

Access to Agricultural Land in Dubasari District Discussed at a Working Meeting in Cosnita

On November 7, 2018, the Promo-LEX Association organized a roundtable dedicated to “Problems and Prospects of Protection of the Right to Ownership of Land situated behind the Ribnita-Tiraspol Route”. The event was held at the Dubasari District Council in the village of Cosnita and was attended by representatives of the local public authorities of level I and II, economic agents and farmers, who own agricultural land behind the Ribnita-Tiraspol route.

Promo-LEX Association states that the issue of access to agricultural land on the left bank of the Dniester River that is under the jurisdiction of the constitutional authorities but under the control of the secessionist administration of the Dubasari district, is a complex problem that has to be analyzed from two perspectives.



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First of all, it has to be emphasized that the ECtHR has exposed on the issue of blocking owners' access to their land in [Sandu and others v. the Republic of Moldova and the Russian Federation](#). There is an opinion of a European jurisdiction that found in its judgment that there is no reason for land owners to conclude lease contracts for the land that they already own with the right of private property. Even if some policies have been implemented to mitigate the consequences of these illegalities, a number of economic agents have not been compensated for unauthorized seizure of their lands by other economic agents, who are residents of Transnistrian region, and at present, their complaints are still being examined by law enforcement bodies. There is a need to continuously monitor the respect of property right and inform the authorized institutions within the Parliamentary Assembly of the Council of Europe (PACE), to monitor the enforcement of the ECtHR rulings with respect to the complainants indicated in this case.

Another issue, which is tangential to the one exposed above, is the process of negotiation of the mechanisms that would provide the opportunity to overcome the land access crisis. Representatives of the authorities have ensured that the negotiation process takes into account the supreme interest of landowners and will not admit a repeated violation of their rights. However, several issues related to efficient land management have emerged in the process of designing new land-access mechanisms. Despite the fact that all land is distributed between people who individually or collectively cultivate the land, a large part of the areas cannot be subject to the mechanism that is to be implemented, because there are several technical problems related to documentation of the current owners, so that about 800 hectares of land are undergoing the process of documentation. Unfair competition between economic agents that had incurred immense losses in

the years up to 2018, as well as some economic entities that benefited from certain subsidies, while cultivating the land taken without any permission, is another problem.



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The participants appreciated the organization of the roundtable, as well as the interest of the Promo-LEX Association in the problems faced by farmers. The event was attended by representatives of the Reintegration Policy Bureau, who took note of the issues and solutions proposed by Promo-LEX experts and farmers in the region.

For information, please contact:

Natalia Munteanu, Promo-LEX Communications Officer

GSM: 069 43 70 40

E-mail: natalia.munteanu@promolex.md