

09.08.2019 № 177

**Bureau of the Congress
of Local and Regional Authorities**

Dear Colleagues!

Since 2011, I have been proactively involved in a number of environmental transport initiatives in Moscow. The beginning of activity was the idea of creating a light rail route Leninsky Prospekt - Kaluzhskoye Shosse in Moscow (hereinafter **LRT Line**, see <https://www.uzir.ru/skorostnoj-tramvaj>). The analysis carried out shows the feasibility of implementing this project from extrabudgetary sources with the involvement of private funds¹. The light rail initiative has been supplemented and is currently a set of initiatives, including the introduction of paid entry, landscaping of streets and the organization of tram and pedestrian zones within the Garden Ring of Moscow (hereinafter **Initiatives**, see details on the website www.uzir.ru)

Considering the practice of launching “top-down” initiatives in the Russian Federation repeatedly noted in the **CG(19)11** rapport, the Initiatives meet with noticeable resistance. I ask the Bureau to note that the roots of resistance lie not only in the predominance of the executive branch over the legislative and judicial branches, but also in eliminating competition, in this case, in the market for long-distance passenger traffic in Moscow. In 2019, the Moscow government began the construction of an underground line funds 80% repeating the route LRT Line - Kommunaraskaya subway line.

Long-term correspondence with various branches of the Government of Moscow, and later with various federal ministries and both chambers of the Russian parliament (GosDuma and Council of the Federation), has clearly shown that the legislative bodies in the Russian Federation represented by both industry committees and individual deputies play the role of advisory bodies to ministries rather than full-fledged representatives of the independent branch.

The appeal in 2018 to the Supreme Court of the Russian Federation with the requirements of canceling the refusal of the Federal Antimonopoly Service of Russia (hereinafter **FAS Russia**) to conduct antitrust investigations against the Government of Moscow and challenging the decision of the Government of the Russian Federation on transferring the Moscow Metro enterprises to the municipal property of Moscow was not considered in essence on any stages, from the first instance to the stage of supervision. The recommendation of the Supreme Court of the Russian Federation and, later, the Constitutional Court of the Russian Federation to file a lawsuit in relation to the FAS Russia to the district court led to the termination of the case at the request of the FAS Russia. My requests for a forensic examination at my expense, which allows comparing the real benefits of replacing the Kommunaraskaya subway line with the LRT Line, were also rejected in the district court at the request of representatives of both the Moscow Government and the FAS Russia and the Ministry of Transport of the Russian Federation. Thus, the judiciary did not demonstrate independence in resolving this conflict.

I ask the respected Bureau to draw attention to the fact that the current registration of candidates for deputies to the Moscow City Duma is carried out under the close supervision of the Moscow

¹ <https://www.uzir.ru/skorostnoj-tramvaj>

Government and aims to exclude opposition candidates and lists of candidates for the upcoming parliamentary elections in Moscow on September 08, 2019. Thus, there will be no real competitive mechanisms to count on an objective consideration of alternatives in the largest agglomeration of the Russian Federation, which makes up 20% of the population of the whole country and accounts for more than a quarter of Russia's GDP.

I ask the Bureau, taking into account the future report of the delegation of the Russian Federation during the 37th session of the Congress on the state of affairs with local self-government, to consider the possibility of conducting monitoring activities on the course of the parliamentary elections in Moscow.

I will be glad if the Bureau of the Congress considers my appeal worthy of attention and decides to provide an opportunity to state the details of the mechanism for implementing of infrastructure projects that I am developing (see <https://www.uzir.ru/mehanizm-rip>), which, in the opinion of its author, can mitigate many imbalances between the branches of government, to increase the role and expand the economic base of local self-government in densely populated urban areas of the Russian Federation, as well as lead to a significant mitigation of the burden of the population to pay for both transport services and housing and communal services economy through redistribution of local taxes, as well as the introduction of competitive procedures for the selection of public partners and concessors on behalf of the Russian Federation in public-private partnership projects and concessions.

Allow me to inform the Bureau of the Congress of my appeal to the UN Human Rights Council with a complaint that the author of the Initiatives in the Russian Federation is denied the right to participate in the management of state affairs and the right to free labor, which is recorded both in the International Bill of Human Rights and in the revised The European Social Charter, as well as in the Constitution of the Russian Federation (see [UN Complaint of 07.23.2019](#)).

I also ask the Bureau to take into account, in case of a positive decision on the appointment of hearings on the Mechanizm&Initiatives, on appeal to the European Court of Human Rights, since according to the official position of the Supreme and Constitutional Courts of the Russian Federation, the author's possibilities to challenge the Russian Federation have been exhausted (see [Complaint to the ECHR from 07/30/2019](#)).

Both complaints along with this appeal were sent on 08.09.2019 to the email addresses - congress.session@coe.int, saida.theophile@coe.int, sabine.zimmer@coe.int.

Hoping for a favorable response and interested participation, your respectful correspondent,

Zhumanov Rustam Turdybaevich



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