

The Republic of Moldova and The Russian Federation – accused once again at the European Court of Human Rights

The Republic of Moldova and The Russian Federation stand accused at the European Court of Human Rights (ECHR) in connection with torture and the illegal deprivation of liberty, and for restricting the rights to freedom of movement and expression in the security zone.

On July 15, 2010, the ECHR decided to communicate the case Beșleaga v. Moldova and Russia nr. 48108/07, submitted to the ECHR on the 1st of November 2007 by the lawyer Alexandru Postica, Executive Director of Promo-LEX, in the interests of Valentin Beșleaga.

The governments (of Moldova and Russia) will have to explain the legality of the arrest and detention of Valentin Beșleaga in connection with an administrative case started against him following his participation in the general local elections in Corjova, Dubasari rayon, in 2007. Mr Beșleaga was arrested on the 2nd of June 2007 in Corjova, which falls under the jurisdiction of the Republic of Moldova, but under the de facto control of separatist bodies. Following an obscure and non-transparent process, a so-called judge of the Dubasari court -under the control of the separatists- sanctioned Mr Beșleaga, a citizen of the Republic of Moldova, to 15 days' detention. The process took place in the very basement of the 'Militsia' Commissariat in the city of Dubasari. After his arrest, Beșleaga could not continue campaigning for the office of Mayor of Corjova, neither for the vote on June 3, nor for

the vote on June 17, 2007. Furthermore, for the entire duration of his detention, Beşleaga was held in inhuman and degrading conditions which resulted in his falling ill. The ECHR has reiterated questions previously put to the respective governments regarding the jurisdiction over the territory. It has raised the question of the exhaustion of all the routes for effective redress. Likewise, the ECHR has asked the governments to respond to the question of whether or not, as a result of his detention in such conditions, the claimant's following rights were violated: The right to liberty and security; the right to a fair trial; the right to freedom of expression; and the right to freedom of movement.

Lawyer and Executive Director of Promo-LEX, Alexandru Postica, states that, "This is the first case communicated by the ECHR to the defendant governments in which the question is raised of the violation of the right to freedom of movement in a region occupied by separatists, in a locality falling fully under the jurisdiction of the Republic of Moldova. Another very important aspect is that it also evidences the problem of exercising the right to vote for citizens of the Republic of Moldova who lack the opportunity to choose and be chosen in the local administrative bodies on the left bank of the Nistru".

The Promo-LEX Association would like to make it known that the local elections of June 2007 in the locality of Corjova, Dubasari, failed due to the fact that the secessionist bodies in the cities of Dubasari and Tiraspol destroyed polling stations in the village of Corjova, while the candidates for the offices of mayor and councillor were persecuted and intimidated.

Note: For more information contact Alexandru Postica, at the Legal Department of Promo-LEX, on tel. 069104851.