

The Russian Federation appeals the Judgment of the ECtHR in the case of peasants from the Dubasari district before the Grand Chamber

The Russian Government has challenged the Judgement of the ECtHR in Case [No.210 34/05, Sandu and others v the Republic of Moldova and the Russian Federation](#) of July 17, 2018, whereby Russia was found guilty of violating the ownership right of more than 1,646 landowners from the Dubasari district.

The request of the Russian Government will be considered by a panel of 5 judges of the Grand Chamber of the ECtHR. The Russian Federation has requested a re-examination of *Sandu and others* case because it considers it has no jurisdiction over the Transnistrian region and is not guilty of violating the farmers' property right. The authorities of the Russian Federation refer to the so-called Transnistrian bodies, which in their opinion, are guilty of blocking the peasants' access to their own lands for more than 10 years. If the request of the Russian Government is accepted, the case will be examined by the Grand Chamber composed of 17 judges of the ECtHR, which will consider the arguments put forward by the Russian Government.

Alexandru Postica, Director of the Human Rights Program of the Promo-LEX Association, mentioned that in several Transnistrian cases, examined by the ECtHR, the referral requests for the Grand Chamber were rejected. "The issues raised by Russia are similar to the previous complaints, and the complexity of the *Sandu and others* case resides only in the large number of applicants. The arguments, put forward by Russia, have already

been examined by the Grand Chamber, namely in the cases of Catan and others against the Republic of Moldova and the Russian Federation, 43370/04, 8252/05 and 18454/06; Mozer against Moldova and Russia, No. 11138/10", Alexandru Postica says. The panel of five Grand Chamber judges is to express their opinion in 8 or 9 weeks. Please note that the Russian Government filed the request for a review on the last day when such a filing was possible, so it is obvious that the Russian authorities want to delay the execution of the judgement.

We remind the reader that on July 17, 2018, the European Court of Human Rights (ECtHR) found that the Russian Federation had violated the property right of Moldovan farmers from the Dubasari district, whose agricultural lands, located on the Ribnita-Tiraspol route, were seized by the administration of the Transnistrian region. Although the application submitted also targeted the Republic of Moldova, the Court found that only the Russian Federation is guilty of the violation of the applicants' property right. In this case, the applicants are 1,646 individuals and 3 agricultural companies from the Dubasari district (Dorotcaia, Parata, Molovata-Noua, Pohrebea and Cocieri villages). The ECtHR ordered Russia to pay moral damages in the amount of 1,500 euros to each farmer and 5,000 euros to each agricultural company. At the same time, the ECtHR ordered the Russian Government to pay pecuniary damages to the three agricultural companies, worth a total of 245,000 euros. Russia also has to pay 20,000 euros as representation expenses. In total, only in this case, Russia has to pay 2 million 749 thousand 800 euros.

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