



# RDCT BULLETIN

No. 33, DECEMBER 2009

## TABLE OF CONTENTS

<b>RESOURCE AND DEVELOPMENT CENTER FOR TRANSNISTRIA</b>	<b>1</b>
<b>NGO IN DETAILS</b>	<b>3</b>
<b>ACTUAL</b>	<b>7</b>
<b>NOTE</b>	<b>10</b>

## RESOURCE AND DEVELOPMENT CENTER FOR TRANSNISTRIA

### Forum of Transnistrian NGOs

Civil society from the Transnistrian region has been always characterized as being an emerging segment of the associative environment, influenced by the development trends from the right bank of the Nistru river, but under the pressure of the local authorities.

However, the effort of representatives of NGOs in strengthening third sector determine the vector of development oriented to performance and competitiveness. This is confirmed by the interest expressed by Transnistrian NGOs in events, organized by NGOs from the right bank, focused on local NGOs. In this regard, the "Forum of Transnistrian NGOs", held on 12-13 December 2009 (at the Complex "Odisseu"), organized by the Promo-LEX Association in partnership with the Association "Rodoliubet" for the second consecutive year, is

practically the most important event for civil society from the left bank of the Nistru.

The 2009 edition of the "Forum of Transnistrian NGOs" set the following objectives:

- create a discussion platform for representatives of NGOs from the region;
- facilitate and strengthen cooperation between NGOs from the region, and: the donor environment, organizations from the right side of the Nistru river, and other international NGOs;
- identify opportunities for capacity building of NGOs from the region.

In order to achieve the following objectives the event was held in a new format, Open Space - "Cafe of Ideas". Topics of the Cafe of Ideas concerned the following aspects of NGO activity in the region: The image of NGOs in society; Nongovernmental sector development prospects / expectations for 2010; Financial sustainability of NGOs from the region; Prospects for the possibilities of partnership relations with foreign NGOs.

The Cafes of Ideas were moderated so as to provide the time for each participant to express his/her ideas and thoughts concerning the aforementioned topics. The participation at the event of the 58 representatives of NGOs / Initiative Groups from the region contributed to identifying, from multiple perspectives, the real problems that they face whilst realizing their activities. The role of discussion was not only to determine and systematize problems, but also to formulate recommendations / conclusions on the subject matter. The set of final suggestions concerned issues of activity at a local level, but also recommendations addressed to donors.

The second day of the Forum was dedicated to a meeting between civil society representatives with delegations and representatives of donor organizations and NGOs from the right bank. This session of discussion and presentation of the organizations helped to involve all participants in a common work platform, in order to facilitate the development of the NGO sector from the region, as part of Moldova. In this context, participants discussed the idea of creating a Coordinating Council of NGOs in the region, and opinions were very different. Concerning this issue, representatives of NGOs from the right bank expressed their opinion that it would be premature to develop such a structure. However, the initiative was welcomed and remains to be discussed locally between interested NGOs. This fact shows not only the advanced level of the third sector from the region, and the good results achieved by the stakeholders, but also the need to unify efforts, consolidate, and develop solidarity in order to achieve the public good.

The event represents the first step of the Forum of Transnistrian NGOs: the second phase is planned to be launched in February 2010 and will aim to facilitate contacts between NGOs / local Initiative Groups, and NGOs from abroad

interested in developing partnerships and projects in the region.

The event was organized by the Promo-LEX Association in partnership with the organization "Rodoliubet", with financial support from the Czech organization "People in Need", the Czech Foreign Ministry's program "Transition", and the OSCE Mission in Moldova.

The Forum is part of the activities performed by the Resources and Development Center for Transnistria, a Promo-LEX Association project, funded by the National Endowment for Democracy.

Olga Gordila  
Project Assistant  
Promo-LEX Association

## ***NGO IN DETAILS***

### **Forum of Transnistrian NGOs inconvenient for Transnistrian authorities**

Representatives of the civil society of Transnistria came together for the Forum of the Transnistrian Nongovernmental Organizations in Vadul lui Voda town on Saturday, December 12. They are exploring possibilities of developing a partnership for dealing with the encountered problems, Info-Prim Neo reports.

Deputy Prime Minister for Reintegration Matters Victor Osipov said the event was very important as it offers new possibilities and imposes greater responsibilities. According to him, the civil society in Transnistria must prove that it can use instruments to implement projects aimed at solving the problems faced by the population of the region.

"The experience of other countries shows that the financial resources alone cannot solve the problems," Osipov said, adding that startgeies should be worked out and instruments for implemting them identified.

On Sunday, December 13, the participants in the Forum will meet with a number of donors. The president of Promo-Lex Association Ion Manole said the proposals that will be made to the donors are very important as they will help them understand the situation in the region. "Only you can make them understand what you need to work normally, for the society's benefit," he said.

Manole also said that there are forces that erect barriers to the NGOs, but this shows that the civil society does right things that are not liked by those who want the solving of the problems to be delayed.

Natalia Gligor, coordinator of the Resource and Development Center for Transnistria Project implemented by "Promo-Lex" Association, said the

Transnistrian authorities are afraid of the consequences of this Forum, adding that some of the participants came to the event even if their bosses banned them from going. "The activists have a permanent job that they risk losing because they did not obey orders and came to the Forum," she said.

The event is organized by Promo-Lex Association in partnership with the organization "Rodoliubets", with financial support from the Czech organization "People in Need", the Czech Foreign Ministry's program "Transition" and the OSCE Mission in Moldova.

### **Transnistrian NGOs will join forces to resist attacks by local authorities and solve common problems**

The fixing of terms for starting the creation of an alliance was the major result achieved at the second Forum of Transnistrian NGOs that took place in Vadul lui Voda town last weekend. The participants expressed their satisfaction with the fact that they did at least one good thing this time, Info-Prim Neo reports.

At the end of the Forum, the representatives of the NGOs stressed the necessity of strengthening the Transnistrian civil society so as to resist the pressure exerted by the security bodies and easier solve common problems. They said they will work out a joint strategy, will create a common website for NGOs and will form an alliance and a coordination council.

Speaking about the force and influence of the Transnistrian NGOs, the Deputy Prime Minister for Reintegration Matters Victor Osipov highlighted the positive trends. "I expect that the Western donors will provide greater technical, financial and institutional support in the near future as the relations between the two banks of the Nistru are improving. I expect that the civil society of Transnistria will become stronger and will develop. The population in the Transnistrian region needs these NGOs," he said.

The participants in the Forum agreed to meet in Tiraspol this week to discuss the creation of the alliance. Representatives of all the Transnistrian nongovernmental organizations will be invited to the event.

### **Members of Transnistrian NGOs intimidated by separatist authorities**

Representatives of Transnistrian nongovernmental organizations say the condition that the given NGOs must register with the constitutional authorities of Moldova imposed by the foreign donors is an obstacle to their development, Info-Prim Neo reports.

At the Forum of Transnistrian NGOs held on December 12 and 13 in Vadul lui Voda, the Transnistrian activists said that if the NGOs register with the Moldovan authorities they will have to resort to double-entry bookkeeping.

They also said the condition that the projects must be presented in Romanian or English is another obstacle. Among organizational problems they mentioned the absence of a resource center in the region, the necessity of accrediting the grants in the Transnistrian banks and the humanitarian aid in the Transnistrian customs.

The representatives of the Transnistrian NGOs said the local administration erects such barriers as excessive control, creation of a negative image through the media institutions affiliated to the power, pursuing of the members of the NGOs and of their families by the security bodies.

Ludmila Nicolaeva, the head of the Association of the Bulgarian Minority in Transnistria "Rodoliubets", invoked the lack of solidarity in the NGO sector. She said the Transnistrian NGOs often hinder each other instead of coordinating their actions to solve common problems.

Attending the Forum, the Deputy Prime Minister for Reintegration Matters Victor Osipov said that though the civil society in Transnistria works in difficult conditions, there are rather active NGOs in the region, which shows that the society wants to assert itself and manages to.

The representatives of the NGOs identified solutions to a number of problems and agreed to strengthen cooperation with the Transnistrian authorities in modifying the legislation on nongovernmental organizations, develop volunteering, cooperate with NGOs working on the right bank of the Nistru and foreign NGOs, create a resource center for Transnistrian NGOs, which will also provide professional legal advice.

## **Transnistrian NGOs could establish partnerships with foreign NGOs**

None of the Transnistrian nongovernmental organizations was awarded at the Forum of Transnistrian NGOs for accomplishments as none of them fulfilled the only condition of the contest announced long before the Forum – to write an essay about the work they do, Info-Prim Neo reports.

According to the organizer of the contest, Natalia Gligor, coordinator of the Resource and Development Center for Transnistria project implemented by Promo-Lex Association, the winner of the contest was to get US\$1,000. The participants have not been announced that there will be a money award and thus did not hurry to write essays. But this does not mean that they did not achieve results for which they can be awarded, Gligor said.

The Forum of Transnistrian NGOs that took place in Vadul lui Voda town on December 12 and 13 will continue in February or in March. Foreign NGOs ready to establish partnerships with the Transnistrian NGOs will be then invited to the event.

The representatives of the civil society will be able to draw up a list of the organizations with which they want to cooperate and will send it to the organizers of the Forum that will contact the given organizations.

The Forum of Transnistrian NGOs was organized by Promo-Lex Association in partnership with the organization "Rodoliubets", with financial support from the Czech organization "People in Need", the Czech Foreign Ministry's program "Transition" and the OSCE Mission in Moldova.

## **Civil society in Chisinau skeptical about potential of future Transnistrian NGO coordination council**

Representatives of the civil society in Chisinau consider that it is too early to create an NGO coordination council in the Transnistrian region as this idea must grow ripe, Info-Prim Neo reports.

Serghei Neicovcen, the executive director of Contact Center, advised the participants in the Forum of Transnistrian NGOs that took place last weekend to focus on the encountered problems and work with the members of the National Council of the Civil Society of Moldova to solve them as the development level and the conditions in the region are now not appropriate for creating an own council.

"A coordination council must be like a bridge between the NGOs and the Government. It is not enough to have representatives in the Council. The problems should be discussed with decision makers and it is not at all easy to organize such things," Neicovcen said. He proposed creating a council of the Forum that will work out a strategy for implementing the decisions made at the Forum.

For his part, the head of Promo-Lex Association Ion Manole said the idea of creating a coordination council of the Transnistrian NGOs has not yet ripened. According to him, there must be formulated the implementation stages and methods first so that it does not fail.

"We did not expect such changes, but it is a good sign. It is a sign that the NGOs in Transnistria become mature. We will not tell you what you should do. It is up to you to decide how to develop and go on," Manole said.

December 12-13, 2009

[www.info-prim.md](http://www.info-prim.md)

## ACTUAL

### Ukrainian policemen sold Ukrainians to pirates. From a neighbouring state

Three residents of the village of Samoylovka, in the Frunze region of the Odessa region, were wanted for alleged offenses in the neighbouring separatist Transnistrian region of Moldova. These three, Roman Gotko, Roman Koval and Yuri Bondarenko, are citizens of Ukraine, whose constitution -in art. 25- expressly prohibits the extradition of its citizens to foreign countries. But what happens to the Ukrainian constitution and laws when weighed against the cooperative relationship that exists between the Ukrainian and Transnistrian police? This question was recently answered, without unnecessary formalities. After employees of the Transnistrian 'Ministry of Internal Affairs' made a "friendly request" to Ukrainian police in the Frunze region, the latter arrested the Ukrainian citizens, brought them to the state border, and handed them over to representatives of authorities that are not recognized by the Ukrainian state. Crazy? Yes ... but true!

According to rumors, the relatives of those captured already know the amount of ransom being sought. It has also been said that the policemen who organized this 'extradition' will be punished to the fullest extent, with officials warning that what has taken place constitutes a failure to observe departmental regulations.

The actions of the Ukrainian police in question constitute several criminal offenses simultaneously. We can arguably see violations of all of the following: Article 146 of the Ukrainian Constitution (concerning "unlawful deprivation of liberty"), art. 149 (concerning "the trade of humans and other unlawful agreements with respect to people"), art. 332 (concerning the "illegal transport of people across Ukrainian state borders"), and art. 365 (concerning "the abuse of power or official authority"). How does Ukrainian Justice view what has happened? – A question for the courts and the prosecutors. Meanwhile, this awful situation gives rise to three questions.

The first question: Regarding the recognition or non-recognition of the Transnistrian region by the Ukrainian state.

In civil law, when we have a situation in which two parties *behave* as if they have made an agreement, then this constitutes confirmation that such an agreement has been concluded.

This is more or less what we are witnessing in the attitudes of Ukraine and Transnistria: *De jure*, the self-proclaimed Republic is not recognized, but *de facto* ... Cars with 'official' 'PMR'<sup>1</sup> documents and license plates travel freely through Ukraine, even though the breakaway region is not a party to the

---

<sup>1</sup> From 'Приднестровская Молдавская Республика' in Russian – 'Pridnestrovian Moldavian Republic' (PMR)

international Convention on Road Traffic. Citizens with 'PMR' passports are, *de facto*, not considered to be people without a citizenship. The export of goods across Ukrainian state borders to addresses of businesses not registered in Chisinau goes on unimpeded. Of course, all these considerations cannot substitute for official recognition at a diplomatic level, but such a situation only fosters the illusion that the 'PMR' authorities possess legitimacy. This illusion is present not only in the police departments, but also at higher levels in the Ukrainian state.

I understand perfectly that the present "status quo" can accommodate the interests and ensure the fundamental rights of both Transnistrian residents and Ukrainian citizens living on both sides of the border. True, the current situation suits parties from both Transnistria and the Ukraine. Yet the full measure of the illusion is revealed at the most inconvenient of moments – Like, for example, when it emerges that there are no official mechanisms for retrieving the three Ukrainians from Grigoriopol.

The second question: An adequate assessment of the actions of the Ukrainian policemen

Let us first define some terms. Ukrainian police did not simply "detain and hand over three suspects to employees of the Transnistrian police". This phrasing does violence to certain notions, aiming to distort reality. First, the police had no legitimate grounds for arresting the three residents of Samoylovka. Secondly, the Ukrainian citizens were illegally *deported*, and handed over to *unrecognized* 'PMR' authorities – this happened, moreover, not at a checkpoint, but in woodland on the border. Let us therefore describe what happened more accurately: Police officers *kidnapped* three Ukrainian citizens and illegally *smuggled* them abroad.

The current situation, in which police officers illegally detain their fellow citizens, illegally cross borders, carry out unauthorized deportations of Ukrainian citizens - and in which, moreover, police chiefs see in all this only a disciplinary violation, a failure to follow instructions- this, pardon me, effectively sentences the Ukrainian state to be an instrument to be used at will by the current authorities.

According to Ukrainian legislation, the police are the agency which enforces the law, and, according to art. 2 of the Ukrainian Law "On the state border of Ukraine", which protects and secures the border. In the current situation, police employees did not simply ignore their direct responsibilities and fail to prevent illegal crossing of the border, but personally organized (or 'helped', according to the official version of the Ukrainian Department for Internal Affairs) the illegal transport of people.

At the same time, we must remember the many 'detective stories' that regularly take place in the Ukraine. It is no secret that other foreign law enforcement agencies regularly carry out search operations on Ukrainian territory: Recall the events of five years ago, when 14 armed members of the Moldovan special services, with the cooperation of their Ukrainian counterparts, drove away with a truck from Lviv that was carrying Transnistrian coins from Poland to Tiraspol. Recall, furthermore, how police from the Ukrainian city of Vinnytsia detained, and

were ready to extradite, the Russian citizen Mikhail Gangan. The 'sufficient grounds' for this was, for some reason, not the decision of a Ukrainian court -since the courts operate according to the law- but a fax, received by the Vinnytsia police directly from the Russian city of Samara.

So what, for the Ukrainian police, is the source of the law, what guides their actions: The constitutional and legal norms of Ukraine, or instructions coming from the other side of the border?

And finally, the last, but most important, question.

The actions of the police will be deemed illegal. Let them be punished to the fullest extent: sacked, or even convicted. The problem will remain. As a result of the illegal actions of the Ukrainian policemen, three Ukrainian citizens found themselves held captive by an unrecognized quasi-state. All the attempts of the Ukrainian state to bring them home are coming to nothing: The Transnistrian authorities are being appealed to through official channels. But given that the 'PMR' does not have diplomatic relations with any country in the world, such channels simply do not exist. So what is to be done?

I see a very simple and logical way out.

When a vessel finds itself in the hands of pirates, there is often no alternative but to pay the ransom. The same may be done in the current situation, especially seeing as the sum of money has already been mentioned. But the ones who should pay should be those who created the problem – the very Ukrainian policemen who illegally kidnapped three Ukrainian citizens and transported them across the border. And this may be done quite legally - through a ruling of a Ukrainian court regarding compensation for damages caused. Hopefully, we will someday see such a decision, along with a criminal conviction ...

Serghei Dibrov for TAIMER / 4.12.2009

<http://timer.od.ua/?p=52418>

---

N.B. The criminal prosecution was initiated against Ukrainian policemen. Thus, the times when it was possible to simply kidnap people for the Transnistrian militia from the Ukrainian territory already passed. This is now treated as a criminal offense.

17.12.2009 / Turcan Veaceslav, Lawyer / Moldova

## NOTE

### **Detainees sew up lips with needle and thread**

2009-12-3 / Eight persons held in a remand center in Rybnitsa sewed up their lips with needle and thread and went on a hunger strike in protest against the inhuman treatment against them. After two days of strike, the detainees were fed by force and treated by doctors.

"The incident happened 10 or 20 days ago. We do not know when exactly because we have two sources that give two different dates," the president of the Human Rights Association Promo-LEX Ion Manole has told Info-Prim Neo.

The jurists of Promo-LEX were informed about the incident by local residents. "According to our sources, the detainees protest against the inhuman treatment. They are humiliated and forced to sign false statements against themselves," Ion Manole said.

He also said that they could not yet find out the names of the eight detainees and their place of birth. A member of the Association traveled to Rybnitsa, which is located in Transnistria, to find relatives of the detainees.

"Promo-LEX informed the Moldovan authorities and international organizations working in Chisinau about the incident. Somebody should have unlimited access to such institutions in the Transnistrian region. We plan a meeting with the authorities to tell them about this," Ion Manole said.

Earlier, 90 persons detained in a remand center in Tiraspol also went on hunger strike. Neither the international organizations such as the OSCE nor the Moldovan NGOs could enter the center to clarify the situation.

### **Moldovan citizen faces forceful enrollment in Transnistrian army**

2009-12-24 / A 20-year-old man from Tiraspol, who completed his military service in the Moldovan National Army, is forced by the separatist authorities to serve a second time, this time in the Transnistrian army.

The man was detained yesterday at a Transnistrian checkpoint near the Ukrainian border and, after being subjected to a medical examination, was transported to a military unit.

Ion Manole, the president of the human rights organization Promo-LEX, has told Info-Prim Neo that he was contacted by the man's parents, who asked the Moldovan authorities for intervention. Manole notified the administration of the Moldovan deputy premier for reintegration matters, Victor Osipov, and the Moldovan delegation to the Joint Control Commission.

According to Manole, the detained man will be obliged to take an oath of allegiance to the Transnistrian army tomorrow. "I guess he was constrained to choose between prison and army", says Manole.

"The constitutional authorities must do their utmost to prevent the enrollment of this young man to the Transnistrian army. They must raise this issue at today's meeting of the Joint Control Commission. At least this would delay the enlistment oath. Guarantees must be sought that this man would not be threatened, tortured or disfigured", says Manole, adding that this is case is not uncommon.

"There are hundreds of such cases. Lists are compiled in every community. When they get caught, the young men are obliged to serve the regime", he says. In his opinion, the problem of the Transnistrian men being forced to do their military service in the separatist army "contrary to their civic position" is a very serious issue that must be discussed not only within the Joint Control Commission, but also during talks in the 5+2 format.

"This situation is due to the lack of insistent action from the Moldovan authorities during a longer period of time and their attitude towards human rights problems in this region. However, we can notice a positive change in the attitude of the current government and we hope that their efforts could yield some results in this respect", stated Manole.

Contacted by Info-Prim Neo, the representative of the Moldovan MoD in the Joint Control Commission Sergiu Gutu said he didn't know anything about the case, adding that it was too late to change the agenda of the upcoming meeting.

## **Twenty-one days of hunger strike in Tiraspol jail**

2009-12-26 / A man aged 33 has been on hunger strike for 21 days in penitentiary No. 3 in Tiraspol. He demands that his prosecutor be changed and that his rights be respected.

Ion Manole, the president of Promo-Lex Association, has told Info-Prim Neo that the young man was arrested on September 1, but a lawyer was appointed to him only on December 17, after he went on hunger strike. Manole said he found out from the man's relatives that before he was arrested, he was taken to the Nistru by representatives of the Transnistrian security ministry and threatened with the gun.

"This way, the militiamen wanted to make him admit that he committed the crime of which he was accused – swindle. He has no rights in the prison where he is held. We are concerned about the man's mental health and ask the authorities and the mediators and observers in the Transnistrian conflict settlement talks to take measures," Manole said. He also said that the man must be immediately examined. "He needs special medical assistance. He must be hospitalized".

"We know the situation in the penitentiaries working on the right bank of the Nistru, where there are constitutional authorities, civil society and international missions. But we can only imagine what the situation in the Transnistrian jails is like," Manole said.

[www.info-prim.md](http://www.info-prim.md)

Bulletin coordinated by:

Ion Manole  
Resource and Development Center for Transnistria  
[crdt@promolex.md](mailto:crdt@promolex.md)  
[www.promolex.md](http://www.promolex.md)  
Tel/fax:373 22 450024  
Gsm. 069070800

The publication is funded by the National Endowment for Democracy. The opinions, findings and conclusions or recommendations expressed herein are those of the authors and do not necessarily express the views of the National Endowment for Democracy.