

The seizure of automobiles by the separatist administration of the Transnistrian region: a violation of the European Convention

On August 30th 2016, the European Court of Human Rights handed down a decision finding the Russian Federation liable for the infringement of the plaintiff's right to property in the Casian case against the Republic of Moldova and the Russian Federation. This case is among the first in which the European Court has ruled on the legality of the actions of the separatist administration, which has confiscated and applied fines to cars with Moldovan license plates that pass through the Transnistrian region.

In February 2007, the car of plaintiff Petru Casian was confiscated by representatives of a so-called customs post installed by separatist forces at the entrance of the village of Lunga, on the grounds that he had violated the allowed length of his stay in the Transnistrian region. In order to recover his car, the plaintiff had to pay a "fine" of approximately 30 euros. Even so, the car was only returned at the end of March 2007. Although the applicant requested the support of the constitutional authorities, they failed to give him any help in solving the issue and made only general statements.

In his complaint to the High Court, the plaintiff argued that his right to property under Article 1 of Protocol 1 of the European Convention on Human Rights had been violated because his car was confiscated and because he was required to pay an illegal fine. The Court found with 6 votes against 1 that the

plaintiff's property rights were violated in this regard. The Court ordered the payment of material and moral damages and legal costs amounting to €3530.

Petru Casian was represented by legal experts and attorneys from Promo-LEX. More details about this case can be found on the website of the [European Court of Human Rights](#). During the examination of the Casian case, the Court decided to merge it with a similar case, the Turturica case (also against Moldova and Russia), and this decision applies to both cases.

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