

The Russian Federation found guilty of the violation of the ownership rights of the farmers from Dubăsari represented by Promo-LEX at the European Court



Today, July 17, 2018, the [European Court of Human Rights](#) ruled on the case of farmers from Dubăsari district, whose land was seized by the Tiraspol secessionist administration. The landowners from Dubăsari were represented at the

ECtHR by the lawyers of Promo-LEX Association. In total, the case was filed at the request of 1,646 plaintiffs and 3 agricultural companies from Dubăsari district. The High Court found violation of Article 1 of Protocol No. 1 to the European Convention by the Russian Federation in connection with the violation of the right of ownership or use of land holdings and violation of Article 13 of the Convention in conjunction with Article 1 of Protocol No. 1 to the Convention in connection with the lack of effective national remedy against the violations of Article 1 of the ECHR.

The 8 applications, which include the complaints of 1,646 landowners and 3 agricultural commercial companies located in Dubăsari district, were filed with the European Court by the lawyers of Promo-LEX Association during the years 2004 through

2006. The applicants are residents and inhabitants of the villages Doroțcaia, Pârâta, Molovata-Nouă, Pohrebea, and Cocieri, situated on the left bank of the Nistru River, and hold land near their villages.

The Court ordered the Russian Federation to pay the applicants moral damages totaling EUR 2,499,300. Thus, each owner was awarded EUR 1,500 and the agricultural companies – EUR 5,000.

Furthermore, the Court ruled that the Russian Government must pay the companies the following material damages: EUR 115,300 to Agro-Tiras S.R.L.; EUR 80,500 to Agro-S.A.V.V.A. S.R.L., and EUR 50,000 to GȚ Serghei Popa.

To cover the representation costs, the Court ordered the payment of EUR 20,000.

“After 14 years, the European Court confirms the violation of ownership rights for thousands of residents in the security area. One should also note that their problems are still not solved. Hopefully, with this decision, the landowners will be fully able to manage their property,” said Ion Manole, CEO of Promo-LEX Association.

The problem of agricultural land located beyond the Tiraspol-Dubăsari-Râbnița Highway arose in 1998 in several localities from Dubăsari district, when representatives of the separatist regime illegally installed posts along the Tiraspol-Râbnița Highway. Several years later, at the end of the 2004 agricultural season, plaintiffs were denied access to their property, which resulted in losses of tens of millions of Moldovan leis for them. At the beginning of the agricultural year 2005, the landowners were prevented from cultivating their agricultural land, which, again, resulted in huge losses.

“The European Court’s findings are particularly important and relevant. Currently, this issue is being discussed within the Transnistrian conflict negotiation format, and the parties

involved in the talks have contradictory views. This decision highlights certain aspects that no one can ignore, namely that human rights are non-negotiable, and that they must be respected,” said Alexandru Postica, COP of Promo-LEX Association’s Human Rights Program.

Promo-LEX Association expresses gratitude to the partners who have supported it over the years in the case of the farmers from Dubăsari – the Open Society Institute, the National Endowment for Democracy, and Civil Rights Defenders.

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