



**Promo - LEX**

*Advancing democracy and  
human rights*

# **ACTIVITY REPORT**

**2005 – 2008**

**Chişinău 2009**

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## Foreword



Dear friends and colleagues,

The period 2005-2008 was the first stage in the development and consolidation of the *Promo-LEX* Association.

During this period, the Association's activities were directed towards promoting and defending human rights, and to consolidating civil society in the Transnistrian region of the Republic of Moldova – a territory that, from 1992 onwards, has remained outside the control of the constitutional authorities. Members of the Association responded to numerous requests for legal assistance and information concerning the promotion and defence of fundamental rights and liberties, coming from inhabitants of the region. The number of people who benefited from such services was, from the outset, impressive, but demanding. In these conditions, the conclusion was reached that, without a viable civil society in this region, human rights would neither be promoted nor known, much less defended. Thus, within a short space of time, the *Promo-LEX* Association extended its activities, diversifying its services through the means of the 'Resource and Development Center for Transnistria'.

Thanks to a close-knit and dedicated team, the *Promo-LEX* Association is at present one of the foremost civil society organisations in the whole country working in the field of human rights promotion and defence. In recent years, various inhabitants of the Transnistrian region have also become activists for *Promo-LEX*, something for which we owe them special thanks. The fact that certain of our beneficiaries have gone on to become partners and colleagues indicates the quality of the services offered by *Promo-LEX*, and points to a growing confidence on the part of the region's inhabitants towards our organisation, and towards the associative sector in general.

At the same time, without the openness and collaboration of the constitutional authorities, both central and local, the results of our activities would surely have been more modest. Conversely, we regret the lack of dialogue as well as the refusal or fear shown by various regional or local administrations in Transnistria to collaborate with civil society organisations, especially those from other regions of the Republic of Moldova that have a different view and opinion about the situation of human rights, civil society or democracy on their territory. The mass violation of fundamental human rights and liberties remains a phenomenon frequently encountered in the east of the country (Transnistria), while NGOs from the region are often harassed, with numerous obstacles being placed not only in the way of their everyday activities, but also in the way of their efforts to start new projects. Moreover, we have noted constant and systematic efforts on the part of the regional administrative authorities to intimidate and persecute representatives of the non-governmental sector on this territory. This is why the *Promo-LEX* Association will continue its activities in this region, directed at the development of the non-governmental sector, and the promotion and defence of human rights, democratic principles, and general human values.

Given the above, we would like to express our thanks to the stakeholders, partners and donors who support, encourage or finance our activities – that is, those thanks to whom our work is possible, and who thus contribute to the democratisation process in the Transnistrian region.

**Ion Manole,**  
**President,**  
***Promo-LEX* Association**

## MISSION STATEMENT

**The Promo-LEX Association** (henceforth, simply, *Promo-LEX*) is a non-governmental, not-for-profit and apolitical entity that pursues the public good. *Promo-LEX* develops its activities in conformity with the legislation in force in the Republic of Moldova. The organisation was founded on 19 July 2002 and is registered with the Ministry of Justice of the Republic of Moldova.

### Mission

*Promo-LEX* is a national organisation that conducts its activities predominantly in the Transnistrian region of Moldova.

### The Organisation's Vision

The Republic of Moldova as a state governed by the rule of law, with an established associative sector

### Our Organisation's Values:

1. Transparency and responsibility
2. A high quality of service
3. Non-discrimination
4. Political neutrality
5. Team spirit
6. Professionalism
7. Openness to new partnerships and collaborations

## PROGRAMMES

To realise its objectives, *Promo-LEX* runs the following programmes:

### 1. Law and Human Rights Programme

This programme aims to promote and implement international human rights standards in the Republic of Moldova. The programme also aims to facilitate access to justice for inhabitants of the Transnistrian region.

Programme activities:

- **Legal assistance** - we provide information about the law and offer free legal consultations.

- **Strategic Litigation** - concerning freedom of assembly and association, the right to freedom and security of person, freedom of movement, the rights of conscripts and other people enlisted in military/paramilitary bodies, political rights, and the right to property.

- **Advocacy in the field of human rights** - advocacy directed at *Promo-LEX's* priority activity areas:

- freedom of assembly and association
- freedom and security of person
- freedom of movement
- conscripts' and enlisted persons' rights
- right to property

The programme aims to promote legislative initiatives and to develop amendments to/observations on normative acts, with the aim of bringing national

legislation in line with European standards. Advocacy actions are focused on certain key processes: The National Human Rights Action Plan of the Republic of Moldova, The EU-Moldova Action Plan, and the Transnistrian conflict resolution process.

### The Advocacy Objectives:

× To promote and defend the right to freedom of assembly, and the right to freedom of expression and opinion in the Republic of Moldova.

× To promote and defend the right to bodily integrity and security of person on the territory of the Republic of Moldova, with a view to ensuring that the public policies and laws in this area are applied effectively.

× To contribute to the National Human Rights Action Plan and the EU-Moldova Action Plan.

× To collaborate with the relevant authorities of the Republic of Moldova and local decision-makers to put into effect changes to public policy concerning respect of the right to freedom of movement and the right to property in the Transnistrian region.

× To contribute to changing government policy regarding the problems facing conscripts in the Transnistrian region, and to advocate for their rights to be respected.

× To monitor the human rights situation, entailing – documentation in the field of human rights; identifying the main causes of human rights violations; developing recommendations and suggestions for improving the human rights situation; putting together annual reports on the situation of human rights in Moldova; developing studies and reports focused on specific areas.

### 2. Civil Society Programme

This programme aims to contribute to the development and consolidation of the associative sector in the Transnistrian region of Moldova. The emphasis is put on identifying, encouraging and maintaining civic initiatives in the region, and on promoting the values of a democratic society. The programme is addressed to non-governmental organisations and initiative groups in the Transnistrian region.

Programme activities:

-*Training activities, including:* forums, conferences, seminars, workshops. The various training activities focus on the following areas: Organizational development; Strategic planning; NGO management; Project management; Financial management for NGOs; Writing project proposals; Fund-raising.

-*Individualised assistance for NGOs and initiative groups, including:* individual legal assistance for each applicant, depending on their needs;

-*Organizing a Forum for NGOs from the Transnistrian region* – an event held annually (since 2006)

-Publishing an electronic bulletin (monthly) – published on-line on the official *Promo-LEX* website

### **3. Education Programme for Human Rights and Civic Education**

The aim of this programme is to promote democratic norms and values, as well as international human rights standards, through the means of non-formal education. The programme is directed towards specialists in law, NGO representatives, initiative groups, non-affiliated young people, and to teachers of various kinds in the Transnistrian region.

The programme includes the following activities: training sessions, seminars, summer schools, workshops, professional development courses, individual assistance for various kinds of leaders in the field of human rights, and developing informative materials (brochures, leaflets, guides) on human rights. The programme's activities are designed to promote the principles of volunteering and participative democracy, especially among young people in the Transnistrian region.

## **RETROSPECTIVE OF ACTIVITIES**

### **1. Years 2005 – 2008: Achievements**

During this period, *Promo-LEX* carried out activities that aimed to develop our organisational capabilities in areas such as:

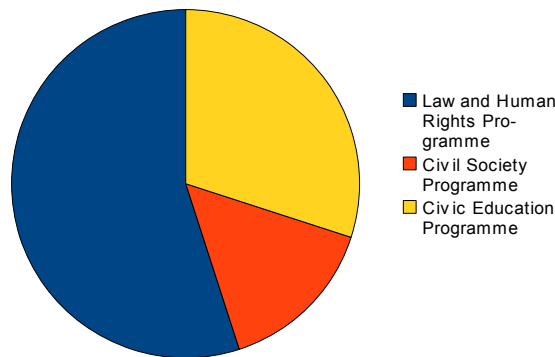
- promoting Human Rights
- strategic litigation and advocacy in the field of human rights
- assistance services offered to NGOs and initiative groups
- training programmes in priority activity areas for organisations with an advanced level of development

As an organisation with a strictly elaborated strategy directed at providing priority legal assistance to inhabitants of the Transnistrian region, *Promo-LEX* has clearly positioned itself as a 'market leader' in the aforementioned services.

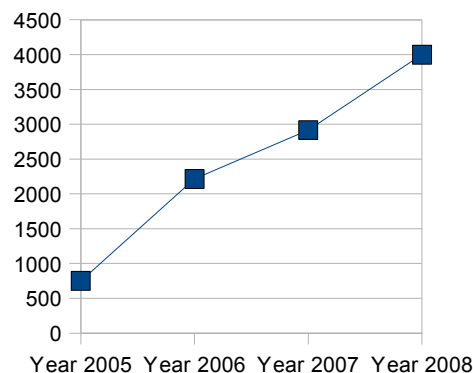
Over the years 2005-2008, *Promo-LEX* succeeded in implementing 20 projects in the area of human rights, thus contributing to the promotion of democratic initiatives in the region.

### **The results of *Promo-LEX*'s activities in 2005-2008:**

**Diagram 1. Projects per programme (%)**



**Diagram 2. Number of beneficiaries**



## RESULTS OBTAINED

### 1. Law and Human Rights Programme

#### *Activities realized:*

- Informing public opinion regarding the human rights situation;
- Putting together, editing, and distributing reports on the human rights situation in Moldova;
- Notifying various bodies and other competent institutions regarding problems of a legislative nature, found through *Promo-LEX's* human rights promotion- and defence-activities in Moldova;
- Free legal assistance to socially vulnerable categories of people;
- Strategic litigation at a national and European level (ECHR);
- Lobbying and advocacy activities.

#### *Difficulties and opportunities*

During this period, the Law and Human Rights Programme has succeeded in overcoming various difficulties, transforming them from risks into opportunities. Potential beneficiaries' initial lack of trust was overcome through adherence to the organisation's values (political neutrality, professionalism, openness to new partnerships and collaboration), a fact that has contributed to the organisation's development, and to the creation of a positive image. The language barrier, initially a difficulty when realising our activities, became an opportunity for team members to develop multilaterally.

Another difficulty that our lawyers faced was the large influx of beneficiaries, a fact that led us to increase

the number of lawyers working in the programme, and which highlighted the need for advocacy and lobbying concerning systematic cases of human rights violations. It also led to the creation of a 'Resource Center' in the Transnistrian region, which offers legal services in the territory.

#### *Results obtained*

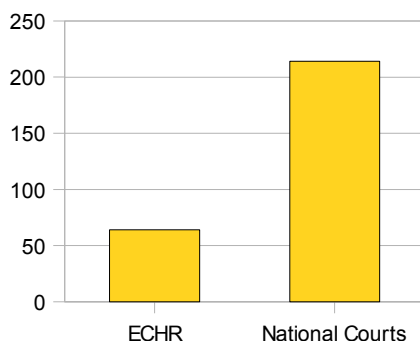
In the period in question, *Promo-LEX* lawyers submitted 214 cases in the Moldovan law courts, and took 63 cases to the ECHR.

#### Other figures:

- Beneficiaries – 3500 people
- Cases represented in the Moldovan national courts – 214; (140 cases were resolved in favour of the beneficiaries, and 17 against – the rest are still under examination)
- Cases represented at the European Court of Human Rights (ECHR) – 63 applications filed (representing approx. 2000 people)
- Cases filed at the ECHR in the period 2005-2008 and resolved in favour of the beneficiaries – 6
- Cases at the ECHR declared inadmissible, filed previously - 15
- Cases registered at the ECHR – 42 (including 7 "class action" cases filed at the Court in the names of 121 teachers, pupils and parents from 3 schools teaching in the Latin script in the Transnistrian region, and 1791 owners of agricultural land in the Transnistrian region)

(See below diagram showing cases represented)

**Diagram 3. Cases represented by *Promo-LEX* in national courts and the European Court of Human Rights – Years 2005 - 2008**



## Advocacy and Lobbying Segment

### Activities realised

- Modification of the national legislation on compensations, solving the issue of discrimination against the relatives of those who participated in the Second World War.
- Participating in the process of elaborating the draft Law on Assemblies. The law was adopted by Parliament on 22 February 2008.
- Raising public awareness concerning the exercise of the right to freedom of movement through analysing the problems associated with this right, and subsequently drawing up, publishing and distributing the study "The right to freedom of movement in the Transnistrian region of Moldova"
- Raising public awareness concerning the situation facing inhabitants of the Transnistrian region in a military context, through analysing the associated problems and subsequently drawing up, publishing and distributing the study "The military obligations of the inhabitants of the Transnistrian region of Moldova"

### Donor organizations that have supported the activities of the Law and Human Rights Department

- American Bar Association Rule of Law Initiative (ABA-ROLI), through finances allocated by the U.S. Agency for International Development (USAID)
- The Norwegian Embassy
- The Swedish Helsinki Committee for Human Rights (SHC), The Swedish International Development Cooperation Agency (SIDA)
- Open Society Institute-Zug Foundation, Budapest (OSI)
- The Royal Netherlands Embassy in Kiev, through the Matra/KAP programme
- The National Endowment for Democracy (NED)

## 2. The Civil Society Programme

### Activities carried out

- facilitating partnership relations with NGOs from the Transnistrian region, forming relations of collaboration with other Moldovan NGOs and with the national authorities, and also with international organisations.
- Individualised assistance for NGOs;
- Developing the institutional capacities of NGOs from the Transnistrian region through the means of specialised training sessions;
- Forum for NGOs from the Transnistrian region;
- Mini-grants programme for NGOs/Initiative groups from the Transnistrian region.

### Results obtained

- 13 training seminars were held involving 256 representatives of NGOs from the Transnistrian region. Seminars were held on the following topics:
  - Civil Society – general concepts about NGOs
  - Making requests for funding
  - Fundraising, Project Management,
  - NGO Management

- Volunteer activities

- 12 training seminars were organised, through the means of which 319 young people were informed and trained in areas such as: Democratic and civic participation; The role of mass-media in promoting human rights; Human Rights – general concepts, and Moldova's Millennium Development Goals.
- Individualised assistance was offered to 51 NGOs and initiative groups in areas including: NGO registration; Making requests for funding; Project implementation; Logistical assistance; Project management; Financial management; Drawing up activity- and financial-reports; Identifying and establishing contacts with potential donors and partners.
- 2 mini-grants were offered to initiative groups from the Transnistrian region (through the *Resource and Development Center for Transnistria (CRDT)*)
- 25 monthly editions of the CRDT Bulletin were published. The Bulletin served and continues to serve as a platform for promoting the activities and the image of NGOs from the Transnistrian region, facilitating access to information concerning possibilities for instruction and financing, and to exchange experience and establish useful contacts. The CRDT Bulletin appears monthly and is available in Romanian, Russian and English. It can be downloaded at [www.promolex.md](http://www.promolex.md)

### Events

On 29 March 2007, *Promo-LEX* organised the 'Donors' Fair for the Transnistrian Region'. The aim of the event was to facilitate contacts between NGOs from the Transnistrian region and International Organisations that operate in Moldova and which run financial assistance programmes.

The event was realised with support offered by the OSCE Mission to Moldova/ 42 NGO representatives from the region participated, along with 15 people representing donor organisations.

At the event, there participated NGOs from the Transnistrian region active in the following areas:

- social issues
- cultural issues
- human rights
- ecology
- youth
- community development
- mass-media

### *The Impact of the Programme*

Promoting and defending human rights in the Republic of Moldova was one of the most important objectives of *Promo-LEX's* activities during this period, with priority being given to the situation in the Transnistrian region. With this aim, *Promo-LEX* organised a series of activities of an informative and educational character, obtaining a considerable increase in people's awareness of the problems facing the associative sector, and raising both the interest and the participation of representatives of organisations and initiative groups from the more

isolated areas of the Transnistrian region - that is, those that have limited access to alternative sources of information.

As part of another initiative, *Promo-LEX* continues to run activities supporting and encouraging civic initiatives. The Association also offers individualised assistance to youth organisations and initiative groups, and offers instruction to such groups in matters of organisational development and organisational management. Ultimately, our initiatives have had a positive impact and have contributed to the consolidation of civil society in the Transnistrian region.

#### *Difficulties/challenges faced by the programme*

One of the most serious difficulties encountered by the Civil Society Programme in particular, and by the *Promo-LEX* team in general, was the efforts of the regional press to tarnish the image of the Association: Numerous articles and programmes were published and aired making false claims about our organisation, the aim being to reduce the number of participants at the events organised as part of the Programme. Such messages constituted indirect threats, and were designed to intimidate civil society activists, and prevent the growth and development of the associative sector.

Such intimidation at times led to a certain apprehension and fear amongst regional NGO representatives towards becoming involved and participating actively in the events organised for them. The intimidation was particularly visible when para-military or 'secret service' personnel visited those who had participated at our events, or when participants were warned and in some cases even fired from their jobs for having participated in a seminar, training, or round-table.

The support (or rather lack thereof) offered to initiative groups regarding registering their organisations, both by the administration and by the constitutional authorities of the Republic of Moldova, presented another difficulty for *Promo-LEX's* Civil Society Programme. Thus, *Promo-LEX* developed its capacity to offer specific information that NGO representatives need to begin legalisation procedures and to carry out successful activities in the region.

*The projects realised as part of the Civil Society Programme were supported financially by the following organisations: The National Endowment for Democracy and The OSCE Mission to Moldova.*

### **3. The "Education for Human Rights and Civic Education" Programme**

#### *Activities carried out*

- Informational and civic education activities, through the means of training courses;
- A Civic Education Programme for youngsters, run in pre-university educational institutions;
- The publishing and distribution of informative materials;

- Medium-duration events organised to promote the involvement and participation of young people;
- Encouraging networking initiatives between young people from the Transnistrian region.

#### *Beneficiaries*

- NGOs and initiative groups from the Transnistrian region of the Republic of Moldova;
- Local young people and schools from the Transnistrian region of Moldova.

#### *Programme results*

In the period 2005-2008, the Department implemented 6 projects, listed below.

#### **1. Familiarising young people with the workings of the decision-making process at a local level**

The aim of the project was to promote the participation of young people from the Dubasari rayon in the local decision-making process. The main objectives of the project were:

- to instruct students who were about to graduate about the principles of public activism, democracy and civic participation;
- to familiarise the students with the basic functions of the local authorities;
- to raise the graduating students' awareness about their participative rights;
- to help increase the number of politically active young people in the region.

Project activities included the following: The publication of a booklet entitled "Civic participation in the decision-making process at a local level"; 11 seminars on 'the local decision-making process' for 260 young people; 11 trainings on 'mechanisms for involving citizens in the local decision-making process' for 260 young people; a poster competition on the theme "My vision of the local decision-making process"; and a series of debates on the topic "To be or not to be involved in the local decision-making process".

#### **2. Education of citizens in the spirit of civic participation**

The project aim was to promote citizen participation in the decision-making process in the Dubasari rayon.

The project had the following objectives:

- to inform inhabitants of the Dubasari rayon about their rights and about the opportunities they have to get involved in the local decision-making process;
- to improve Dubasari rayon inhabitants' understanding of their rights to participate in the local decision-making process;
- to encourage inhabitants of the Dubasari rayon to get involved in the local decision process.

As part of the project the following activities were carried out:

- a booklet entitled "Citizen participation in the

decision-making process” was published;

- 10 supplements on the theme of civic participation were published in the local newspaper, “Nistriian News”;
- 11 billboards were installed in different localities in the Dubasari rayon giving information on the theme of civic participation;
- 11 seminars were organised (for 325 participants) on the theme of “Civic participation in the decision-making process”;
- 11 round-tables were organised (for 105 representatives of Transnistrian-region NGOs and the local Dubasari rayon authorities) on the theme, “Participative democracy”.

### **3. Human Rights from a Child's Point of View**

The project was directed at educating young people from the Transnistrian region in the spirit of democratic values and human rights. The event was organised on the occasion of International Human Rights Day. The event was directed at young people from the Transnistrian region and involved organising an Art Competition on the theme “Human Rights from a Child's point of View”. As part of the competition, the young people produced pictures, posters and short plays on the given topic.

### **4. Education for Human Rights**

The project aimed to improve the knowledge of teachers from the Transnistrian region about human rights in general.

Specific objectives:

- to instruct 25 teachers from the Transnistrian region about fundamental human rights and liberties;
- to encourage teachers from the Transnistrian region to promote human rights and democratic values.

The project involved organising a training for 25 teachers from schools in the Transnistrian region.

### **5. Active and Involved Young People**

The project aim was to educate young people from The Transnistrian region in the spirit of active citizenship.

Project objectives:

- to improve the knowledge and abilities of young people from the Transnistrian region in the area of human rights;
- to improve the knowledge and abilities of young people from the Transnistrian region concerning the possibilities that exist to defend their rights and to get involved in the local decision-making policies;
- to promote and facilitate civic initiatives amongst young people from the Transnistrian region.

As part of the project, a series of summer schools were organised under the theme "Active and Involved Young People".

### **6. Education in Human Rights for young specialists in the field of Law from the Transnistrian region of Moldova**

The project aimed to instruct young specialists (Law-faculty graduates) from the Transnistrian region in the area of human rights.

The main objectives of the project were:

- to improve the knowledge and abilities of young specialists from the Transnistrian region in the area of human rights;
- to increase the knowledge and competence of young specialists in providing free legal assistance to people considered socially-vulnerable.

As part of the project, a summer school was organised (with 3 modules):

- Human Rights and the mechanisms for protecting Human Rights;
- Starting and organising programmes for free legal assistance in the Transnistrian region;
- Starting and organising education programmes in the field of human rights for young specialists in the Transnistrian region.

*Impact of the programme:*

Over the years 2005-2008, the *Promo-LEX* Association consolidated its position in the region, and succeeded in building its capacity to carry out educational programmes for young people from the Transnistrian region.

Various forms of investment in human resources play an important role in the process of promoting democracy and human-rights-based values in the region. In this context, the impact of the activities carried out under the Civic Education Programme has been a positive one, since the number of people who have participated in training activities organised by *Promo-LEX* has grown considerably.

An important step was the professional development of the *Promo-LEX* trainers who, over the course of the training activities, grew professionally, acquiring important skills and aptitudes.

*Difficulties/challenges faced by the programme*

The Educational Programme initiated by the *Promo-LEX* Association organises activities aimed at informing and training young people from the Transnistrian region. These activities are in both Romanian and Russian, something which presented a true challenge for *Promo-LEX* experts. As a result, our trainers put together a programme to develop leadership skills, critical thinking, and to combat 'legal nihilism'.

Another challenge was the need to continually expand our themes, at the request of the target groups. At first, *Promo-LEX* trainers carried out training activities on youth initiatives. Later, Summer Schools were organised on such themes as human rights and civic participation for youth.

*The projects carried out as part of the Civic Education Programme were financially supported by:*

- The Embassy of the United States (The Democracy Commission Small Grants Program)
- United Nations Development Programme (UNDP)
- The National Commission of the Republic of Moldova for UNESCO
- The "Balkan Trust for Democracy" Program, financed by the "German Marshall Fund" Foundation (USA)
- National Endowment for Democracy (NED)

## **PUBLICATIONS of the "Promo-LEX" ASSOCIATION**

### **1. Reference Guide - “Organising and Holding Assemblies – Legislative Aspects”, Chisinau 2008**



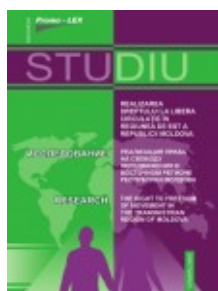
This publication was developed as part of the Project "Freedom of assembly as a means of exercising the right to freedom of opinion and expression", which was supported financially by the Swedish International Development Cooperation Agency (Sida) and the Soros Foundation-Moldova.

### **2. Report - General Overview of the NGO Situation in the Transnistrian Region, Chisinau 2009**



This publication was developed as part of the Project, "Regional Forum of NGOs from the Transnistrian region of Moldova", which was supported financially by the OSCE Mission to Moldova.

### **3. Study “The Right to Freedom of Movement in the Transnistrian region of Moldova ”, Chisinau 2008**



This publication was developed as part of the Project "Advocating for the Respect of Human Rights in the Transnistrian region of Moldova", which was supported financially by the Swedish Helsinki Committee for Human Rights and the Swedish International Development Cooperation Agency (Sida).

**4. Study - "The Military Service Obligations of the Inhabitants of the Transnistrian region of Moldova", Chisinau 2008**



This publication was developed as part of the Project, "Advocating for the Respect of Human Rights in the Transnistrian region of Moldova", which was supported financially by the Swedish Helsinki Committee for Human Rights and the Swedish International Development Cooperation Agency (Sida).

**5. Study - "Human Rights in the Transnistrian Region of Moldova", Chisinau 2008**



This publication was developed as part of the Project, "Study on the respect of Human Rights in the Transnistrian region of Moldova", which was supported financially by the Royal Netherlands Embassy, through the *Matra/KAP* programme.

**6. Report - "Report on Human Rights violations in Moldova - 2006 Retrospective", Chisinau 2007.**



This publication was developed as part of the Project, "Observations on Human Rights in Moldova and the Transnistrian region for 2006", which was supported financially by the Royal Netherlands Embassy, through the *Matra/KAP* programme.

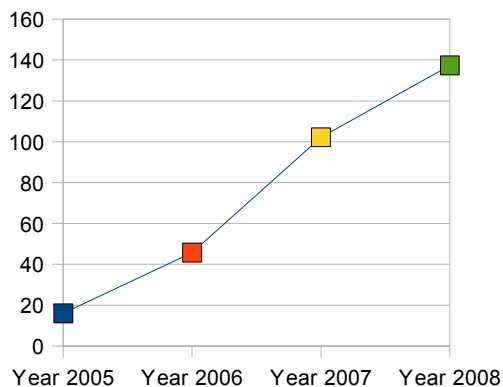
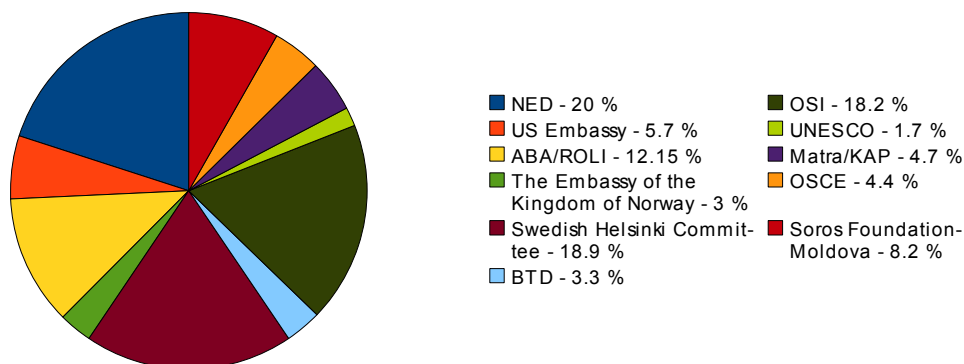
**7. Report - "Report on Human Rights Violations in Moldova – 2005 retrospective", Chisinau 2006**



This publication was developed as part of the Project, "Report on Human Rights Violations in Moldova – 2005 Retrospective", which was supported financially by the Royal Norwegian Embassy.

## VI. FINANCIAL SUMMARY

Diagram 4. "Promo – LEX" funding for the years 2005-2008 (in US dollars)



## VII. MAIN DONORS

In the years 2005-2008, the activities of the *Promo-LEX* Association were supported financially by the following organisations and institutions:

1. The "Balkan Trust for Democracy" Program of the *German Marshall Fund of the United States*
2. The Embassy of the Kingdom of Norway
3. The Swedish Helsinki Committee for Human Rights
4. The "Open Society Institute"
5. The *Matra/KAP* Programme of the Royal Netherlands Embassy
6. The "National Endowment for Democracy" Foundation
7. The OSCE Mission to Moldova
8. The National Commission of the Republic of Moldova for UNESCO
9. The United Nations Development Programme (UNDP)
10. The American Bar Association Rule of Law Initiative (ABA-ROLI)
11. The Embassy of the United States of America in Moldova
12. Soros Foundation-Moldova