so we will not have problems again with the neighbors. It is just bad for different reasons. The living conditions are the same: no water, no heat. It's far away. We don't see our relatives. It's more difficult to get anywhere, including Ramina's school and the hospital. But we are at least closer to my brother Konstantin. We never see our other relatives.
13. Ramina lives very far away from her school, her friends and her relatives. We travel over an hour each way to take her to school each day. I cannot enroll her in another school because she would have problems being admitted. When we lived at the other garden society she already went through the first year. I did not want to take her to another school because everyone was used to her and they let her continue her studies there for now.
14. Ramina's health is not good since the demolition. Every year during the winter she develops a chronic sinus infection because we have no heat. I think these problems are directly related to the demolition of our home. Just after our home was destroyed the conditions were very difficult and Ramina got a cold and this cold developed into a more chronic disease. I was alone and on my own and had to take care of heating. Things have gotten worse ever since. She misses many days of school now. She has to be away 2-3 weeks at a time because of her health. She is starting to lag behind her schoolmates.
15. We have also had problems getting citizenship for Ramina. She is 13 years old now, but only became a Russian citizen one year ago. She had registration, but no citizenship. I had to stand in line for days, even though I am a citizen and was always a citizen. As far as I know, the legislation requires that if a mother

is a citizen her child should be a citizen automatically. I got no explanation and the authorities didn't tell me anything. They could do anything they wanted. Now that it is common knowledge that our village was destroyed and our homes were taken, people just close the doors in our faces.

16. My brother Konstantin has also been sick. He was ill before the demolition and since then his health has only grown worse. He has high blood pressure and epilepsy. He cannot work because of his health and because he has no registration. Even at the time when he didn't have so many health problems, it was difficult for him to find a job. This is common for all those who lived in the village. It became worse after 2006. He worked before and for about 2 years after the demolition, but the conditions where we live have taken a toll on him and ultimately he could not continue.
17. Konstantin is in a hospital now and he has no insurance policy. He has no insurance because he is not registered. He cannot register because he has no home besides a bungalow. He still has the registration in the village, but it is invalid. Now there is no place to register. We have to pay for the hospital ourselves. I am paying. Right now, he is under medical observation at the local hospital. He's there because he felt sick one evening, about a week ago. We called for an ambulance and the next morning he went in. This is the only way to get medical care for him. Everything is expensive now, the doctors, the tests and medicine. If he is to stay in the hospital much longer, I won't be able to pay and he'll have to stay at home and take home remedies.
18. We all lived together in our parents' house in Dorozhnoe village for a long time. Then the authorities demolished our home and we fell apart. It has a great impact on our psychological condition. On our nerves. We keep remembering those times. We see them in our dreams. If today I see someone from those times, we are very happy to see each other and we start remembering those times together. We are also concerned not so much about ourselves, but about other people with health and money problems. Real hardships. Ramina has little contact with her friends. She misses them.
19. With the demolition of our homes, everything has been ruined. You cannot express it in words. It's inside you. My soul has turned into a stone.

 15.12.10
ANASTASIYA S. PETRAVICHUTE DATE

Kaliningrad, RUSSIA

I, Vladimir Luzin, am a Russian attorney who speaks and understands both English and Russian. With my signature below, I attest to the fact that from 13-15 December 2010, I was present during the interviews of the OSI Justice Initiative clients in Kaliningrad,

Russia, including the interview of Anastasiya S. Petravichute. I personally heard the Russian/English interpreter, Eduard Kurilovich, translate into Russian accurately and fully the English language questions of the lawyer, Laura Bingham, to the clients. Each client's responses were translated contemporaneously from Russian into English. The contemporaneous and verbatim English translations formed the basis of each client's affidavit. I then personally translated these English affidavits verbatim and in writing into Russian. The Russian translations were read back to each client. I personally confirmed with each client, including Anastasiya S. Petravichute, that every word in each of their affidavits was a correct representation of the statements they made to Laura Bingham via the interpreter. After this process, each client signed his or her name to his or her English language affidavit as well as to the version that was translated into Russian.


VLADIMIR LUZIN

15/12/2010
DATE

В Европейский Суд по правам человека

**ПИСЬМЕННЫЕ ПОКАЗАНИЯ АНАСТАСИИ СИЛЬВЕСТРАС
ПЕТРАВИЧУТЕ**

15 декабря 2010

Я, Анастасия Сильвестрас Петравичуте, настоящим свидетельствую и достоверно заявляю следующее:

1. Мое имя Анастасия Сильвестрас Петравичуте.
2. Я родилась в поселке Дорожное 16 февраля 1975 г. и проживала там всю мою жизнь. 30 мая 2006 г. мой дом в поселке Дорожное был разрушен и сожжен специальным подразделением милиции.
3. Я – гражданка России. По национальности я – цыганка. Я говорю по-русски и по-цыгански.
4. Я не замужем и не работаю.
5. Более полная информация о сносе моего дома и немедленных последствиях этого содержится в моих показаниях от 4 августа 2006 г., приложение № 10 к жалобе в Суд от 2 ноября 2006 г., номер регистрационного файла 19841/06.
6. Мы живем в садоводческом товариществе «Ромашка». Садоводческое товарищество – это место, где местные жители строят небольшие, простые домики, чтобы проводить время летом. Эти дома или дачи по-русски строятся из тонких деревянных досок без изоляции. Это не настоящие дома, и они не отвечают всем строительным требованиям. Правильнее будет назвать их лачугами.
7. Я живу в маленькой даче с моей дочерью, Раминой, моим братом, Константином, и его женой Радой. Размер дома 4 на 6 метров. Мы живем в нем около 2 лет. Мы топим дровами в печке и часто у нас проблемы с электричеством. Иногда у нас нет электричества. Все удобства на улице, включая колодец и туалет.
8. Мы живем вдалеке от всех наших близких и знакомых из общины в Дорожном. Это занимает много времени, чтобы попасть на остановку автобуса. Мы встаем в 6 утра, чтобы отправить Рамину в школу.
9. Мы жили в другом садоводческом товариществе после сноса нашего дома. Оно было расположено ближе к школе, в которой училась Рамина. Мы прожили там около года. Другие люди, жившие в этом товариществе,

Exhibit 5 (Russian)

не хотели, чтобы мы жили там из-за того, что мы – цыгане. Когда мы переехали туда, у меня не было еще всех необходимых документов, чтобы доказать, что я купила эту дачу. Они не хотели, чтобы мы там жили. Они хотели выбросить нас оттуда. Когда я показала им документы, которые мы имели, они отключили электричество и сказали, что только тогда когда я буду иметь все документы о собственности, они включат электричество вновь. Иногда мы жили неделями без электричества.

10. Я помню несколько случаев, когда Рамина хотела пойти погулять на улицу в садоводческом товариществе, и наши соседи – взрослые, не дети – не разрешили ей делать это. Они были против, потому что она – цыганка. Я не могла им помешать так обращаться с моей дочерью. Я не хотела обострять конфликт сильнее. Мы знали, что председатель товарищества не хотел, чтобы мы жили там, поэтому я пыталась смягчить конфликт, насколько я была в силах это сделать. Мы пытались быть невидимыми.
11. Зимой было трудно. Я была одна тогда с Раминой без брата. Дача едва не сгорела из-за речки. После года я продала дачу и переехала в маленькую квартиру, которой владею. Моя дочь и я зарегистрированы в ней по адресу Калининград, ул. Кошешова, д. 5 Это единственная возможность быть зарегистрированной. Это невозможно зарегистрироваться на даче, потому что она не рассматривается как постоянное место для жизни. Я должна была быть зарегистрирована где-то, поскольку это единственное средство, чтобы Рамина продолжила учиться в школе. Я владею этой квартирой по-прежнему, но я сдаю ее в аренду и использую деньги, чтобы поддержать себя и свою дочь. Мы переехали туда, где живем сейчас, чтобы быть с братом.
12. Я не могу сказать, что мой нынешний дом лучше. Мы пытаемся по-прежнему оставаться неизвестными, чтобы не иметь проблем с соседями. Этот дом плох по другим причинам. Условия жизни те же самые: нет воды, отопления. Это очень далеко. Мы не видим наших родственников. Очень сложно попасть оттуда куда-нибудь, включая школу Рамины и больницу. Но во всяком случае мы ближе к брату Константину. Мы никогда не видим наших близких.
13. Рамина живет далеко от школы, ее друзей и близких. Мы тратим более часа на один путь в школу каждый день. Я не могу перевести ее в другую школу, потому что у меня будут проблемы с ее зачислением. Когда мы жили в другом товариществе мы уже прошли через эти сложности в первый год. Я не хочу переводить ее в другую школу, потому что все знают ее и дают ей возможность учиться там до настоящего времени.
14. Здоровье Рамины не в порядке с момента сноса. Каждый год в течение зимы у нее развивается хронический синусит из-за проблем с отоплением. Я думаю, что эти проблемы напрямую связаны со сносом дома. Сразу

после сноса дома у нас были очень тяжелые условия жизни, и Рамина простудилась, и эта простуда развилась в хроническое заболевание. Я была одна и сама должна была заботиться об отоплении. Дела стали хуже с тех пор. Она пропускает много занятий в школе сейчас. Иногда по 2-3 недели из-за болезни. Она начинает отставать от своих сверстников в школе.

15. Мы также имели проблемы с получением гражданства Рамины. Ей сейчас 13 лет, но только год назад она получила российское гражданство. У нее была регистрация, но не было гражданства. Я стояла днями в очередях, несмотря на то, что я гражданка и всегда ей была. Насколько я знаю, законодательство предусматривает, что если мать – гражданка, ее ребенок получает гражданство автоматически. Мне не давали объяснений, и власти не говорили мне ничего. Они делали то, что они хотели. Теперь все знают, что наша деревня и дома были разрушены, люди просто закрывают двери перед нами.
16. Мой брат Константин тоже болен. Он был болен до сноса, но с тех пор его здоровье ухудшилось только. Он страдает эпилепсией и высоким кровяным давлением. Он не может работать из-за проблем со здоровьем, и потому что у него нет регистрации. Даже когда у него не было таких проблем со здоровьем, ему было очень сложно найти работу. Это проблема для всех, кто жил в деревне. Но ситуация стала хуже с 2006 г. Он работал до этого и около двух лет после сноса дома, но условия, в которых мы жили оказали влияние на него, и он не смог продолжить работу.
17. Константин в больнице сейчас и у него нет медицинской страховки. У него нет страховки, потому что он не зарегистрирован. Он не может зарегистрироваться, потому что у него нет дома, кроме дачи. У него все еще есть регистрация в деревне, но она не действительна. Нет места, чтобы зарегистрироваться. Мы должны платить за больницу сами. Я плачу. Сейчас он обследуется в местном госпитале. Он там, потому что почувствовал себя плохо неделю назад вечером. Мы вызвали скорую медицинскую помощь, и на следующее утро он сам пришел в больницу. Это был единственный способ, получить медицинскую помощь для него. Все сейчас дорого: врачи, обследование и лекарства. Если он должен будет остаться в больнице дольше, я не смогу платить, поэтому он будет принимать лекарства, находясь дома.
18. Мы все вместе жили в нашем родительском доме в Дорожном долгое время. Затем власти снесли наши дома, и мы расстались. Это имело огромное воздействие на наше психологическое состояние, на наши нервы. Мы вспоминаем прежние времена. Мы видим их в наших снах. Если сегодня я встречаю кого-нибудь из прежней жизни, мы так счастливы видеть друг друга, и мы начинаем вспоминать о прежней жизни вместе. Мы не столько беспокоимся о себе, сколько о людях с

Extract from Hospitalization Record No. 844

Patient Nikolai Ivanovich Aleksandrovich, born 1946, admitted to receiving of the *Central City Hospital* Municipal Health Care Institution at 15:50 on 01/16/2008 in grave condition.

Delivered by an ambulance with directional diagnosis: Liver cirrhosis. Ascites. Hypostatic pneumonia.

In receiving examined jointly by the on-duty surgeon and physician in charge. After examination and assessment the following diagnosis was made: Acute general peritonitis associated with an acute intestinal circulatory collapse. Bowel obstruction not ruled out. Multiple organ failure.

Patient admitted to intensive care. Surgery recommended due to the life-threatening condition. Patient and his relatives refused the recommended surgery; were informed of the possible fatal consequences. Signature acknowledging this is contained in the clinical record.

In intensive care intensive therapy was employed, including: infusions of Ringer's solution, 5% glucose, dexamethasone, ciprofloxacin, cefazolin, metrogyl, actovegin, corglyconum. Condition deteriorated; signs of intoxication and multiple organ failure increased. At 9:15 on 01/17/2008 pronounced dead.

Postmortem examination conducted:

Diagnosis: Primary: 1) Acute mesenteric circulation disorder in the colon with pockets of necrosis; thrombosis of smaller mesenteric veins.

2) COPB (Chronic obstructive purulent bronchitis), pneumosclerosis, purulent bronchiectases with areas of chronic bronchogenic abscesses, bullous emphysema, bilateral basal pneumonia complicated by an abscess.

Underlying conditions: Hypertensive disease, widespread parenchymatous arteriolosclerosis, arteriolosclerosis in the gastrointestinal tract, secondary cardiomyopathy.

Complications: Chronic venous hyperemia and parenchymatous degeneration. Nutmeg liver. Hydropericardium. Bilateral fibrinopurulent pleuritis. Fibrinopurulent peritonitis.

Secondary: Aortic atherosclerosis. Coronary arteritis.

Attending physician	[signature]	G.B.Rashnikov
Chief of Surgery	[signature]	A.R.Sadovsky
Deputy Medical Director (Surgery)	[signature]	N.G.Gilazhitdinov

[Official round seal of the hospital]

Exhibit 6 (English)

Выписка из медицинской карты №844

Пациент Александрович Николай Иванович, 1946 года рождения поступил в приемный покой МУЗ «Центральная городская больница» в 15:50 16.01.2008 г. в крайне тяжелом состоянии.

Доставлен «СП» с направительным диагнозом: Цирроз печени. Асцит. Застойная пневмония.

Осмотрен в приемном покое совместно дежурным хирургом и ответственным врачом терапевтом. При осмотре и обследовании выставлен диагноз: Острый разлитой перитонит, на почве острой сосудистой недостаточности кишечника. Не исключалась кишечная непроходимость. Полиорганная недостаточность.

Пациент госпитализирован в реанимационное отделение. Предложено оперативное лечение по жизненным показаниям. От предложенной операции пациент и родственники отказались, о возможном летальном исходе было разъяснено, о чем имеется расписка в истории болезни.

В реанимационном отделении проводилась интенсивная терапия, включающая инфузии растворов Рингера, 5% - глюкозы, дексаметазона, ципрофлоксацина, цефазолина, метрогила, актовегина, корглюкона. Состояние ухудшилось, нарастали явления интоксикации, полиорганной недостаточности. В 9:15 17.1.2008 г. констатирована смерть. Проведено патологоанатомическое исследование.

Диагноз: Основной 1) Острое нарушение мезентериального кровообращения в толстой кишке с очагами некроза, тромбоз мелких мезентериальных вен.

2) ХОБЛ: Хронический обструктивный гнойный бронхит, пневмосклероз, гнойные бронхоэктазы с образованием хронических бронхогенных абсцессов, буллезная эмфизема, двухсторонняя базальная абсцедирующая пневмония.

Фоновые заболевания – Гипертоническая болезнь, распространенный паренхиматозный артериолосклероз, артериолосклероз желудочно-кишечного тракта, вторичная кардиомиопатия.

Осложнения - Хронический венозный застой и паренхиматозная дистрофия. Мускатная печень. Гидроперикард. Двухсторонний фибринозно-гнойный плеврит. Фибринозно-гнойный перитонит.

Сопутствующие – Атеросклероз аорты, коронарный артериит.

Лечащий врач

Зав. хирургическим отделением

Зам. главного врача по хирургии

Г.Б. Рашиников

А.Р. Садовский

Н.Г. Гиляжитдинов

DEATH CERTIFICATE

Aleksandrovich
(Family name)
Nikolai Ivanovich
(First name and patronymic)
citizen of Russia
(Citizenship)
May 05, 1946
(Date of birth)
City of Kaunas
(place of birth)
Lithuania

Died on 01/17/2008
(date, month and year in numerals and words)
January seventeenth two thousand eight

of which in the year of 2008 month of January day 18
an Entry into the Death Registry was made under No. 382
Place of death Kaliningrad

Russia

Place of state registration Specialized Department of Public Records
of the Oktyabrsky District Administration,
(name of the Department of Public Records)
Kaliningrad Municipal Circuit

Date issued: January 18, 2008



Head of the Department
of Public Records

[signature]

T.V.Nikandrova

I-PE No. 663361

Exhibit 7 (English)

СВИДЕТЕЛЬСТВО
О СМЕРТИ

Александрович
Николай Николаевич
Гражданство России

Место рождения: Москва 1946

Квартал: 1

Пол: Мужской

17/01/2008

Семейное положение: в браке

Полное наименование организации: ООО "ИП" "Иванов"

Год: 2008 Месяц: Январь Число: 10

322

г. Калининград

Россия

Место государственной регистрации: Специальный отдел ЗАГС
г. Калининградского района г. Калининград



Место смерти: Калининград 2008

Подпись: [Handwritten Signature]

№ 000001

Exhibit 7 (Russian)

[Stamp of the Forensic Medical Examination Bureau]	Ministry of Health of the Russian Federation
	Name of the healthcare institution: _____
Full name of the private physician: _____	

Form number according to National Classification of Management Documentation: _____ Medical Documentation Form No.106/y-98
Approved by the Order No.241 of the Ministry of Health of Russia on July 07, 1998

MEDICAL CERTIFICATE OF DEATH

SERIES AC No. 059994

(final, preliminary, to replace the preliminary [certificate] Series _____ No. 2482)
Date issued: June 2nd, 2008

1. Full name of the deceased: Kosporovichous, Graf Victorovich
 2. Sex: male - 1, female - 2
 3. Date of birth: year 1980, month June, day 27
 4. Date of death: year 2008, month June, day 1
 5. For children who die at the age of 6 days to 1 month: full term-1, premature - 2.
 6. For children who die at the age of 6 days to 1 year: weight at birth _____ grams - 1, number of months ____ and days lived ____ - 2, which child in order of birth - 3, age of the mother - 4,
 7. Place of permanent residence (registration) of the deceased: republic, province, (territory) _____ district _____ city-1, village-2 _____ street _____ house number _____ apt. _____
 8. Place of death: republic, province, (territory) _____ RF _____ district Moskovsky city-1, village-2 Kaliningrad
 9. Death took place: in the hospital -1, at home -2, at another place -3 Near the curb on Zoya Kosmodemianskaya St.
 10. * Nationality of the deceased: _____
 11. * Marital status: married - 1, was never married -2, widowed -3, divorced -4, unknown -5.
 12. * Education: higher - 1, incomplete higher education -2, vocational school -3, high school -4, high school (incomplete) - 5, elementary school and lower -6, unknown -7.
 13. * Deceased's place of work and position: _____
 14. Death occurred as a result of: illness -1, non-work-related accident -2, work-related accident -3, murder -4, suicide -5, cause of death was not determined -6.
 15. If death occurred as a result of an accident, poisoning or injury: date of the injury (poisoning) year _____ month _____ day _____
For non-work-related accidents indicate the type of injury: home accident -1, street accident (except traffic) -2, traffic or pedestrian accident -3, school -4, sports -5, other -6.
- Place and circumstances of the injury (poisoning) _____
For children who died at the age of up to 1 year, this section has to be filled with mother's information

<p align="center">-6. TO BE REGISTERED WITH THE DEPARTMENT OF PUBLIC RECORDS WITHIN 3 DAYS</p>
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Exhibit 8 (English)

16. The cause of death is determined by: physician who only determined the cause of death -1, primary physician of the deceased -2, nurse-practitioner -3, coroner -4, forensic medical examiner - 5.

17. I, doctor (nurse practitioner) Leontiev, Alexander Andreyevich
 Position Forensic Medical Examiner

Certify that based on the examination of the corpse -1, examination of medical notes -2, previous observation of the patient -3, autopsy -4, I have identified the succession of pathological processes (conditions) that led to death, and have determined the following cause of death:

18. Cause of death:

I a) cerebral edema
 illness or condition that directly caused death

b) brain contusion
 pathological conditions that led to the abovementioned cause of death

Д	-	0	6	3
---	---	---	---	---

c) closed blunt-force intracranial injury
 the main cause of death is to be indicated last

У	-	0	0	
---	---	---	---	--

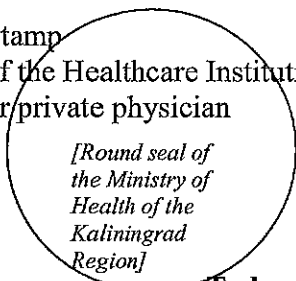
d) assault with the use of a blunt object
 (external reasons of the injury/poisoning)

II Other important conditions contributing to death but not related to the illness or the pathological condition that caused death _____

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Died within 42 days after the end of pregnancy, childbirth (from any cause related to pregnancy and aggravated by it or its course, but not from an accident or incidental reasons) - 1, within 43-365 days after the end of pregnancy, childbirth (due to direct or indirect obstetrical reasons) -2.

Stamp
 of the Healthcare Institution
 or private physician



Signature of the person issuing the Death Certificate

A.A. Leontiev [signature]

To be completed by the Department of Public Records

19. This certificate is verified by a Department of Public Records physician responsible for verifying accuracy of completion of medical death certificates.

_____ 200 _____

Signature of the Physician _____

Министерство здравоохранения
 Федеральное государственное учреждение
 Научно-исследовательский институт
 судебной медицины
 Федеральное государственное учреждение
 Научно-исследовательский институт
 судебной медицины
 Ф.И.О. заместителя главного врача

Код формы по ОКУД
 Медицинская документация форма №106/у-98
 Утверждена приказом Минздрава России
 от 07 июля 1998 г. № 241

МЕДИЦИНСКОЕ СВИДЕТЕЛЬСТВО О СМЕРТИ СЕРИЯ АС № 059994

(окончательное, предварительное, взамен предварительного) серия № 2482
 Дата выдачи « 21 » июля 2008 г.

1. Фамилия, имя, отчество умершего Александрович Александрович
2. Пол мужской -1, женский -2, число 1
3. Дата рождения год 1988, месяц июль, число 27
4. Дата смерти год 2008, месяц июль, число 27
5. Для детей умерших в возрасте от 6 дней до 1 месяца: доношенный -1, недоношенный -2.
6. Для детей умерших в возрасте от 6 дней до 1 года: масса (вес) при рождении _____ грамм -1, число месяцев _____ и дней жизни _____ -2, каким по счету был ребенок у матери -3, возраст матери _____ -4.
7. Место постоянного жительства (регистрация) умершего: республика, область, (край) _____ город -1, село -2 _____ район _____ дом _____ кв. _____

8. Место смерти: республика, область, (край) _____ район Новосельский
 город -1, село -2 Новоселье
9. Смерть последовала в стационаре -1, дома -2, в др. месте -3. 3. Вследствие отравления.
- *10. Национальность умершего _____
- *11. Семейное положение: состоял(а) в браке -1, никогда не состоял(а) в браке -2, вдов(а) -3, разведен(а) -4, неизвестно -5.
- *12. Образование высшее -1, незаконченное высшее -2, среднее специальное -3, среднее общее -4, неполное среднее -5, начальное и ниже -6, неизвестно -7.
- *13. Где и кем работал умерший _____
14. Смерть произошла от заболевания -1, несчастного случая, не связанного с производством -2, несчастного случая, связанного с производством -3, убийством -4, самоубийством -5, род смерти не установлен -6.
15. В случае смерти от несчастного случая, отравления или травмы: дата травмы (отравления) год _____ месяц _____ число _____ при несчастных случаях, не связанных с производством, указать вид травмы: бытовая -1, уличная (кроме транспортной) -2, дорожно-транспортная -3, иная -4, спортивная -5, прочие -6.

РЕГИСТРАЦИЯ Р 3-Х
 ЛЮБЫТОВСКИЙ РАЙОН
 В ОТДЕЛЕ ЗАГС

для детей, умерших в возрасте до 1 года, заполняется в отношении матери

Exhibit 8 (Russian)

16. Причина смерти установлена: врачом, только установившем смерть -1, врачом, лечившим умершего -2, фельдшером -3, патологоанатомом -4, судебно-медицинским экспертом -5.

17. Я врач (фельдшер) Мухоморов Александр Александрович фамилия, имя, отчество

должность СМЗ
 Удостоверяю, что на основании: осмотра трупа -1, записей в медицинской документации -2, предшествующего наблюдения за больным -3, вскрытия -4, мною определена последовательность патологических процессов (состояний), приведших к смерти, и установлена следующая причина смерти:

- 1. а) Смерть новорожденного

- б) Смерть новорожденного

- в) Зарождение мертвого плода

- г) Испытание с применением тупого оружия

И. Прочие важные состояния, способствующие смерти, но не связанные с болезнью или патологическим состоянием, приведшим к ней

Умерла в течение 42 дней после окончания беременности, родов (от какой-либо причины, связанной с беременностью, окончанием беременности, родов (от несчастного случая или случайно возникшей причины) -1, в течение 43-365 дней после отпущенной ею или ее введением, но не от несчастного случая или случайно возникшей причины) -1, в течение 43-365 дней после окончания беременности, родов (от непосредственной акушерской причины или причины, косвенно связанной с ней) -2.



Подпись выдавшего свидетельство о смерти
 Учредительный врач
 или представитель Учредителя

Мухоморов А.А.

19. Свидетельство проверено в органе ЗАГС
 Заполняется в органе ЗАГС
 ответственными за правильность заполнения медицинских свидетельств о смерти.

« 200 г.

Подпись врача

Exhibit 8 (Russian)

DEATH CERTIFICATE

Kosporovichous
(Family name)

Graf Viktorovich
(First name and patronymic)

citizen of Russia
(Citizenship)

June 27, 1980
(Date of birth)

Dorozhnoye Township
(place of birth)

Guryevsky District, Kaliningrad Region

Died on 06/01/2008
(date, month and year in numerals and words)

June first two thousand eight

of which in the year of 2008 month of June day 04
an Entry into the Death Registry was made under No. 2781
Place of death Kaliningrad

Russia

Place of state registration Specialized Department of Public Records
of the Oktyabrsky District Administration,
(name of the Department of Public Records)
Kaliningrad Municipal Circuit

Date issued: June 04, 2008



Head of the Department
of Public Records

[signature]

T.V.Nikandrova

I-PE No. 683145

Exhibit 9 (English)

СВИДЕТЕЛЬСТВО
О СМЕРТИ

Коспоровичус

Граф Викторovich

гражданин России

«27» июня 1980 г.

п. Дорожное

Гурьевский район, Калининградская область

умер(ла) 01/06/2008

первого июня

две тысячи восьмого года

о чем 2008 года июня месяца 04 числа

составлена запись акта о смерти № 2781

Место смерти г. Калининград

Россия

Место государственной регистрации Специальный отдел ЗАГС
администрации Октябрьского района городского округа

наименование органа записи актов гражданского состояния
"Город Калининград"



«04» июня 2008 г.

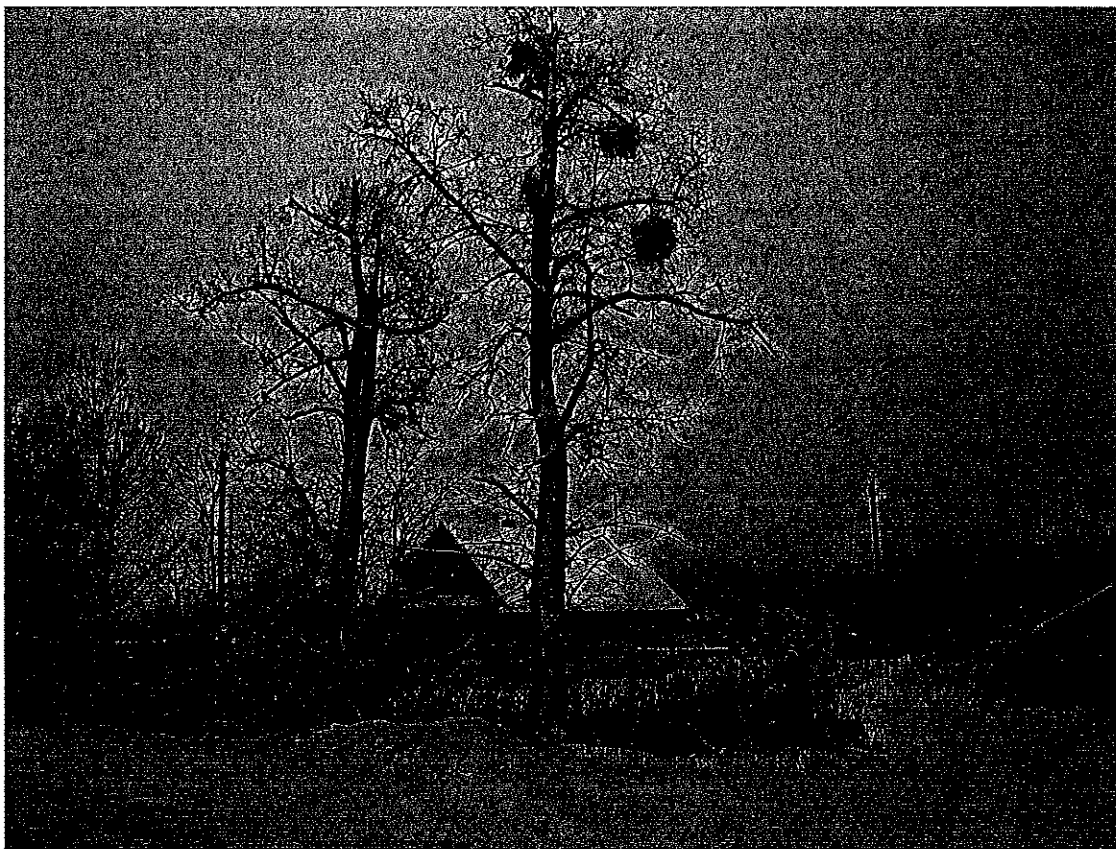
Место жительства
наименование органа записи актов гражданского состояния

Т. В. Никандрова

I-PE № 683145

Гознак, ИПФ, Москва, 1998.

Exhibit 9 (Russian)



Photograph of Kotov home, still standing, in December 2010.



Photograph of Hristeva home, still standing, in December 2010.



Photograph of former Dorozhnoe village where a factory now stands, December 2010.



Photograph of Bagdonavichus family (from left to right): Magdalena Bagdonavichene (Applicant 2) with Bagdanavichute Olya (daughter of Applicant 4, born on 21 October 2008) in her hands, Tamila Bagdanavichute (Applicant 6) and Leonas Iono Bagdonavichus (Applicant 1) in a rented house in Lesnoe settlement, October 2009.



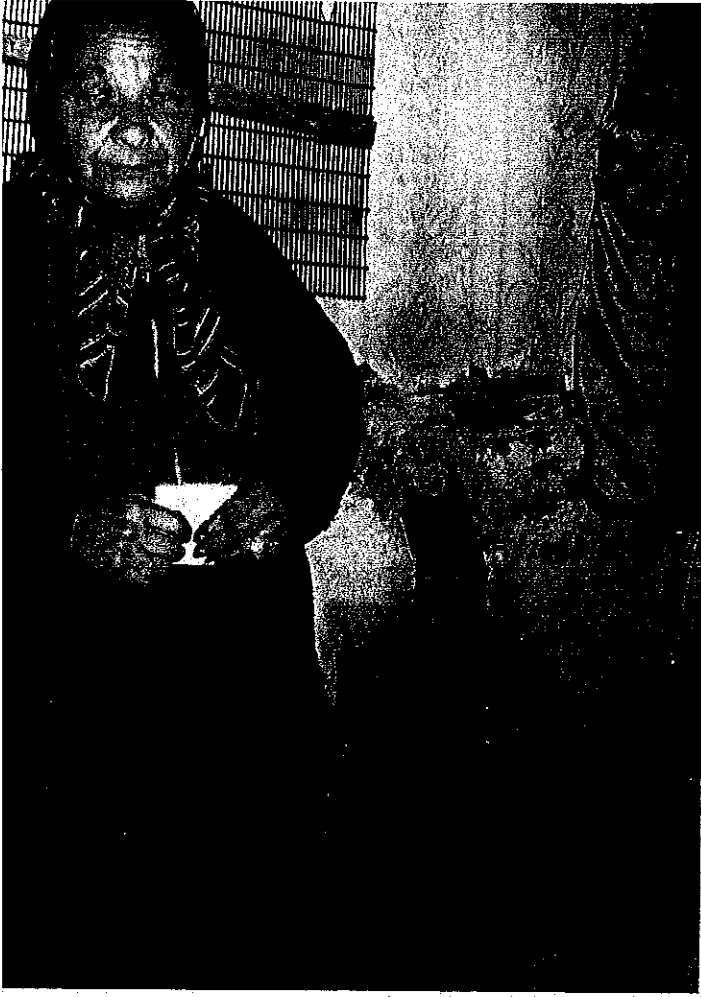
Photograph of Olegas Bogdanovichus (Applicant 5) and his son Leonid Bagdonavichus (Applicant 8) in Leonas Bagdonavichus house in Lesnoe settlement, October 2009.

Exhibit 14



Photograph of Tamara Alexandrovich (Applicant 23) holding a black-and-white photograph of her missing daughter, Margarita Matulevich (Applicant 24), December 2010.

Exhibit 15



Photograph of Tamara Alexandrovich in her bedroom, October 2009.

Exhibit 16



Photograph of Nonna Zhguleva (Applicant 20) and her son, Dinary Zhgulev (Applicant 21), in their room in a shack with a stove for heating, October 2009.



Photograph of Mariya Arlauskene (Applicant 12), October 2009.

Exhibit 18