

Freedom of Expression on the Territory of Transnistria and Moldova as seen by the European Court of Human Rights

Abstract

This thesis is based on the analysis and comparison of legal texts and judgments of the European Court of Human Rights (ECtHR) related to freedom of expression on the defined territories.

At the end of each chapter, measures are proposed that could lead to the improvement of the protection of freedom of expression on the territories under the control of the *de facto* state of Transnistria and the Republic of Moldova, or to the improvement of the ECtHR's decision-making processes. As Russia and Moldova have so far been found responsible by the ECtHR for restricting freedom of expression on the territory of the separatist Transnistria, the thesis also addresses the topic of the extraterritorial jurisdiction of these states, as well as the subjectivity and responsibility of the Pridnestrovian Moldovan Republic for unlawful conduct.

This issue is confronted with relevant judgments of the ECtHR, which enrich the academic discussion with legal views. However, the judgments are also an interesting reflection of the changing political situation, especially at the present time (2024) when the future of Russia's relations with other European countries is uncertain. Therefore, not only the history of the case law is discussed, but also possible future directions of the development of the ECtHR rulings on the issue of freedom of expression on the territory of Transnistria and Moldova are outlined.

The thesis provides the reader with answers to questions concerning, i.a., the subjectivity and responsibility of the Pridnestrovian Moldovan Republic for interference with freedom of expression, the influence of Russia on the protection of freedom of expression on the Transnistrian territory, the legal framework of the protection of freedom of expression on the territories of Transnistria and Moldova, and the consistency of the ECtHR's case law in deciding on restrictions on freedom of expression on these territories.

The thesis was written knowing that limiting access to information and different perspectives never leads to an improvement of understanding reality. Therefore, various topics are viewed from different (even minority) perspectives and different interpretative possibilities are discussed. For that is what this work is all about – the freedom of expression...

Klíčová slova: Transnistria; Freedom of Expression; ECtHR Case Law