

**Martens Summer School on International Law**

***Russia and International Human Rights Law***

**Human Rights in Russian Courts: an NGO  
Perspective**

**Seminar 3: Strategic litigation as a method of  
promotion and protection of human rights using  
international law: particular examples of NGO's  
protecting human rights in courts**

by Anton Burkov

# Where strategic cases are coming from

- Strategic thinking
- From victims to problems and cases (victim comes with a problem, we build a case):
  - Clients (Bugrova; from the web - Mihailova)
  - Friends (Arbuzova, Minin)
  - Colleagues (Bahrah)
- From problems and cases to victims (we see a problem and look for a victim)
  - Victims could be ourselves (Burkov v. Russia)
- From one case to another and more (tree of cases)

# Strategic cases

- Zaharkin v. Russia (application in Borisov v. Russia)
- Bugrova v. Russia (criminal case, challenging inaction; challenging normative acts; challenging lack of standing)
- Mihailova v. Russia
- Burkov (and Lifaev, and others) v. Russia
- Burkov v. Russian Government (unemployment led to challenging normative act of Government)
- Network of cases on domestication of the Convention (Russian Labor Party, Mihailova, Bugrova, Burkov and others v. Russia)
- Cases on non-execution of domestic judgments (Constitutional Court case; ECHR; testing effectiveness of on Compensation Act)

# Home Work!

- Enjoy reading (all in English)
  - Application by Bugrova challenging 2 sq. m. floor space for detained late husband  
<http://sutyajnik.ru/documents/4262.html>
  - Decision on inadmissibility of Bugrova's application  
<http://sutyajnik.ru/documents/4263.html>
- **Full case file is available here (in Russian and English) <http://sutyajnik.ru/cases/510.html>**

# Strategic cases (cont-ed)

- Set of cases on breaking participation in protest (Basok, Shaklein, Zaharkin (2), Mihailova, Kapustin)
- Andrey Sychev on free access to courts + other disabled on access to commercial premises
- Stevenson v. Hotel
- People v. Chief Justice of the Supreme Court on free access to decisions
- Right of Prisoners to vote

# Home Work

- Divide into 3 groups and prepare press-releases on
  - Lack of access to the Supreme Court
  - Application to the ECHR
  - Lack of domestication of the Convention principles
- based on the following facts of the case
  - Application by Bugrova challenging 2 sq. m. floor space for detained late husband  
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