



# RDCT BULLETIN

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## RESOURCE AND DEVELOPMENT CENTER FOR TRANSNISTRIA

### Anatolie Munteanu participated at a seminar for relatives of detainees in the Transnistrian region

Anatolie Munteanu, the parliamentary Ombudsman, recently participated at a seminar organized for relatives of detainees in the Transnistrian region, at which he gave a talk about the national and international mechanisms for combating torture. The seminar, entitled "Mechanisms for defending the rights of detainees", took place between 27-28 February, at the *Institutul Muncii* [Labour Institute] in Chisinau.

The seminar was organized for relatives of people who have been detained in the Transnistrian region, with the aim of informing them about the rights of detainees, and about the mechanisms available for defending these rights.

Participants attended sessions on: Human rights and liberties; security of person and detainees' rights; safety and security measures for victims and their relatives in the Transnistrian region; the European Court of Human Rights (ECHR); and on how victims in the Transnistrian region can notify the ECHR.

Anatolie Munteanu spoke about the national and international mechanisms that are in place to combat torture, and about the powers and obligations of states party to the United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (UNCAT), adopted by the UN General Assembly on December 18, 2002. The ombudsman mentioned that, according to article 20 of the Convention, the Committee against Torture (CAT) has the right to review and request information, and also to start investigations if it is notified about cases of torture in specialized institutions.

The seminar was organized by *Promo-LEX* with support from the project "Support to Strengthening the National Preventive Mechanism as per Optional Protocol to the Convention against Torture (OPCAT) provisions", financed by the European Union, and co-financed and implemented by the United Nations Development Project in Moldova.

[www.ombudsman.md](http://www.ombudsman.md)

## **Training «Advocacy for NGOs»**

Between 20-21 of March 2010, the Promo-LEX Association organized a training entitled "Advocacy for NGOs". The event was held at the 'La Popas' leisure centre in the village of Cocieri, in the Dubăsari rayon. 16 people participated, representing various NGOs and initiative groups from Tiraspol, Bender, Ribnita, Dubasari and the Grigoriopol rayon in the Transnistrian region.

The training was aimed at leaders of NGOs and initiative groups from the region responsible for promoting activities and shaping the general directions of their organizations' actions. The program of the training was developed based on the learning needs of the participants, and included both theoretical and practical sessions.

The following topics were discussed: basic notions and concepts in the domain of advocacy; advocacy methods and techniques; the advocacy process and the stages of the public policy cycle. Practical sessions at the training aimed to develop the participants' ability to correctly identify the aims, methods and techniques of advocacy, and the stage of the public policy cycle at which it is best to stage an advocacy campaign.

Participants at the training thus acquired new knowledge and skills in the domain of advocacy. They learned which advocacy methods and techniques may be used

to resolve problems already existing at a community level. On the basis of a case- study examined at the training, participants furthermore identified by themselves the key features of an advocacy campaign. Participants learned how to identify and avoid possible mistakes and risks when planning and implementing an advocacy campaign.

An analysis of the evaluation forms collected at the training showed that the participants valued the theme of the training as being extremely relevant and necessary for NGOs from the Transnistrian region. A majority of the participants mentioned that this was the first training on advocacy they had attended, and that, in general, training programs with this kind of focus are not organized for NGOs from the region. Participants also underlined the fact that there is a need for ongoing instruction in the domain of advocacy in the Transnistrian region, particularly for NGOs involved in protecting public interests.

The event was realized as part of the Instruction Programme of the NGO Department of the Resource and Development Center for Transnistria, a project implemented thanks to financial support offered by the National Endowment for Democracy.

Olga Gordila  
NGO Department Coordinator  
RDCT

## **NGO IN DETAILS**

### **The right to freedom of expression. Civic journalism.**

Civic journalism reflects the opinions of society, opinions that are often ignored. In this context, the activity carried out by the '*ALT-Probitas*' Association involving pupils at the '*Alexandru cel Bun*' high school in Bender represents an important step in developing the civic journalism skills of a group of young people from the Transnistrian region. The project program was aimed at instructing the youngsters in how to create press materials that would reflect the problems they face, as a way of promoting their interests and facilitating dialogue with their teachers and parents.

The final product of the program was a magazine entitled '*Vocea Cartierului Nistrean*' [The Voice of Nistrian District]. The publication is a compilation of articles written by young people from the region.

The first issue of the magazine was presented on 27 March 2010 in Bender, at an informal event organized by the project participants. The magazine will be

distributed to Latin script high schools in the Transnistrian region.

The magazine '*Vocea Cartierului Nistrean*' represents the work of the participants who worked together in contributing to its production, thereby developing their ability to work as part of a team. Thanks to this magazine, an initiative group has formed made up of young people who are eager to become more active in the social life of their community, and in addressing its problems. Young people are often a source of new and inventive ideas. In such a context, it remains important to educate youngsters in the spirit of active citizenship, and to encourage civic journalism.

The group who edited the magazine (all people who took part in the project) were pleased with the result of their efforts, the first issue. Larisa Anițoi, one of the project participants, said, "...in general, the magazine is great, it's original, I like the title and the images". Dumitru Scutelnic, another participant, commented, "...I hope that in the future we will meet even more often to do this kind of thing!". Ivan Turcan added, "...It's great, great, it's a good opportunity for young people! The magazine will encourage us to express our opinions openly". And Petru Grecu said "I'm happy that our work has culminated in such an attractive and interesting magazine".

The '*Vocea Cartierului Nistrean*' magazine was published as part of the project "Young people promoting freedom of expression and transformation in their community", implemented thanks to financial support offered by the Youth Action Fund / OSI Initiative.

Cazac Alla  
Project Director  
'ALT-Probitas' Association

## ACTUAL

### "WANT TO GO TO PRISON – GO TO TRANSNISTRIA!"

Not long ago, in the Kiev station in Moscow, there appeared leaflets bearing the following message: "Want to go to prison - go to Transnistria!". And it's true. When celebrations were held commemorating the 'formation!' of the regional militia under Transnistrian jurisdiction, one TV correspondent proudly reported that rates of crime detection were running at 80%! Such statistics do not officially exist. And yet there, apparently, you have it: On the one hand, the Russian government dissatisfied with its own domestic detection rate of 50% (according to the news program '*Novosti*'). And, on the other, Transnistria, where police can boast of no special equipment, reporting rates of 80%!

The system is well-established, and all know about it: lawyers, drug experts and prosecutors. There is one article of the criminal code in particular which makes life easier for the militia — art.226, relating to drugs. Three quarters of those awaiting trial in connection with this article are mainly young people aged from 18-19 to 23-25. Why young people? Because they are inexperienced, do not know how best to act under arrest, do not know their rights, do not know that they may keep silent, and have no concept of the principle of presumed innocence and what it means in practice. For the first two days, suspects are held at the district department of the militia, kept in elevator-sized rooms, seated on a bench which prevents them from relaxing their legs and back, without food and water. Relatives are deliberately not contacted, even if this is requested by the detainees. Detainees are interrogated in a small room in the middle of which a metal ring is driven into the floor. Detainees are handcuffed to this and sit on their haunches or on the floor. They go in, without a lawyer. They are beaten and threatened with deadlines. They sign anything.

Such is the peculiar nature of the Transnistrian Militia Republic. For a murder they give twice less than for a pocketful of marijuana. The latter is deemed as possession of a narcotic substance, and is punished with 7 to 12 years in jail. If this seems hard to believe, check the Criminal Code of the TMR. It differs greatly from the Russian one, likewise from that of Moldova or Ukraine. Detainees are furthermore often extorted for money, or for cars and even apartments. A preventive measure nearly always applied is for the detainee to be kept under custody (at which stage an appointed lawyer makes an appearance). After all, it makes sense to run away. And people do run away. Forever. In the TDI (Temporary Detention Isolator) [Russian; *IVS - 'Izolyator Vremenogo Soderzhaniya'*], where people are only supposed to be held for 3 days, some people end up being held for three weeks, some for three months. The conditions there would shock anyone, even those from less civilized states: Detainees are housed in a long cell in a basement with shared bunks along the wall, the window boarded up using iron sheeting in which holes have been made. There is one toilet and wash basin in the corner, for the use of all. Sheets and mattresses are not provided. There are parasites. Hard to believe? Go and see for yourself. But what am I saying?! No one goes there. Not a single international human rights NGO has visited there, not even the OSCE. Why? You think no one has tried? Guess yourself. They have got something to hide.

Conditions are slightly better in the pre-trial detention unit, but here too, access is limited to journalists and others who might be interested. Often, five young men are put into a room meant to sleep four. The drinking water in the unit in Glinioie is such that one would not use it to clean the floor. There is, of course, a 'VIP room', which is shown to particularly curious and insistent guests. ("Here you are — Look! Everything is nice and clean".) And yet cases of tuberculosis are reported there. And there is, accordingly, a tuberculosis department. Although

medical care in Transnistria is, in the words of the Transnistrian health minister, free, relatives bring packets of anti-TB medicine, individual syringes and other drugs. Why, do you suppose?

There is a great deal of lucrative work for the lawyers — it is their time, their money. And for the police there are bonuses. Those who are weaker or more naive receive from the start a clear proposal: 'Denounce another three people, anyone, even your mother, or maybe your sister. Go and buy a 'dose' from someone (we'll give you the money). We'll provide a camera, and we'll be close by'. They are taken immediately to a potential victim from amongst the people they know. This works as a way of planting evidence. The police promise that this 'help' will be taken into account during trial. But such promises are pure fantasy. If acquaintances cannot be found, individuals are told that they will go to prison for a long time, or that they should try to sell their house, or their car. The planting of evidence in the form of drugs through the means of someone 'sent' for this purpose, and the subsequent caught-in-the-act arrest, is the method most frequently used.

One well-known lawyer told me in private conversation that they never take up a case concerning article 226, because nothing depends on the lawyer in such cases — everything is always the same, determined in advance: There is the accused, the drug (always a big amount), there is a protected witness, usually absent from court, and there is either a long sentence, or a very long sentence.

Meanwhile, although there are at any rate almost no jobs in Transnistria, welders and carpenters previously forced into serving a sentence await a chance to work. You must realize how hard it is to find work after leaving prison. They do not have anyone else to put there. What is not clear is what Mr. Smirnov meant when he said, in one of his last interviews with the press, that Transnistria was aligning itself with Russia. I guess he didn't mean in terms of human rights, nor in terms of the Geneva convention, which both Moldova and Russia have signed. But maybe it has never occurred to him in his 20 years of leadership, situated as he is so high up, to look down into the basements of the Interior Ministry?

So: If you want to go to prison, come to Transnistria.

R.R. Nadin

### **Civil Society seeks the ratification of the Rome Statute**

At a recent press-conference, the national Coalition for the International Criminal Court requested that the Moldovan parliament immediately and unconditionally ratify the Rome Statute of the International Criminal Court.

Moldova signed the statute in 2000, but as yet it has not been ratified. The

International Criminal Court (ICC) is a permanent international tribunal, established to investigate cases of genocide, war crimes, and crimes against humanity.

Sergiu Ostaf, executive director of the *Resource Center for Human Rights* (CReDO), stated that, "the ratification of the Rome Statute is one of the outstanding items from Moldova's Action Plan with the EU for 2005-2008. It might be difficult to conclude a new agreement with the EU if we do not honour the commitments of the present agreement".

Ion Guzun, a representative of the *Moldovan Institute for Human Rights* (IDOM), also sees a connection between the ratification of the treaty and Moldova's EU membership aspirations. According to Guzun, "all the EU member countries are also members of the International Criminal Court, support for which is considered one of the key elements of their domestic and foreign policies. In this context, the marked reluctance of the Moldovan authorities to ratify the Statute is surprising."

The treaty's ratification also touches upon the Transnistrian issue. When Moldova signed the treaty in 2000, it made a so-called territorial reservation, excluding the left bank of the Nistru from the area covered by the ICC. Ion Manole, President of the human rights NGO *Promo-LEX*, gave the following opinion about this: "The Moldovan Parliament should exclude the reservation referring to the division of its jurisdiction concerning territories not controlled by Chisinau from the draft text of the law. If not, the region will remain open to crimes against humanity, genocide and war crimes..."

The Coalition for the International Criminal Court is made up of many more NGOs, including Amnesty International, Promo-LEX, The Rehabilitation Centre for Torture Victims 'Memoria', The Institute for Human Rights, and the Resource Center for Human Rights 'CReDO'.

Eduard Butnaru

<http://www.zdg.md>

## **Tiraspol's 100% tax waived for certain categories of Moldovan goods**

**2010-03-13/** The special customs tax of 100% imposed by the Tiraspol regime on all the Moldovan imports into the region has been waived for certain categories of goods including food, drugs and construction materials, under an agreement reached by the Chisinau-Tiraspol confidence-building working group for economic matters.

Economy deputy minister Octavian Calmic, Chisinau's representative to the group, has told Info-Prim Neo the measure could unblock deliveries of Moldovan goods

to the eastern side of the Nistru after they were practically ceased with the introduction of that tax in 2006.

The purpose of the measure is to enable Tiraspol to enjoy the foreign funds provided in technical assistance to Moldova.

The next meeting of the working group for economic matters is to take place in Chisinau in the second half of April and will address banking issues, Calmic revealed. A separate joint working group was proposed to be established to supervise customs management.

The activity of the confidence-building working groups was resumed in February.

The special customs tax of 100% on Moldovan imports into the region was introduced in response to what the separatist authorities called "an economic blockade" imposed by Moldova

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

## NOTE

### **The Republic of Moldova and the Russian Federation are to be taken to the European Court of Human Rights in connection with torture and illegal deprivation of liberty in the Transnistrian region**

On 15 March 2010, the European Court of Human Rights (ECHR) decided to examine, as a priority, the case of *Iurie Matcenco vs. Moldova and Russia* (case nr. 10094/10), submitted to the Court on the 19<sup>th</sup> of the previous month by *Promo-LEX* in collaboration with lawyers Alexandru Postică and Doina Ioana Străisteanu.

The governments of the defendant countries were given until 12 May 2010 to explain how it was possible that Iurie Matcenco was subjected to torture, illegal deprivation of liberty, and even a 'mock execution', acted out by MGB agents. The plaintiff Matcenco was also denied medical assistance during a hunger strike which he maintained for 44 days.

The Matcenco case is the first to be brought to the ECHR since the case of *Ilaşcu and others vs. Moldova and Russia* (ruled upon on 24 June 2004) that highlights severe human rights violations in the Transnistrian region of Moldova. *Promo-LEX* has on numerous occasions criticised the Governments of the Republic of Moldova and Russian Federation for ignoring the complaints of the population on the left

bank of the Nistru, even in cases of murder, rape, torture, and illegal condemnation and deprivation of liberty.

Doina Ioana Străisteanu, an international expert in human rights, stated that, "Transnistria has become a black hole on the 'map' of the European Council. Serious human rights violations are being committed in private (unofficial) places of detention, where those tortured are held without medical assistance and food. Human rights know no borders and the difficulty of resolving the conflict in the region does not excuse the impunity with which the separatist regime has turned Transnistria into a gulag".

Lawyer and Executive Director of *Promo-LEX*, Alexandru Postică, declared, "If the Moldovan and Russian authorities will not willingly seek a way of ensuring respect for human rights in the Transnistrian region, then we will oblige them to do so through the mechanism of the European Court. Those living on the left bank of the Nistru have the right to effective protection on the part of the defendant states. It is the obligation of both states to act in the defense of fundamental rights and liberties in this region, and to help ensure respect for the European Convention.

Ion Manole, President of *Promo-LEX*, said that, "Many people have been, and many still are, in the same situation as Iurie Matcenco. Yet they no longer seek help from the constitutional authorities, owing to the latter's lack of credibility. For around 18 years the organs of law in Moldova have ignored the constitutional rights of people located in the territory controlled by the Tiraspol administration, and have denied any responsibility for the state of affairs in this region. Russian and Moldova, as parties directly involved in the 1992 war, are not demonstrating a genuine willingness to identify and create an efficient mechanism for protecting human rights in Transnistria. The mechanism created in 1992 remains merely formal for the authorities, and ineffective for the inhabitants' rights. The current peacekeeping format needs to be changed by replacing soldiers with civilian observers from countries not involved in the 1992 war".

The *Promo-LEX* Association added that this is among the first cases to be accepted for priority examination by the Court that have been submitted on behalf of plaintiffs living in the Transnistrian region, under the *de facto* control of unrecognized authorities.

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