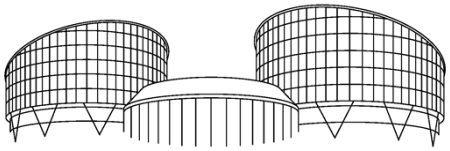

EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

SECOND SECTION

CASE OF POLITICAL PARTY "PATRIA" AND OTHERS v. THE REPUBLIC OF MOLDOVA

(Applications nos. 5113/15 and 14 others)

JUDGMENT

Art 3 P1 • Stand for election • Arbitrary disqualification of a party three days before parliamentary elections on account of alleged use of undeclared foreign funds • Disqualification based on unsubstantiated allegations • Insufficient procedural guarantees against arbitrariness • Lack of reasoning in the domestic courts' decisions

STRASBOURG

4 August 2020

FINAL

04/11/2020

This judgment has become final under Article 44 § 2 of the Convention. It may be subject to editorial revision.

In the case of Political Party "Patria" and Others v. the Republic of Moldova,

The European Court of Human Rights (Second Section), sitting as a Chamber composed of:

Jon Fridrik Kjølbro, *President,*
Marko Bošnjak,
Valeriu Griţco,
Ivana Jelić,
Arnfinn Bårdsen,
Darian Pavli,
Peeter Roosma, *judges,*
and Stanley Naismith, *Section Registrar,*

Having regard to:

the applications (nos. 5113/15 and 14 others, listed in the appended table) against the Republic of Moldova lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") by Political Party "Patria" ("the applicant party") and fourteen Moldovan nationals ("the other applicants"), on the various dates indicated in the appended table;

the decision to give notice to the Moldovan Government ("the Government") of the complaint concerning Article 3 of Protocol No. 1;

the parties' observations;

Having deliberated in private on 23 June 2020,

Delivers the following judgment, which was adopted on that date:

INTRODUCTION

1. The applicants are a political party which ran in the 2014 general elections and fourteen candidates on its electoral list. The application concerns the removal of the applicant party from the list of participants three days before the elections on the ground that, contrary to the provisions of the electoral law, it had used undeclared funds, including money from abroad.

THE FACTS

2. The applicant party is a Moldovan political party without representation in Parliament at the time of the events. The other applicants were candidates on its electoral list in the 2014 legislative elections. The applicant party and Mr I. Pohilă are represented by Mr S. Pavlovschi, a lawyer practising in Chișinău. The remaining applicants are represented by Mr I. Pohilă, a lawyer practising in Chișinău.

3. The Government were represented by their Agent, Mr O. Rotari.

4. The facts of the case, as submitted by the parties, may be summarised as follows.

A. Background to the case

5. In May 2014 Parliament decided that the next general election would be held on 30 November of the same year. The decision was published in the Official Gazette on 10 June 2014 and entered into force on 15 September 2014.

6. One of the applicants in the present case, Mr R. Usatîi, is a businessman who, at the time of the events, ran all his business in the Russian Federation. After 2012 he returned to Moldova, where he gained popularity as a wealthy businessman, philanthropist, showman, politician and organiser of concerts and anti-government rallies. In April 2014 Mr Usatîi became the leader of an inactive political party after that party's congress elected him and changed the party's name. However, the Ministry of Justice refused to register the changes to the party's statute and thus it could not participate in the upcoming elections under its new name and leadership. In August 2014 Mr Usatîi created another political party, "P.". However, the Ministry of Justice refused to register that party too.

7. On 12 September 2014 the applicant party was officially created and registered by the Ministry of Justice with another person as its leader and without Mr Usatîi's involvement. On 13 October 2014, the Central Electoral Commission ("CEC") officially registered the applicant party to participate in the elections and it was then that Mr Usatîi appeared as candidate number one in the applicant party's list of candidates, and the electoral symbol of the party became a square containing Mr Usatîi's first and last names. The other applicants in the present case were also included in the applicant party's list of candidates for the November 2014 elections.

8. According to the results of a poll conducted in November 2014, the applicant party was credited with almost 9% of popular support, making it the fourth most represented political party in the Parliament to be elected.

B. The CEC's application to disqualify the applicant party

9. On 26 November 2014, that is three days before the elections, the chief of the general police inspectorate wrote to the CEC that the applicant party had breached the provisions of the Code of Minor Offences *(Codul contravențional)* and requested the cancellation of its registration in the upcoming elections. According to the letter, between 30 May and 29 September 2014 the first candidate on the applicant party's list of candidates, Mr Usatîi, had officially brought into Moldova foreign currency in cash in an amount of 14,872,128 Moldovan lei (MDL) (the equivalent of approximately 800,000 euros (EUR)). Over the same period of time

Mr Usatîi had used MDL 6,713,622 in two transactions, while the remaining MDL 8,158,506 had been used for the needs of the applicant party's campaign, in the following manner:

- the applicant party had used some seventy mobile telephone lines belonging to a private company owned by the mother of one of the applicant party's candidates, for which that company had spent MDL 112,000 (the equivalent of EUR 6,000) between August and October 2014;
- the applicant party had filled its cars with some 1,200 litres of fuel worth MDL 21,450 (the equivalent of EUR 1,200) at a petrol station owned by the son of one of its members, which did not appear in the applicant party's financial reports;
- the applicant party had used for its campaign eleven cars which had been bought by two candidates on its electoral list who, according to their tax returns for the previous years, had no means to buy them; the value of the cars was MDL 5,342,003 (the equivalent of EUR 286,000).

The letter continued by stating that on 25 November 2014 proceedings concerning the alleged breach of Article 48 of the Code of Minor Offences had been initiated against the applicant party and against Mr Usatîi in respect of all the above facts. However, since the Electoral Code did not allow for administrative or criminal sanctions to be imposed on candidates in elections, the police inspectorate requested permission for them to be applied. It also requested that the applicant party's registration for the upcoming elections be cancelled on the grounds of using funds from abroad or undeclared funds.

It does not appear that the letter was accompanied by any documents or other evidence supporting the facts described therein.

10. On the same date the CEC held a meeting at which it decided, *inter alia*, to lodge an application with the Chișinău Court of Appeal seeking the cancellation of the applicant party's registration in the elections on the basis of the facts described in the general police inspectorate's letter. An application was lodged with the Chișinău Court of Appeal the same day.

C. The proceedings before the domestic courts

11. On 27 November 2014 the applicant party contested the above-mentioned decision (see paragraph 10 above) before the Court of Appeal arguing, *inter alia*, that the CEC's meeting had been announced only fifteen minutes before it began, in breach of Article 37 of the CEC's Rules (see paragraph 22 below) which set a minimum of twelve hours for the announcement of the meetings. Not only had the meeting begun in the absence of the applicant party's representative, but he had not been given access to the materials examined by the CEC. Only after the adoption of the CEC's decision had the applicant party's representative been given a copy

of the general police inspectorate's letter. Thus, the applicant party's right to defence during the CEC's meeting had not been respected.

12. In so far as the merits of the allegations against it were concerned, the applicant party argued that the accusations were unsubstantiated and based on supposition. The proceedings initiated against it were pending and, according to the Code of Minor Offences, the accused person was presumed innocent until proved guilty by a final judicial decision. The applicant party also submitted that it had opened a special bank account which had received donations of MDL 10,842,000 from its members. During the campaign the applicant party had spent MDL 10,746,405 from that account, of which MDL 975,000 for fuel and MDL 200,000 for mobile communications. None of the money belonging to Mr Usatîi had been used in the campaign.

13. The applicant party presented before the Court of Appeal copies of lease contracts for 161 cars it had used during the campaign, according to which they had been leased to the applicant party free of charge by its members for the duration of the campaign, that is between 13 October and 30 November 2014. It also presented copies of receipts for the purchase of fuel for those cars.

14. Mr Usatîi submitted during the proceedings that he had provided the money for the acquisition of eleven cars by two persons who worked for him and who later became party members. However, that acquisition had taken place in May 2014, that is before the beginning of the electoral period. The fact that those members had not declared the cars to the tax authorities could not be held against the party. Mr Usatîi also stated that the money brought by him into Moldova between 30 May and 29 September 2014 had been given to charity.

15. The applicant party's representative also submitted that, according to Article 69 of the Electoral Code (see paragraph 20 below), the amount of undeclared funds used during the campaign had to attain a minimum of MDL 2,750,000 in order for the CEC to be able to disqualify a political party from participating in the elections on the ground of use of undeclared funds. The amount of MDL 8,158,506, which the CEC deemed to have been spent by Mr Usatîi on the campaign, represented just the difference between the amount of money brought by him to Moldova and the amount used by him for two transactions. There was no evidence to prove that he had used that money for the party's campaign.

16. The applicant party also submitted that it was the only one of all the parties running in the campaign whose funds had been verified by the authorities, and argued that the proceedings against it were politically motivated.

17. On 27 November 2014 the Chișinău Court of Appeal accepted the CEC's application to exclude the applicant party from the elections and dismissed the applicant party's objection. In support of its decision, the Court of Appeal reiterated the submissions in the general police

inspectorate's letter and ordered the confiscation of MDL 8,158,506, representing the funds from abroad used by the first applicant.

18. The applicant party challenged the above-mentioned decision with an appeal on points of law before the Supreme Court of Justice. It argued, *inter alia*, that there was no evidence to support the accusations against it. Moreover, it submitted that the eleven cars which had been bought with Mr Usatîi's money had in fact been purchased before 30 May 2014, namely the beginning of the period over which the impugned MDL 8,158,506 had entered Moldova.

19. On 29 November 2014 the Supreme Court of Justice dismissed the applicant party's appeal.

RELEVANT LEGAL FRAMEWORK

20. The relevant provisions of the Electoral Code of the Republic of Moldova in force at the material time read as follows:

Article 36. Ban on foreign funding

"(1) It shall be unlawful for direct and/or indirect funding and material support of any kind to initiative groups, electoral campaigns rolled out by candidates and to electoral competitors to be provided by other countries, by foreign, international or joint enterprises, institutions, organisations, as well as by individuals who are not Moldovan citizens. Such funds are subject to seizure and shall be transferred to the state budget. None of the above provisions shall be construed and applied to limit funding allocated openly and transparently with the aim of supporting efforts to promote democratic values and international standards for free, democratic and fair elections.

(2) If an electoral competitor has intentionally used money from abroad, the Central Election Commission shall submit to the Chișinău Court of Appeal a request to cancel its registration."

Article 69. Legal liability

"(4) The cancellation of registration is applied at the request of the Central Electoral Commission, [...], by a final court decision which finds:

a) the intentional use by the electoral competitor of undeclared funds or exceeding expenses above the ceiling of the means of the electoral fund, in all cases in considerable amounts (more than 5% of the limit) [in 2014 the limit was 55 million lei];

b) the intentional use by an electoral competitor of funds from abroad; ..."

21. The relevant provisions of the Code of Minor Offences read as follows:

Article 48. The use of foreign or undeclared funds in elections and referenda

"The use of foreign or undeclared funds in elections and referenda shall be punished with a fine of MDL 600 - 800 for individuals and MDL 6,000 - 10,000 for officials."

22. According to Article 37 of the CEC's Rules, the agenda of ordinary meetings shall be brought to the attention of its members and made public at least twenty-four hours in advance, and that of extraordinary meetings at least twelve hours in advance.

THE LAW

I. JOINDER OF THE APPLICATIONS

23. Having regard to the similar subject matter of the applications, the Court finds it appropriate to examine them jointly in a single judgment.

II. ALLEGED VIOLATION OF ARTICLE 3 OF PROTOCOL NO. 1 TO THE CONVENTION

24. The applicants alleged that the cancellation of the applicant party's registration to participate in the elections interfered with their right to participate in free elections and to take seats in Parliament if elected, thus ensuring the free expression of the opinion of the people in the choice of the legislature. They relied on Article 3 of Protocol No. 1, which provides:

> "The High Contracting Parties undertake to hold free elections at reasonable intervals by secret ballot, under conditions which will ensure the free expression of the opinion of the people in the choice of the legislature."

A. Submissions by the parties

25. The Government submitted in the first place that the complaints submitted by the other applicants were inadmissible on the ground of non-exhaustion of domestic remedies. In particular, they argued that it was only the applicant party that had contested the decision of the CEC to disqualify it from participating in the elections, while the other applicants had failed to do so.

26. In so far as the merits of the case were concerned, the Government argued that the domestic courts had established that the applicant party had used in its campaign undeclared funds from abroad in an amount of MDL 8,158,506. The interference with the applicant party's right to participate in the elections had had a legal basis under domestic law, namely Articles 36 and 69 of the Electoral Code. The removal of the applicant party from the elections had pursued the legitimate aim of observance of the rule of law and the protection of democracy's proper functioning, which implied the assurance of equal and fair conditions for all candidates in the electoral campaign and the protection of free expression of the opinion of the people in elections. The interference had been proportionate to the aim pursued and devoid of arbitrariness.

27. The applicants submitted that the other applicants should not have had to exhaust any domestic remedies after the domestic courts finally determined the dispute between the CEC and the applicant party. It would have been excessive to require all of them to bring similar proceedings against the CEC after the Supreme Court had already given a final verdict in the case.

28. As to the merits of the case, the applicants submitted that the removal of the political party "Patria" from the elections had had no legal basis and had not pursued a legitimate aim. The only real aim pursued by the authorities had been the removal of a competitor with high popular support. The decision to remove the applicant party had been arbitrary and in breach of the provisions of Article 3 of Protocol No. 1. The applicants contended, *inter alia*, that the applicant party's representatives had not had the possibility to organise their defence, simply because they had no access to the evidence relied upon by the general police inspectorate which served as a basis for the accusations against the party. Also, they had not had sufficient time to prepare for the proceedings. The courts had not relied on any evidence that the applicant party had used money brought to Moldova by Mr Usatîi, but only on supposition. In any event, even assuming that Mr Usatîi's money had been used by the applicant party in the campaign, according to Article 36 of the Electoral Code only funding by non-Moldovan nationals had been forbidden. Since Mr Usatîi was a Moldovan national, the provisions did not apply to him.

B. Admissibility

29. In so far as the Government's objection on grounds of non-exhaustion is concerned, the Court points out that an applicant cannot be regarded as having failed to exhaust domestic remedies if he or she can show, by providing relevant domestic case-law or any other suitable evidence, that an available remedy which he or she has not used was bound to fail. For example, applicants who have not pursued a remedy that has already proved ineffective for other applicants in the same position can reasonably be exempted from doing so (see *Davydov and Others v. Russia*, no. 75947/11, § 233, 30 May 2017 and *Kleyn and Others v. the Netherlands* [GC], nos. 39343/98 and 3 others, § 156, ECHR 2003-VI).

30. In the present case the Court is of the opinion that it was reasonable for the other applicants to consider that, in view of the final judgments of the Chișinău Court of Appeal and Supreme Court of Justice of 27 and 29 November 2014, a similar complaint to that brought against the CEC by the applicant party would have had had no prospects of success. Accordingly, the other applicants cannot be regarded as having failed to exhaust domestic remedies and the Government's objection should be dismissed.

31. The Court further notes that the complaint is neither manifestly ill-founded nor inadmissible on any other grounds listed in Article 35 of the Convention. It must therefore be declared admissible.

C. Merits

32. The general principles regarding Article 3 of Protocol No. 1 to the Convention, including the principles on conditions for the eligibility to stand for election, have been set out in, among other judgments, *Davydov and Others v. Russia* (cited above, §§ 271-77), *Paksas v. Lithuania* ([GC], no. 34932/04, § 96, ECHR 2011 (extracts)), *Orujov v. Azerbaijan* (no. 4508/06, §§ 40-42, 26 July 2011), *Ždanoka v. Latvia* ([GC], no. 58278/00, § 115, ECHR 2006-IV) and *Tănase v. Moldova* ([GC], no. 7/08, §§ 154-61, ECHR 2010). In particular, the Court reiterates that, while the Contracting States enjoy a wide margin of appreciation in imposing conditions on the right to vote and to stand for election, it is for the Court to determine in the last resort whether the requirements of Article 3 of Protocol No. 1 have been complied with; it has to satisfy itself that the conditions do not curtail the rights in question to such an extent as to impair their very essence and deprive them of their effectiveness; that they meet the requirement of lawfulness; that they are imposed in pursuit of a legitimate aim; and that the means employed are not disproportionate or arbitrary (see *Davydov and Others*, cited above, § 272; see also *Paksas*, cited above, § 96-97; *Tănase*, cited above, §§ 161-62; and *Dicle and Sadak v. Turkey*, no. 48621/07, § 83, 16 June 2015).

33. The Court notes that the annulment of the party's registration constituted an interference both with the rights of the party and of the individual applicants under Article 3 of Protocol No. 1 (see *Yabloko Russian United Democratic Party and Others v. Russia*, no. 18860/07, § 74, 8 November 2016). The interference was based on Articles 36 and 69 of the Electoral Code, which provided for the possibility of disqualification of those competitors who used in their campaign funds from abroad and/or undeclared funds in considerable amounts (see paragraph 20 above). Accordingly, the Court is satisfied that the impugned legislation met the requirements of foreseeability. Although there would appear to be some vagueness in the applicability of the provisions concerning the use of foreign funds to money belonging to Moldovan nationals, in view of its findings below, the Court does not consider it necessary to resolve the apparent ambiguity.

34. Given that Article 3 of Protocol No. 1 does not contain a list of "legitimate aims" capable of justifying restrictions on the exercise of the rights it guarantees and does not refer to those enumerated in Articles 8 to 11 of the Convention, the Contracting States are free to rely on an aim not mentioned in those Articles, provided that it is compatible with the principle

of the rule of law and the general objectives of the Convention (see, for example, *Ždanoka*, cited above, § 115). The Court accepts the Government's argument that the conditions set out in the above-mentioned provisions of the Electoral Code pursue the legitimate aim of observance of the rule of law and the protection of democracy's proper functioning which imply the assurance of equal and fair conditions for all candidates in the electoral campaign and the protection of free expression of the opinion of the people in elections. It remains to be determined whether there was arbitrariness or a lack of proportionality in the authorities' decisions.

35. The decision to disqualify the applicant party was based in the first place on the allegation that it had used more than eight million MDL of foreign origin belonging to Mr Usatîi in its electoral campaign. According to the police, between 30 May and 29 September 2014, Mr Usatîi had declared more than fourteen million MDL to Moldovan Customs when entering Moldova. Since he had later used some six million MDL in two transactions, it was claimed that the remaining eight million had been used to finance the applicant party's campaign. No evidence of the use of any cash belonging to Mr Usatîi for the needs of the applicant party was presented by the police and none was requested by the CEC and the domestic courts. Indeed, the Court obtained a full copy of the domestic case file and it does not appear to contain anything in that respect. Neither did the Government point to the existence of such evidence. However, the domestic courts accepted the hypothesis that the remaining eight million MDL belonging to Mr Usatîi had been used for the applicant party's campaign without any reserve and, apparently, in the absence of any proof.

36. Another argument for disqualifying the applicant party, accepted by the CEC and the domestic courts, was that the applicant party had spent over five million MDL of undeclared money on the purchase of eleven cars in May 2014. The applicant party had also allegedly spent over one hundred and thirty thousand MDL of undeclared money for fuel and mobile communications. As with the eight million MDL allegedly spent on the campaign, no evidence was presented to support the above allegations by the general police inspectorate and none was required by the CEC and the courts. It is true that Mr Usatîi admitted during the proceedings that he had financed the purchase of eleven cars, but that purchase had taken place before the impugned eight million MDL had been brought into Moldova and before the electoral campaign had commenced, not to mention that it had happened before the creation of the applicant party.

37. Besides the lack of substantiation of the allegations against the applicant party, the Court notes that the applicant party was not afforded sufficient procedural safeguards against arbitrariness. In particular, the Court notes that the CEC informed the applicant party about its hearing of 26 November 2014 only fifteen minutes in advance, instead of the minimum

twelve hours required by the CEC Rules (see paragraph 22 above) thus taking the applicant party by surprise and leaving it unprepared for the hearing before CEC. Moreover, the courts did not react in any way and left unanswered such pertinent arguments by the applicant party as, for instance, that there was no evidence in the case file to support the allegation that eight million MDL belonging to Mr Usatîi had been used in the campaign, that the eleven cars had been purchased before the introduction of the impugned eight million MDL into Moldova by Mr Usatîi and before the beginning of the electoral campaign, let alone before the creation of the applicant party, or that all the fuel and the mobile communications had been paid from the applicant party's bank account. The courts did not make an effort to check what expenditures have been made from the applicant party's bank account and whether they coincided with the expenditures for fuel or mobile communications invoked in letter of the general police inspectorate of 26 November 2014. The courts disregarded all the pertinent arguments brought by the applicant party and accepted without hesitation what appeared to be unsubstantiated accusations against it.

38. The foregoing considerations are sufficient to enable the Court to conclude that the interference with the applicants' electoral rights fell short of the standards required by Article 3 of Protocol No. 1. In particular, the applicant party's disqualification from participating in the elections was not based on sufficient and relevant evidence, the procedures of the electoral commission and the domestic courts did not afford the applicant party sufficient guarantees against arbitrariness, and the domestic authorities' decisions lacked reasoning and were thus arbitrary.

39. There has accordingly been a violation of Article 3 of Protocol No. 1 to the Convention.

III. ALLEGED VIOLATION OF ARTICLE 14 OF THE CONVENTION

40. In conjunction with the above complaint, the applicants complained that the applicant party's disqualification was a discriminatory measure based on ulterior political motives. They relied on Article 14 of the Convention, which provides as follows:

> "The enjoyment of the rights and freedoms set forth in [the] Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status."

41. Having regard to the facts of the case, the submissions of the parties and its findings under Article 3 of Protocol No. 1 to the Convention, the Court considers that it is not necessary to examine either the admissibility or the merits of the complaint under Article 14 (see *Kaos GL v. Turkey*, no. 4982/07, § 65, 22 November 2016; *Ghiulfer Predescu v. Romania*, no. 29751/09, § 67, 27 June 2017).

IV. APPLICATION OF ARTICLE 41 OF THE CONVENTION

42. Article 41 of the Convention provides:

> "If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party."

A. Pecuniary damage

43. The applicant party claimed MDL 11,833,587.83 in respect of pecuniary damage. The amount represented the amount spent by it during the electoral campaign. Most of the other applicants claimed amounts between MDL 95,000 and 1,700,000 representing sums which they had contributed to the applicant party's electoral campaign.

44. The Government asked the Court to dismiss the applicants' claims in respect of pecuniary damage.

45. The Court notes that the present application was about the applicants' right to stand for election. It cannot be assumed that, had the applicants' right not been infringed, the applicant party would necessarily have cleared the electoral threshold and entered Parliament. Therefore, it cannot be considered that the expenditure on the electoral campaign was a pecuniary loss resulting from the violation found (see *Orujov v. Azerbaijan*, cited above, § 67). As no causal link has been established between the alleged pecuniary loss and the violation found, the Court dismisses the applicants' claim under this head.

B. Non-pecuniary damage

46. The applicant party claimed EUR 50,000 in respect of non-pecuniary damage. The other applicants claimed EUR 3,000 each.

47. The Government considered those amounts to be excessive.

48. In the light of all the circumstances, the Court awards the applicant party EUR 7,500 in respect of non-pecuniary damage. In so far as the other applicants are concerned, the Court considers that the finding of a violation constitutes in itself sufficient just satisfaction for any non-pecuniary damage which they may have suffered.

C. Costs and expenses

49. The two applicants represented by Mr S. Pavlovschi claimed EUR 4,650 for legal fees and MDL 2,743 for postal expenses incurred before the Court. The remaining applicants, represented by Mr I. Pohilă, claimed EUR 14,850 for legal fees and MDL 11,005 for postal expenses incurred before the Court.

50. The Government disagreed with the amounts claimed by the applicants and asked the Court to dismiss them.

51. According to the Court's case-law, an applicant is entitled to the reimbursement of costs and expenses only in so far as it has been shown that these were actually and necessarily incurred and are reasonable as to quantum. In the present case, regard being had to the documents in its possession and the above criteria, the Court considers it reasonable to award the sum of EUR 3,500 to the applicants represented by Mr S. Pavlovschi and EUR 4,500 to those represented by Mr I Pohilă.

D. Default interest

52. The Court considers it appropriate that the default interest rate should be based on the marginal lending rate of the European Central Bank, to which should be added three percentage points.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Decides* to join the applications;

2. *Declares* the complaint under Article 3 of Protocol No. 1 admissible;

3. *Holds* that there has been a violation of Article 3 of Protocol No. 1 to the Convention;

4. *Holds* that there is no need to examine the admissibility or the merits of the complaint under Article 14 of the Convention;

5. *Holds* that the finding of a violation constitutes in itself sufficient just satisfaction for any non-pecuniary damage sustained by the applicants other than the applicant party;

6. *Holds*
   (a) that the respondent State is to pay the applicants, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the following amounts, to be converted into the currency of the respondent State at the rate applicable at the date of settlement:
      (i) EUR 7,500 (seven thousand five hundred euros), plus any tax that may be chargeable, in respect of non-pecuniary damage to the applicant party;
      (ii) EUR 3,500 (three thousand five hundred euros), plus any tax that may be chargeable to the applicants, in respect of costs and

expenses incurred by the applicants represented by Mr S. Pavlovschi, to all of them jointly;

(iii) EUR 4,500 (four thousand five hundred euros), plus any tax that may be chargeable to the applicants, in respect of costs and expenses incurred by the applicants represented by Mr I. Pohilă, to all of them jointly;

(b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;

7. *Dismisses* the remainder of the applicants’ claim for just satisfaction.

Done in English, and notified in writing on 4 August 2020, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Stanley Naismith
Registrar

Jon Fridrik Kjølbro
President

Appendix

List of cases

No.	Application no.	Case name	Lodged on
1	5113/15	Political Party "Patria" v. the Republic of Moldova	19/01/2015
2	14963/15	Pohila v. the Republic of Moldova	23/03/2015
3	15910/15	Panuș v. the Republic of Moldova	25/03/2015
4	16490/15	Șeremet v. the Republic of Moldova	27/03/2015
5	16809/15	Grițco v. the Republic of Moldova	02/04/2015
6	16954/15	Osoianu v. the Republic of Moldova	07/04/2015
7	17891/15	Vizant v. the Republic of Moldova	09/04/2015
8	19030/15	Usatîi v. the Republic of Moldova	15/04/2015
9	21002/15	Cereteu v. the Republic of Moldova	27/04/2015
10	21003/15	Cașu v. the Republic of Moldova	28/04/2015
11	23146/15	Ţopa v. the Republic of Moldova	04/05/2015
12	24296/15	Fedico v. the Republic of Moldova	11/05/2015
13	24759/15	Petrachi v. the Republic of Moldova	12/05/2015
14	25502/15	Rebeja v. the Republic of Moldova	22/05/2015
15	26284/15	Nedoseichin v. the Republic of Moldova	27/05/2015