LCRM – Legal Resources Centre from Moldova

Moldova at the European Court of Human Rights: over 600 violations in 23 years

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23 years ago, on 12 September 1997, the Republic of Moldova became a party to the European Convention on Human Rights (ECHR). The Republic of Moldova committed to respect the rights guaranteed by it and recognized the jurisdiction of the European Court of Human Rights (ECtHR).

The Legal Resources Centre from Moldova (LRCM) has developed a Synthesis of the violations found by the ECtHR regarding Republic of Moldova in order to increase the awareness among professionals about the activity of the ECtHR in Moldovan cases, to facilitate the application of ECtHR standards at national level, as well as to prevent similar violations.

Thus, between 12 September 1997 and 30 June 2020, the ECtHR issued 461 judgments, in which it found 616 violations of the ECHR by the Republic of Moldova.

The most frequent violated rights are:

- the right to a fair trial (Art. 6 ECHR) – 200 violations (32,5%);
- prohibition of torture (Art. 3 ECHR) – 142 violations (23%);
- the right to liberty and security (Art. 5 ECHR) – 92 violations (15%);
- the right to an effective remedy (Art. 13 ECHR) – 60 violations (9,7%);
- the right to respect for private and family life (Art. 8 ECHR) – 30 violations (4,9%);
- the right to freedom of expression (Art. 10 ECHR) – 19 violations (3,1%).

The most frequent violations are:

- non-execution of judgments – 68 violations (11%);
- irregular quashing of final judgments – 52 violations (8,4%);
- detention in poor conditions – 46 violations (7,5%);
- inadequate investigation of ill-treatment and deaths – 45 violations (7,3%);
- ill-treatment – 31 violations (5%);
- deprivation of liberty contrary to national law – 28 violations (4,5%);
- unjustified arrest – 27 violations (4,4%).

The synthesis was elaborated based on the study of the ECtHR case-law in Moldovan cases available on the ECtHR website. The violations were systematized in a table, according to articles

and types of violations found by the ECtHR. In the table, for each category, are listed all judgments in which a violation of the same type was found.

Since 2010, LRCM analyzed ECtHR activity in Moldovan cases for each year: 2010, 2011, 2012, 2013, 2014, 2015, 2016, 2017, 2018 and 2019.

The document is available in Romanian here:

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