

Newsletter Promo-LEX

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Promo-LEX, drew attention several times in its monthly newsletter, about Illegal detentions and inhuman detention conditions or lack of protection mechanisms for victims persecuted by the security committee in the Transnistrian region. This time we provide you with a material made based on the testimony of a Promo-LEX beneficiary, which after five years of detention in the region decided to talk about his own experience.

Promo-LEX accepted to publish this testimony to draw attention once more on the issues reflected over the years, this time through the experience of one of our beneficiaries.

Introduction. *First of all, dear reader, I want to stress the following: my advice, that might deserve your attention, is based on real-life events that I experienced personally. Therefore, the facts that I will describe will present, most likely, my personal perception of reality. The practical recommendations are also based on my own view on how to respond to certain situations, given my temper and the previously acquired knowledge and skills.*

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Personal Background. I am a citizen of the Russian Federation, with higher education, including legal studies. I have a “baggage” of behavioral clichés, volitional and moral qualities gained during the life, which helped me survive in extreme conditions. I also agree with everybody’s advise that it’s better to overestimate the danger, rather than vice versa. It is extremely important not to create dangerous situations, because later we will have to get out of them, and never let your guard down, etc. At the same time, I have learned the hard way what is the cost of not adhering to the above principles, when I had to pay with five years of my life for my mistake.

“Mrt” Punitive System. The security forces of the so-called “mrt” are very similar to the Russian punitive agencies, by the level of their impudence and travesty of justice (*since they are replicating the Russian model*), but they differ by their external aspect.

I don't recommend any “voyage” to the mrt. Once arrived on this territory, you should remember that you are outside the rule of law, and the laws and regulations adopted and enforced in the civilized world are not valid here. This means that no one (*regardless of their citizenship*) can rely on the legal behaviour of the so-called “security forces of mrt”, or on the legal or other type of aid from the diplomatic and law enforcement missions of their own country. In simple words, dear readers, in order to defend your property, health and your own life, you can rely only on your own efforts and stamina.

Therefore, I don't recommend you to try your luck, without a particularly need, going to this region, as the cost of such extreme sensations might be too high to endure. But if such a trip cannot be avoided, then I would like to tell you my story and share with you the most important aspects of the behavior that I recommend you to have in different situations that you might face, even a criminal scenario, during your stay in the “mrt”.

You must understand that the population of this territory, who have been zombified for decades first by the Soviet, and then by the Russian propaganda, have their brains washed and were taught to hate the democratic and civilized nations; due to their retrograded perception of the moral values generally accepted worldwide, they could have a hostile attitude toward you.

Several Simple Rules:

Don't give any reason to become a victim of a crime.

Let's assume that you are a citizen of the Republic of Moldova, Ukraine or another country and you want to visit “mrt” or to transit its territory as part of your itinerary.

Think about what could trigger a robbery, kidnapping, detention, illegal “arrest” on the territory of “mrt”. In my opinion, examples of such triggers are the following: You have with you any valuables that could be seen by the “border guards”, “customs officers” or others (at the entry into the territory under their control). These could be large amounts of money, securities, expensive jewelry and objects. Even your expensive car, your business (if the entrepreneurial activity is conducted on “mrt” or Russian territory), may become a reason for extortion. And finally you could be the “product”, i.e. be taken as a hostage so that they could get some ransom (from your family and business partners, etc.).

I don't recommend you to discuss about any purchases, financial, political and other projects in the presence of “mrt officials”. Try, to the extent possible, not to **provide reliable information** about yourself, the purpose of your visit and the residence of the persons you intend to visit.

It is also undesirable to express openly your **negative attitude and criticism** regarding the “mrt” “security forces” and their leaders or the Government of the Russian Federation, its army, intelligence services, etc., which are patronizing the so-called “mrt”, especially if you are a citizen of the European Union or Western countries.

When entering the “Transnistrian region”, check your car and your luggage for any items that may be **seized by the mrt** extremists. I mean that you need to get rid of all the items that are somehow similar to weapons or can be used as such. This is due to the fact that the security forces and their leaders have a degraded sense of danger and are suffering of persecution mania. And secondly, their main source of revenue consists of accusing people of crimes, under the pretext of law enforcement, in order to extort “bribes” from them, as a ransom.

For example, a baseball bat that is regarded as sports equipment in all civilized nations can be qualified by the retarded “mrt” “forensic specialists” as a “silent weapon” endangering human health and physical integrity. A harmless chemical compound, for example a mixture to treat the flu, which is sold in drugstores without a prescription, can be qualified by “Transnistrian authorities” as a “narcotic drug” or “psychotropic substance”. The same is valid for chemicals or any other substance used to fertilize the soil, so that the sick imagination of mrt authorities could easily “transform” it into a “toxic” or even an “explosive” substance. A slingshot that you bought for your child in the passage to the metro station will be qualified as a throwing silent weapon.

No better is the case of objects representing symbols or inspiring propaganda. For example, if you have the symbol of the Ukrainian state - the trident - on your clothes, it can be interpreted as “extremist propaganda”. And if you have the national flag of the Republic of Moldova in your car, you could be “qualified” as organiser of a coup d'état.

Dear reader, you may think that I talk nonsense - what kind of coup d'état could we talk if “mrt” is not a state! Yes, you are right, but I don't advise you to try to understand the zombie-like behavior of the transnistrian authorities, because you risk paying a high price for it.

Combating Provocations and Kidnappings

Don't be afraid to overdo on security issues. This is not a paranoia, but a very sound behavior. Of course, everything depends on your knowledge in this area and the training of your opponents. But it is extremely important for you to be aware of the criminal intentions of your opponents, since the planning and preparation of the criminal prosecution. I will mention a number of signs that would help you to understand that something is being “prepared” for you:

- ◆ Persons around you have a strange behaviour.
 - ◆ New persons appear in your business, everyday or social environment.
- ◆ Unusual noise or interference during the operation of communication equipment and networks or other household appliances.
 - ◆ Wrong number or silent phone calls. Visits to your home by persons who conduct “false” surveys, election campaigning or claim to have mistaken the address, etc.
- ◆ Increased interest in your business or plans from the part of long-term acquaintances, who did not have such an interest before.
 - ◆ Risky (illegal) projects proposed by your business partners, contractors, friends and other persons.
 - ◆ Visits to your office or residence under dubious pretexts by the “workers” of various technical, operational, and other emergency services. Unusual gifts, souvenirs, jewelry, luxury goods and other items of everyday use that almost always close to you.
 - ◆ Unplanned maintenance or unmotivated repair of your office or home equipment, communication equipments, means of transport.
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- ◆ The meters of your dwelling continue to record electricity consumption, even after you had turned off all known devices powered by electricity.
- ◆ Unplanned rotation of your office or home staff, including due to illness, death or other circumstances.
- ◆ Increased interest of “tax or other supervisory services” of the so-called “mrt” to check your business.
- ◆ Increased interest in your plans or any personal or business information from suspicious persons (“patriotic” organizations, pro-Russian movement, “political” communities and “security forces” of the “mrt”).
- ◆ You meet periodically the same persons or vehicles when you walk or drive, and have (unknown) vehicles parked near your office or home, though they had not been parked there before. It is also possible that, suddenly, unfamiliar persons begin walking their pets near your house. Concession stands, mobile (temporary) stands, stores can be also installed.
- ◆ Unauthorized access to your means of communication, signs of cyber attacks on your Internet resources.
- ◆ Traces of penetration or attempt to penetrate into your office, car, home or other infrastructure systems that you use.

Of course, an universal method to ensure your security, probably doesn't exist, but the security strategy (like the attack strategy) is a creative process, so - good luck!

Pretrial Detention Facility

First, you will be placed in a pretrial detention facility (PDF). The PDFs are (usually) located in the basement of the building of the Municipal or District Department of Internal Affairs.

These are just “underground dungeons” with an area of 2x3m. Their ceiling and walls are made of concrete, covered with a non-uniform layer of porous stone consisting of a mixture of cement in the form of small stones. The floor of such “underground dungeons” is also made of concrete, and the door is made of thick metal with a small hole of 15x15 cm, which is used to give the food to the detainees. Crooked rotten planks with protruding nails, supported by triangular iron bars in the form of “corners”, are situated almost on the entire area of the cell at a height of (approximately) 30 cm from the floor. At the same time, the distance between this construction and the door is not more than 40 cm. There is no window or ventilation system in this “underground dungeon”. Many of these “dungeons” don't have even a “toilet” hole in the floor. In the corner of the dungeon there is a simple bucket where you can meet your needs. Or, in general, you cannot meet your physiological needs whenever you want, but only twice a day at most in the so-called “toilet” hole, with the permission and under the supervision of prison guards. This “dungeon” is illuminated only by a small lamp located above the door, in a deep hole in the wall, covered with thick bars at small distances from each other. Therefore, there is almost no light in the cell, and the visibility is limited.

Psychological Tortures

First, they will try to scare you with the “dungeon” and your inmates, because most of us (for obvious reasons) are afraid both of the criminal world and the idea of a long stay in such inhuman

conditions. Thus, investigators will try to break your will, as well as gain some time in order to decide what to do with you next.

Second, they will, most likely, “work” you in order to obtain the necessary information and make you act at their will. Such a “working” is performed with the help of so-called “rats”, specially trained for this (immoral persons from the criminal world). These inmates will immediately show their “care” to you, will make you believe that they are your “friends”, they will tell you about all “horrors” that happen during the stay in the cell and how they “hate” “mrt” and “militiaman”, while trying to win your confidence in order to get the “protector” information they are interested in. These “sons of bitches” will discuss “friendly” with you only to try, under various pretexts, to obtain the information they are interested in. Pretending that they have a “compassion” for you and showing their fake readiness to “help” you, they can propose their services, for example, to transmit information about you to your friends and family (as you will be deprived from this possibility). But, should you believe them, your “messages” will end up in the hands of your tormentors. Moreover, such “well-wishers” can strongly advise you to accept all the terms and conditions put forward by your kidnappers. They will try to give you “wise counselling” that can convince you that your silence and refusal to meet the investigators' demands will be useless. They will also give you “pearls of wisdom” of their so-called experience when kidnapped persons were released without any ransom only because they showed their loyalty to militiamen in exchange for their “confession of guilt” on the frame-up. They will also try to persuade you to meet other requirements of the “transnistrian” extremists. Usually, the real reason for your kidnapping is the intention to obtain the highest possible ransom for your release. Of course, there are chances that you will be surrounded in the “dungeon” not only by terrorist snitches, but also by potential allies. Don't risk, as it is difficult to distinguish between them remember the “golden rule”: listen to everything, but remain silent.

Of course, that doesn't mean that you should pretend to be dumb. Try to discuss on general topics. Talk about the problems that arise due to the conditions of your cohabitation in the cell, but don't tell anything about your relatives, business, personal or social life, or about possible reasons of your detention.

The inmates, who are part of the criminal world, may ask what you were accused of (this may be related to the “traditions” of the criminal world not to be placed in the same cell with those that committed offences against sexual freedom (rapists, pedophiles, etc.)). Tell the truth because (in such circumstances) it is impossible to hide the truth and it makes no sense to do this. But don't tell them anything else! Don't answer their questions about the reasons of your accusation, if you are guilty or not, or about the facts of the case. Tell them clearly and firmly that you are not obliged to communicate and discuss deliberately these circumstances. Once you are placed in the same cell with others, try to observe how they behave (what they think about the food, how they interact with each other, etc.). Many things will not be clear to you, so feel free to ask the other inmates what you are allowed to do and what is forbidden to do in the cell. You should remember that you are in a potentially hostile environment (usually of criminal nature), with its own rules and “mentality”, and it is extremely important to try to adjust to such an environment as soon as possible. It doesn't mean that you should integrate yourself in the criminal environment, accepting the traditions and perceptions of the criminal world as a postulate of moral values.

Be attentive to infections!

Once you are placed in the “dungeon”, which could contain anti-social elements, try not to contract any harmful infection. Don't allow the development of respiratory and digestive diseases due to inhuman conditions of detention.

Keep in mind!

Avoid any conflicts with your inmates and don't get involved in "any kind of adventures planned by them". These may be attempts to provoke you, that have the same objective. Of course, I cannot explain to you all aspects regarding the behavior in such circumstances, but the (well-known) prison rule: "Don't believe, don't be afraid, don't ask" reflects the reality of that "world". Here are some other taboo subjects in prisons: "don't play" (by no means participate in any apparently inoffensive games), "don't promise" (don't promise anything to anyone, even insignificant things) and "don't lie" (if the truth can be found later) - if you cannot tell the truth, don't say anything. The priority is to resist 72 hours!

Be careful with the so-called "lawyer"!

After 72 hours they will be "obliged" to "indict" or "release" you. Therefore, during these three days they will try actively to take as many actions to "gather evidence" that might prove your participation in an "unlawful" act. This means that from the second day of your kidnapping and placement in the "dungeon", you can expect repeated attempts of "interrogation". In other words, after the failure they will try to get "everything at once" from you, while you are still in shock after the apprehension. They may also want to continue their criminal actions and attempts to perform their criminal plans, forcing you to act at their will. They could bring a person to the so-called "interrogation", who they will introduce as a lawyer.

Most likely, this "boogeyman" is not a lawyer, but one of your torturers masked as an "actor". When left "alone" with you, which is almost unreal (since microphones will be installed in the cell), the "lawyer" will tell you that he/she is your lawyer and wants to release you, therefore you need to tell the whole story. And even if this "clown" is a member of the so-called "mrt bar association" this doesn't change anything, since all these "lawyers" are also representatives of the law enforcement bodies. If this were not true, they themselves would have become their victims. So don't tell them anything! Don't disclose any personal data or data about your friends and relatives. Don't try to use their means of communication and send messages to your relatives. They will start searching for you when they discover that you are missing and surely will find you!

R.B.
Prisoner of the Transnistrian Criminal System
from 2010 to 2015

He was born again - a young man from Bender gained his identity at the age of 21



Serghei Bondarev is originating from Bender, he is 21 years old, but has never had a Birth Certificate. Although he has all the documents issued by the Transnistrian administration, he does not have any document issued by the constitutional authorities, which limits several of his rights, such as the right to education or freedom of move.

The young man struggled intensively with the population documentation system of Moldova in order to prove his identity and obtain a birth certificate, issued by the constitutional authorities. He managed to do it in the court of law. On 15 December 2015, by the Judgement of Bender Court of Law, his application was admitted and the identity of citizen Bondarev Serghei was established. The Judgement become final on 15 January 2016 and was executed by the Civil Registry Office, which issued the birth certificate.

Serghei's case highlights the systemic difficulties related to the documentation of the population born on the left bank of the Nistru River. For example, a person born in the Transnistrian region can be issued national documents on the request of one of the parents who has an ID card issued by a recognised authority. In spite of this, there are categories of persons who encounter major barriers in the documentation process, such as orphans or children whose parents were not issued national documents.

“So far, the procedure of recognising the identity of a person in the court of law is the only mechanism used in case of persons improperly documented from the Eastern districts of the Republic of Moldova, said Vadim Vieru, Promo-LEX lawyer. However, in the light of their positive obligations, the constitutional authorities must ensure observance of human rights on the left bank of the Nistru River and identify clear and accessible mechanisms for the documentation of the population from Eastern districts”.

Analysing this case, Promo-LEX lawyers found an interference in the private life of the applicant, which is safeguarded by Article 8 of the European Convention, in particular, the right to legal identity and identification in the social relations among other citizens or any other individuals or legal entities. In addition, the lawyers established that the young man was deprived illegally of his legal capacity, when the authorities refused to confirm his citizenship.

We remind that Promo-LEX Association reported the problems with the documentation of the population from the left bank of the Nistru River back in 2007-2008¹.

¹Report on Human Rights in Moldova, Retrospective of 2007-2008. Chapter entitled Right to Life, Freedom and Individual Safety: http://www.promolex.md/upload/publications/ro/doc_1259134469.pdf

Promo - LEX

Advancing democracy and human rights



**National Endowment
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Supporting freedom around the world

Edition coordinated by:

Carolina Bondarciuc

E-mail: pr@promolex.md

Web: www.promolex.md

Tel/Fax: (373 22) 45-00-24

GSM: 069637849

The **Promo-LEX Association** is a Non-Governmental Organisation focused on promoting democratic values, whose purpose is to advance democracy in the Republic of Moldova, including the Transnistrian region through promoting and defending human rights, monitoring democratic processes and strengthening the civil society.

**Promo-LEX Association provides free legal aid assistance on issues of human rights violations for the inhabitants from the Transnistrian region of Moldova.
For consultations please contact: Tel: 0(22) 45-00-24**

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