

Russia convicted by ECtHR on the case of Ion Manole and Alexandru Postica as a result of the incident on the Vadul lui Voda bridge of 2005



On 29 June 2021, the European Court of Human Rights (ECtHR) issued a judgment on the case No 4711/07, *Manole and Postica vs. Republic of Moldova and Russian Federation* finding that Ion Manole and Alexandru Postica were victims of unlawful detention by Russian soldiers located at the peacekeeping checkpoint No 9 on the bridge over the Nistru river, connecting Vadul lui Voda town and Cosnita village.

It was thus noted that on 19 July 2005 at about 8.10 p.m. two members of Promo-LEX Association, Ion Manole and Alexandru Postica, who were travelling back from a working visit made to localities across Rabnita-Tiraspol road, were detained at the peacekeeping checkpoint located on the left bank of the Nistru river, in Cosnita village. The reason for detention was the fact that a passenger travelling those two allegedly made a picture of an advertising board in the vicinity of checkpoint No 9 with the inscription "Farewell – Dubasari district". After the vehicle was stopped, the Russian officer, who was the head of the peacekeeping group, ordered to destroy the picture taken.

When asked that detention grounds be explained and proper documentation be prepared, the Russian officer became very aggressive, treating roughly and threatening the detained persons, as well as inviting by phone his superiors from

Dubasari to come on the site. He used special equipment to block the vehicle, which resulted in a huge traffic jam.

Though a number of representatives of law enforcement bodies and witnesses from several organisations came to the site, the Russian military staff continued their aggressive behaviour towards the peaceful persons and, in spite of the insistent requests of the latter, the soldiers refused to de-block the vehicle of the persons detained abusively. Suddenly, with no reason, a Russian soldier made two shots from his machine gun. This severe incident, which could have ended up with victims and deaths, was overcome only thanks to the professional intervention of a road police officer from Dubasari district.

The incident was resolved only after midnight, when the applicants were allowed to leave. The peacemakers neither prepared a protocol on the incident, nor justified their behaviour by any lawful decisions. The subsequent requests filed by the applicants failed to produce any outcomes.

The ECtHR Judgment of 29.06.2021 found the violation of Article 5 § 1 and Article 5 § 4 of the Convention due to the lack of any lawful grounds for applicants' detention and lack of any remedies to appeal against this arbitrary detention. The Court ruled that the Russian Federation shall pay EUR 3,000 to each applicant in respect of non-pecuniary damage and EUR 1,500 in respect of costs and expenses. The Judgment can be accessed [here](#).

The applicants represented themselves, and at the observations stage they were assisted in the Court by Gerald Staberock and Lemetre Roemer, OMCT (World Organisation Against Torture).