European Inter-University Centre for Human Rights and Democratisation
European Master’s Programme in Human Rights and Democratisation
Adam Mickiewicz University
2009-2010

MASTER THESIS

Implementation of judgments of the European Court of Human Rights - a tool for establishing a language of law: the case of Moldova

Author: Irina LUPUȘOR
Supervisor: Prof. Dr. Zdzisław KĘDZIA,
E.MA Director
Thanks to:

Professor Zdzisław Kędzia for excellent supervision and implication in addressing different scientific questions that have emerged during my research work.

My family for being always there for me and making my dream to come true. Their love and support is the greatest gift ever given.
Abstract

The thesis is a reflection on the impact of the implementation of judgments of the European Court of Human Rights on the legal order of the Republic of Moldova. By assessing on legal realities and practical peculiarities, illustrating on challenges, achievements and difficulties encountered and also considering the attitude shown by the Moldovan authorities and other actors towards a full and expeditious implementation of the Court’s judgments, like in a puzzle, the identifying characteristics of the existing practice in the field are brought to light.

Moldova has become more ‘fluent’ in the Convention terms by undertaking concrete steps to regulate a mechanism of coordination and monitoring when implementing Strasbourg rulings, working day-by-day to change the record on the Committee of Ministers’ Agenda and before the European Court.

However, the reality is controversial; regardless of the circumstances that might condition or even affect the process of implementation, it urges for more speedy and effective actions. It is about dialogue and commitment, responsibility and contribution, improvements that might be considered and, certainly, about genuine protection of human rights and fundamental freedoms. When carrying out individual or general measures *de minimis* effects should be transformed in long-term ‘investments’ in guaranteeing the core democratic values.
Table of contents:

Introduction

1. The place of the European Convention for the Protection of Human Rights and Fundamental Freedoms in the national legal order

2. The approach towards implementation of judgments of the European Court of Human Rights
   2.1. Legal framework
   2.2. Institutional framework
   2.3. Responsibility

3. Empirical illustration of implementation
   3.1. Achievements
   3.2. Difficulties encountered
   3.3. Recommendations

Conclusion

Bibliography
2010

Implementation of judgements of the European Court of Human Rights: a tool for establishing a language of law: the case of Moldova

Lupusor, Irina

http://hdl.handle.net/20.500.11825/1162

Downloaded from Open Knowledge Repository, Global Campus' institutional repository