

ECtHR communicated a new case to the Government of Moldova

A new case was communicated to the Government, this time Republic of Moldova could be liable for violation of the freedom of movement and the right to a fair trial.

On June 6, 2011 European Court of Human Rights (ECtHR) communicated the case of Bîgea v. Moldova (No 21876/09) lodged on 27 April 2009. The applicant Mr. Ionel Bîgea is Romanian citizen and lives in Bârlad. He is a priest within the Metropolitan Church of Bessarabia and has been assigned to the church of the Vadul lui Isac village, in the south of Moldova, for the last sixteen years.

In 2007 the then President of Moldova Vladimir Voronin declared that he did not recognise the Metropolitan Church of Bessarabia. After that, the authorities made an unsuccessful attempt to expulse the applicant from Moldova and created numerous obstacles in his activity as a priest. Following judicial proceedings, in 2008 the applicant obtained a residence permit and a work permit valid until August 2009.

On 9 April 2009 the Moldovan authorities introduced a visa regime with Romania. On 11 April 2009 the applicant made an attempt to travel from Romania to Moldova with his residence permit but was refused entry on Moldovan territory on the ground that he did not have a visa.

The applicant challenged the refusal before the Chişinău Court of Appeal and, on 24 April 2009, obtained a final judgment ruling the refusal unlawful and obliging the border police to allow the applicant to enter the Moldovan territory on the basis of his residence permit.

On the same date the applicant made an unsuccessful attempt to enter Moldova on the basis of his residence permit and of the

court judgment. The border police refused to comply with the judgment and insisted that the applicant needed a visa. The applicant repeated his attempt on 25 April 2009 but was again unsuccessful.

Because of the refusal of the authorities to let the applicant enter Moldova, he was unable to be with his congregation for Easter, a very important religious event in Moldova.

The applicant complains that the refusal of the authorities to comply with the Court of Appeal's judgment of 24 April 2009 constituted a breach of his rights guaranteed by Articles 6, 8, 9 and 2 of Protocol No. 4 to the Convention.

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