

Resolution on the Steps to be Taken to Ensure the Right to Education in the Eastern Region of Moldova (Transnistria)

We, the undersigned, counsels of the applicants in the case of Catan and others v. Moldova and Russia, (applications nos. 43370/04, 8252/05 and 18454/06) and the principals of the Latin-script schools based on the eastern side of the Nistru: Theoretical Lyceum "Evrika" in Rybnitsa, Theoretical Lyceum "Alexandru cel Bun" in Bender, Theoretical Lyceum "Stefan cel Mare si Sfint" in Grigoriopol,

considering the judgment of the European Court of Human Rights of 19 October 2012 which recognized the violation of the right to education of the 170 applicants by the Russian Federation,

considering the findings as well as the conditions that led to the violation of the applicants' right to education, in hopes that the crisis of the education system in the eastern region of Moldova will be overcome,

Are requesting the authorities of the Republic of Moldova; Ukraine as a state involved in mediating the settlement of the Transnistrian conflict; the U.S., the EU and the OSCE as observer parties; and in particular the Russian Federation, which was recognized as a state responsible for violating the right to education in the region by extensively supporting the separatist regime, to take all the steps towards carrying out the Judgment of the European Court of Human Rights of 19 October 2012 on the aforementioned case.

In particular, we are requesting that all the diplomatic and

coercive actions available to the parties be taken to ensure the following:

1. Remove all provisions from the so-called legislation of the region which restrict the use of the Romanian language within the eastern territory of Moldova (Art.6 of the "Law on the Use of Languages", Art.12 of the "MTR Constitution", Art.200/3 of the "Code of Administrative Offenses", Decision of 18 August 1994 on the prohibition of the use of the Latin script in educational institutions).

2. Annul the decisions of the so-called local authorities of the towns of Rybnitsa, Bender and Grigoriopol on the eviction of the aforementioned Lyceums from their original buildings.

3. Return the building on 14 Gagarin St, Rybnitsa, to the Theoretical Lyceum "Evrika", which it used until eviction; provide the Theoretical Lyceum "Alexandru cel Bun" in Bender with a building appropriate for the needs of its educational program; return the building to the Theoretical Lyceum "Stefan cel Mare" in Grigoriopol, which it used until its eviction in 2002.

4. Annul the requirement of educational institutions that follow a curriculum approved by the Ministry of Education of Moldova, or which are willing to use such a curriculum in the region, to register and obtain authorization with the so-called registration bodies of the MTR.

5. Remove any restriction on the bringing in of books, textbooks and other materials necessary for the good functioning of the educational institutions using the Latin script.

6. Forbid discrimination and intimidation campaigns, which have been tolerated and at times orchestrated by the separatist administration, in particular acts of vandalism and hooliganism, against those willing to receive education in Romanian.

7. Ensure that all payments in respect of damages and costs awarded by the Judgment are made within the specified time.

Further, we are calling on the Russian Federation to cease its open support, at variance with its international commitments, for a regime that seriously violates human rights, which support has been specified in paragraphs 39 – 41 of the ECHR Judgment.

At the same time, the Promo-LEX Association will further monitor the observance of the right to education in the Transnistrian region as well as the process of carrying out the Judgment of 19 October 2012.

Signers

Ion MANOLE, Counsel, Executive Director of the Promo-LEX Association,

Alexandru POSTICA, Counsel, Lawyer, Promo-LEX Human Rights Program Director,

Eugenia HALUS, Principal of the Theoretical Lyceum “Evrrika”, Rybnitsa,

Maria ROIBU, Principal of the Theoretical Lyceum “Alexandru cel Bun”, Bender,

Eleonora CERCAVSCHI, Principal of the Theoretical Lyceum “Stefan cel Mare”, Grigoriopol

22 October 2012