

Promo-LEX Newsletter

In this edition

People in denger	1
Harassment	3
On its way to slow extinction	6
The judiciary against the press	8

People in denger

During the six years of the "hotline" of NGO "Interaction" thousands of phone calls were received from people who have requested information on the level of safety in various countries, data unavailable in other sources. Only in 2013, 1170 such calls were received.

The problem is worsened by the fact that legally Transnistria does not exist. Accordingly, there are no embassies or consulates in countries where our citizens, driven by poverty, are forced to go in search for means of existence. But it is known that there are employers overseas who mercilessly, and contrary to the law and common sense, exploit the helpless victims of the "unrecognized statehood". Many Transnistrian guest workers have been killed or have gone missing. My colleague was thrown from the 9th floor after having received his salary, one day before his planned trip back home. Of course, no money was found on the body. Only a train ticket, with the destination to Tiraspol. The killers have not been found, no one bothered looking for them. The life of a Transnistrian worker costs nothing. There are gangs in Moscow suburbs specialized in robbing and killing guest workers when they receive their wages. They act in complicity with the employers. Bodies are thrown into swamps. It's almost impossible to establish the number of such cases because these cases are rarely properly documented.

There is a human rights organization called "People in need". And Transnistrian people are in a lot of need, a fact that is ignored by the current and previous governments. They say that we are of interest to Russia as a source of cheap and relatively skilled labor. But the fact is that this interest is not so much that of Russia as that of ruthless and greedy Russian employers, which leads to a slow disappearance of the Transnistrian population, and to thousands of families to despair. Still, this appalling phenomenon does not concern decision makers in Transnistria.

Of those who called the hotline 68% are women and 32% men. Women have less social security. Our girls are the most beautiful in the world. They are heavily recruited for prostitution in Turkey, Cyprus, Lebanon, and the Emirates. There, they are cruelly exploited, often re-sold and treated as cattle.

facebook

www.promolex.md

Previous issues:

Newsletter 98 click [here](#)

Newsletter 97 click [here](#)

The head of the crime investigation unit of the ministry of internal affairs, Vladimir Vitalievici Russki, said that between 1 January and 15 May 2014, 4 cases of trafficking were investigated. All persons involved in those cases were held accountable. A case was started at the request of a public association. A woman was transported outside the *tmr* by fraud, had her papers seized and forced to practice begging. Then she was forced into prostitution.

Fighting recruitment of future victims of trafficking is complicated because often, fearing vengeance of local organized crime groups, victims refuse to cooperate with the law enforcement, and some former traffic victims take to recruiting new victims for the extra money.

Two years ago, our newspaper wrote an article on a business woman, I.B, who was contacted by a young woman with a request to help her get a job in the UAE. I.B. linked the lady with an employer from UAE. She arranged her travel from the Chisinau airport, and received a bank wire from the UAE patron. This fact served as the evidence to qualify her actions and falling under the Criminal Code. No one seized the young lady's papers nor did not anyone use violence against her. It's just that something did not go well, and the young woman called her parents and complained. The parents wrote a complaint to the police. I.B. was sentenced to 10.5 years of prison, and still has to 7 years to serve. The young woman she helped get employment is however ok, and continues working in the Emirates, sending money home. Her parents are happy.

I do not mean to say that I.B. is completely innocent and does not deserve to be punished. But I think that her actions could be qualified otherwise. Because the sentence of 10.5 years is downright deadly. We are dealing with a purposeful "improvement" on the case by law enforcement agencies in order to imitate the combatting of this dangerous phenomenon.

I warned law enforcement bodies of the increase in cases of vagrancy among minors during the summer, when every child that ran away from home can become a victim of abduction and slavery. Last summer, the Odessa police conducted a series of raids on the beaches and found that most street children were originally from Transnistria. The cause of this shameful phenomenon is social orphanage. Our political class doesn't care about its children. They have more important things to do.

To conclude, please remember the helpline number - 0-800-88888. The specialists can guarantee your anonymity and confidentiality. Do not hesitate to call if you plan a trip abroad.

And decline job offers if the 'organizers' of the journey ask you to submit your identity documents, and if a "generous employer" promises to cover the expenses for the preparation of documents for employment and payment of travel expenses.

Ring the alarm if the actual working conditions do not coincide with those you were promised, if physical coercion or threats are applied to you, if you become a victim of physical or mental violence, if employers limit your communication with your loved ones and relatives. Remember: they are experienced criminals, cruel, cynical, and capable of anything. The danger is sometimes closer than we think.

Human trafficking has taken on global dimensions, and is a modern form of slavery. Most slaves in our times are women. Human trafficking is by the third most profitable illegal activity in the world after arms and drugs trafficking, with estimated revenues or 32 billion dollars annually. According

to estimates of “People Safety Centre”, annually, 4 million people are sold into slavery. Experts of the Anti-Slavery organization say that there are up to 200 million slaves in the modern world. According to UN reports, people are sold into slavery (by kidnapping, deceit, etc.) in 127 countries of the world, and in 137 states, victims of trafficking are of foreign origin. A relatively high activity of human traffickers was reported in 11 states, including Russia, Ukraine, Belarus, Moldova, and Lithuania. In Armenia, Georgia, Kazakhstan, and Uzbekistan, the level of activity is "high". Ten states, including US, Israel, Turkey, Italy, Japan, Germany, and Greece, are the favorite destinations of modern slave trafficking.

According to ILO estimates, 5.7 million children are victims of forced labor and another 1.2 million are victims of child trafficking. Every year, some one million children, mostly girls, are forced into prostitution. These children are sold as slaves or get into the pornographic industry. There are cases where children have become victims of the removal of internal organs and tissues or victims of illegal surgery. At present, about 300 thousand children are used as soldiers in 30 conflict regions around the world. Many girls are abducted or just converted over time into sex slaves.

Harassment

After publishing the article entitled “Order is in place, truth is on its way” in the newspaper “The man and his rights,” in which I described the history of the fierce fight of the government against those who dare to have and express a different opinion on the most important issues of state and society, and about the ongoing campaign of harassment against me as editor-in-chief of a human rights defense publication, many readers call me, expressing their support, offer their help, cheer me and convince me to dare for more.

Dear friends, you have already helped me a lot by taking part in our common fight against injustice.

The case was examined by lieutenant colonel Alexei Vladimirovici Sarighin. On 19 June, I received a response to my complaint signed by acting head of the department of internal security of the MIA (and, for some reason, a colonel of customs service), A.M. Socolan, as the case was examined directly by the internal security service. Below is the full text of the response: Please note that verifications were carried out on your case under Art. 93 of cpc trm, which resulted in the refusal to start criminal proceedings on the basis of Article 5. p. 2 let. a of the cpc trm. The said article specifies the reason: absence of corpus delicti in the actions of the suspects.

And so, dear readers, in our alleged rule of law democracy, anyone can steal your mail, and you may be slandered throughout the country, and accused of things that you never committed, and the law enforcement will not see a crime component in these actions. Do you know why? Because you dared to express an opinion different from that of the government.

But I also asked to identify the perpetrators so that I can personally sue them. It does not cost our brave policemen anything. The information was made public on a authorized-only website, where information can be posted only after registration with an ID. But they refused to do so. This refusal speaks to the fact that the perpetrators have strong connections in some influential state structures. I assure you, dear readers, that I will continue my attempts to identify these people and hold them accountable.

Meanwhile, the harassment continues. On 17 June, 2014 Interior Minister, General Ghenadi Iurievici Cuzmiciov, called a press conference, traditionally taking me out of the list of invited press – despite the fact that some topics of discussion were related to me.

At first, the General spoke about the work of the ministry, which includes 68 units in its structure. A whole empire - I wonder if they are all necessary. He explained why the State Customs Committee merged with the Ministry.

Particularly encouraging was the fact that the minister began his report not by presenting the percentage of solved crimes, but with the current crime rates. These decreased by 3.7% over the past 5 months for very serious crimes, and by 11% compared with the previous year. It crossed my mind that we could have contributed to this. For many years, we talked about the vicious system of reporting uncovered crimes, which often forces "defenders of the rule of law" to "adjust" their crimes, and "appoint" honest citizens as felon. Hopefully, this indicator will remain in the past!

Mr. Cuzmiciov also talked about the illicit drugs trafficking. Distribution of synthetic drugs went up. There are 3300 men and 300 women officially registered as drug addicts in Transnistria. Cuzmiciov said that the real number of consumers is 10 times higher. From the beginning of the year, the law enforcement discovered 800 cases of illicit drug trafficking, two thirds of which were for the purpose of sale.

"As for these statements and allegations of torture - continued the minister, - dear colleagues, I would like to draw your attention to a few issues here. The article and cases mentioned in it were carefully analyzed. All the facts described in this article refer to the period 2006-2009, all before 2011. Now I ask a rhetorical question, if I may: why did this article appear now, and why are there no findings or facts or other data that would refer to the period between 2011 and 2014? And another question: why does this newspaper publish information that refers to such cold cases? Personally I see this as an attempt to denigrate the law enforcement, and especially those who fight to ensure public safety and combat crime.

This is firstly. And, secondly, I sent informative notes to the Supreme Soviet for each of the cited cases. The Interior Ministry prepared summons to court on this case of spreading information that I qualify as defamatory of those policemen and officers who do their duty honestly and with dedication. I am confident that we will win this trial. Because, as I said, we have carefully studied all the case, and have something to say for each particular case." This is a direct quote of the minister's words.

I will not leave the minister's questions without response. I will respond to each case. Not all findings published by us relate to the era before Sevciuc. There are also recent cases in this article, and in other materials published in the newspaper. But I want to raise the question: why can't we refer to earlier cases? What changed on 1 January 2012 or since your appointment as head of the ministry, Ghenadi Iurievici? Did you completely change the staff of the ministry? Or maybe you issued an order banning torture? Or did the mentality of police workers change for better? I don't think so. The problem remains, and it needs to be solved.

There are no new examples in the article "Torture as a rule of the investigation". All are taken from open sources of information. Some were published in 2011 (article about Evgheni Antonov), others – in May of 2012. After publishing the article about Egor Stoianov, we in the newsroom received an avalanche of calls and letters. Later, we published some 15-20 detailed materials on new cases. We expected at least an apology or explanation from the law enforcement, but it failed to come.

Please excuse me, but one month after an article is published and not denied, it becomes uncontested public knowledge. The newspaper is officially registered, and I have no doubts that the ministry thoroughly analyzed all the published materials. Still, we did not receive a single reaction or request for retraction from the ministry - their pride and ambition probably wouldn't allow them to respond. As for me, I care and sympathize with the innocent people.

Of course, I have the letters from the people who contacted us. I spoke a lot about torture at various forums, including in the presence of Ombudsman Calco and other officials. And please do not forget to invite UN special representative for human rights and Nobel Peace Prize laureate Thomas Hammarberg to the court hearing, as he too reflected the use of torture in his report, and don't forget other representatives of reputed international organizations, especially Freedom House. Following a visit in 2013, this organization found in its report that: "there are data on torture in detention. Detention conditions are unbearable and inhuman, and are considered hazardous to health". Does that assessment also "denigrate those who do their duty with devotion and honor"? By the way, there are such people, and I know some of them personally, and feel particularly sorry for them. Let Hammarberg and Freedom House share the dock with me. Because, on the one hand, Evgheni Vasilevici Sevcuic and Nina Stanski shook hands with them, smiling and thanking them for contributing to identifying cases of human rights violations in Transnistria. And, on the other hand, journalist Buceatchi gets the "all rise - enter the court!" treatment.

I want to draw readers' attention to a phrase used by Ghenadi Iurievici Cuzmiciov: "I am confident that we will win this trial." This amounts to administrative pressure on the court. I recall that Mr Cuzmiciov is in the top five most influential leaders of Transnistria. And all our judges are nominated and dismissed by one person (the president), who is prone to influence by the entourage. But there is also the Supreme Court and the ECtHR, and I assure you of my intention to address them. And I do not think that Mr Cuzmiciov would win there, too.

On 27 July 2011, the state security ministry arrested Ghenadi Iurievici. I dedicated a full page in the newspaper to an article in his defense then. Later, I called state officials and the public for his salvation after he went on hunger strike. I cannot say that I escaped from the harassing team working for Smirnov. In October the same year, Ghenadi Iurievici was released. He called me from the hospital, expressing his sincere gratitude for the contribution to his fate: " Nicolai Onufrievici, feel free to call and ask me anything, anytime," he said. I never did - and I don't intend to.

But I do not regret that I defended you, Mr Cuzmiciov, when you were unjustly attacked. It is my job as activist not to admit indifference towards the fate of a brave and smart person in the prime of his life.

If power changes again, Ghenadi Iurievici, and you get into a tough situation again, be sure that I will not leave you in hardship. Seek my help! I hope that, in time, when ambitions vanish like the morning fog, you'll realize that you were wrong. But until then, see you in court! Well, not you personally, but your representatives. I will defend myself to the last bullet. I will not give up.

On its way to slow extinction

Looking into the functioning of Moldovan schools with teaching in Cyrillic alphabet required me to visit several such schools, mainly in rural areas, on the territory of the Transnistrian region.

School principals are not too eager to talk. They insisted not to mention their family names or school numbers, as they are afraid of being accused of nationalism, of losing the trust of the local administration, and, ultimately, their jobs. Some cut the talks short: everything is fine, there are no problems. Teachers were more open, and I will not mention their names.

In fact, the problems of all Moldovan schools are the same. Teaching is based on old manuals, published at the middle of the previous century, and which are very bad in quality. The training and qualification of teachers do not meet the standard requirements. There is one person, Dorina Afanasievna Gorbuja, who has been working for many years at the Institute of professional development of teachers in Tiraspol and has been truly concerned with the fate of the Moldovan language with Cyrillic script, but without academic and public support there is not much she can do.

Asserting and maintaining the Moldovan language based on Cyrillic alphabet has always been officially presented as one of the basic achievements of Transnistria. On the right bank, affirmation of Romanian (based on the Latin script) as the official language is considered the main achievement.

But why was Cyrillic script chosen in Transnistria? This historic decision is not based on solid scientific research, on the results of a popular referendum or at least a survey of the bearers of the language, the Moldovan population of Transnistria – and Moldovans are the largest ethnic group in the region.

Instead, several persons present in the office of Igor Nicolaevici Smirnov, president of Transnistria at the time, enthusiastically agreed with the opinion of the president in that regard. They did not discuss how the language would be supported and developed, and what resources would be allocated for that. Nobody really wanted to deal with it.

One can speak for ages about the importance of developing and preserving a national language, and many things will still remain unsaid.

The languages based on Latin and Cyrillic scripts began a hostile coexistence from the very start. It's been a quarter of a century since, and it is time to draw the first conclusions. In this significant period, on which our paper formulated its position in an article on 10 October 2012 "My tongue - my soul and essence", only three slim booklets were published with great ado: a book by V. Alecsandri, one by Ion Creanga, and one by Mihai Eminescu. These were the last prints in Moldovan. They were printed in ridiculously small circulations, which were not even enough to hit the shelves of Tiraspol libraries. No additional funds have been allocated for more editions, or are expected in the foreseeable future. There are no funds to edit a proper newspaper or open a theater in Moldovan language.

The issue has not and will not be considered. But would the Russians in Transnistria agree that their children couldn't read Pushkin, Lermontov, Tolstoy in original? Why would Moldovans be happy that their language is slowly dying off, little by little? Under the frenetic applauses of the Transnistrian Union of Moldovans, headed by Valerian Tulgara, who nods at every idea put forth by of region's leadership. Discussions about the great role of tmr leaders in saving the Moldovan language will remain discussions. But if the Moldovan language disappears, this will be a catastrophe.

During an open discussion event, the editor of communist newspaper “Nistru Truth”, Nadejda Bondarenco, replied to my arguments, saying that ethnic Moldovans never raise the language issue during her countless meetings with locals, they are more concerned with economic issues. I couldn't agree more. In the early 80's of last century, I was an active lecturer of the Central Committee of the Communist Party of MSSR. When I traveled the country and visited many remote villages with lessons, Moldovans did not ask me such questions either. But remember how they raised them in 1989?

So the issue cannot be ignored indefinitely on grounds that Moldovans are dispersed and reside primarily in rural areas. Is this not why some Moldovan villages are deserted so quickly?

In Nezavertailovca, a Moldovan village in raion Slobozia, until 2005, the local Russian-Moldovan school taught some classes in Moldovan based on Cyrillic script. In the last school year, only 12 children registered to the school, and all chose classes taught in Russian. Moldovans can be easily understood. Why learn a language that children would not use anywhere? The school in Nezavertailovca was the oldest school in rural Moldova, opened in 1938. It was decided to close the classes in Moldovan language due to “insufficient applications”.

Currently, only 17 out of 175 schools in Transnistria (less than 10%) teach in Moldovan based on Cyrillic script. Many of these schools could be closed under the pretext of optimization or for economic reasons. I reiterate – this despite the fact that Moldovan speakers are the largest ethnic group and amount to one third of the people of the region.

Moldovans in Transnistria cannot study in their mother language. There are no professional schools for the Moldavian language groups – and universities even less so. Again, there are no available manuals in Moldovan and – and none are expected to be produced anytime soon. In order to continue their studies in educational institutions in Chisinau, parents are forced to hire expensive Romanian teachers for their children – such teachers are in great demand in Transnistria.

Russian and Ukrainian languages are developed with support from the respective states. And the development of the Moldovan language in the right-bank Moldova is not accessible for Transnistrian Moldovans because of the difference in script – they use Cyrillic, and by the efforts of *tmr* authorities, which eliminated Moldovan channels from the TV grid and limited the contacts with cultural groups on from the right bank. When I was a councilor in the Tiraspol town council, we often had visitors: JOC dance ensemble, opera singer Maria Biesu, pop singers Irina and Anatol Bivol, dance ensemble “Barbu Lautaru” from Balti, and others. Such practices are now considered a deviation from the basic values of our *republic*.

Earlier in his presidency, Evgheni Sevciuc allowed 2-3 Moldovan TV channels into the TV grid in Transnistria, but only for a short time. Allegedly, Moldova did not react to this friendly unilateral act, by doing the same thing. But Moldovan language programs are needed in *tmr* namely for the Moldovan community here, so that they can develop their own language.

Moldovan children learn in the Cyrillic script for 11 years to get to read “Советул сăрек” (Village Council) on a panel one day, but they don't really need to, s they already know what the prettiest house of village is. Moldovan language based on Cyrillic script could disappear like ancient Hebrew.

The attitude of the region's authorities towards Moldovan language is a form of undeclared discrimination of local Moldovans. During the time of the Smirnov regime, in 20 years, Moldovans

did not have ministers, heads of districts, or heads of municipal administrations to represent them. In the first two years in office, Evgheni Sevcuiuc slightly corrected this practice, but later it all returned to “normal”. And the problem essentially lies in the language.

The need to adopt urgent measures in order to eliminate linguistic discrimination was emphasized by special UN envoy on human rights, Nobel Peace Prize laureate Thomas Hammarberg: “A comprehensive law to fight discrimination must be developed. This law should provide a definition of unacceptable reasons for discrimination, such as ethnicity, language, religion, age, limited abilities, gender, sexual identity, sexual orientation and social background. The law would establish, inter alia, the procedures for measures to combat discrimination, and provide protection to the person who need it.”

The judiciary against the press

On 1 September 2014, Tiraspol Court judge T.N. Scuria decided to admit the complaint of police officer Serghei Smatoc against me, Nicolai Buceatchi, for the damage to his honor, dignity and professional reputation caused by a fragment of an article “Torture as a rule of investigation”, published in our newspaper on 14 May of this year.

Previously, in a press conference, interior minister and state customs committee chair Ghenadi Iurievici Cuzmiciov, criticized me, in his words, “that man”, for offending police officers, while the serve with honesty, courage and dedication, and for daring to refer to cases that happened years ago.

Like Ghenadi Iurievici, I believe strongly that many in the police really serve with courage, dedication and honesty. But it is not me who offends them with my publications – it is those policemen who do not fulfill their obligations in the proper way.

I would have not mentioned old cases were things to have changed for better at least a bit since then. Should the ministry have adopted proper decisions and taken proper action, police would stop using torture during their investigations. For a start, torture, which is used as a means for obtaining testimonies, should be ruled inadmissible and properly criminalized. But we are far from that yet. It’s so much easier to become very upset with a journalist, and so much so that you take him to court for daring to draw public attention to such a shameful phenomenon of the past, which, unfortunately, remains widely practiced nowadays by the law enforcement.

Maybe the minister is suffocated by an overwhelming feeling of revenge, which does not let him eat and sleep, or work, and his bloody entourage uses their influence on Ghenadi Iurievici and whets his against me, or there are other reasons that does not allow him to keep himself in check, to find the courage to take criticism with calm and dignity - I don’t know.

But, Ghenadi Iurievici, I mention cases that happened in September 2013, when Serghei Monul was interior minister, and your appointment came with a promise of change, of things done more correctly, in compliance with the law and rules of international law. The very fact of your appointment mobilized and helped discipline the staff.

I do not know why, but, at the press conference, minister Cuzmiciov vowed to sue me and committed to win all trials against me. This last part of the statement can be interpreted only as open

pressure on the court. Cuzmiciov is in the top 5 of most influential members of the executive branch. Judge T.N. Scuria will find it quite hard to take an independent decision against that directive.

What's the risk of the young judges? They are not yet confirmed in their positions for life. Their confirmation depends on the "correctness" of their judgments. Their life principles are not yet formed, and they're not afraid of the Judgment Day. They wrongfully believe that they have time to compensate their bad decisions with correct judgments.

As I was told by a member of the *public council*, the ministry's opinion on the article was examined in a meeting of the council. Council members advised the minister not to litigate against an article in the press. At the meeting, Cuzmiciov noted that: "I had the intention to sue, but you persuaded me not to." However, after the meeting, Cuzmiciov apparently gave in and started the harassment of an activist journalist.

For my part, I do not put my faith in the impartiality of the court in Tiraspol. Transnistrian courts cannot be independent. Judges are appointed and dismissed personally by the president, who is naturally influenced by his entourage. Cuzmiciov is one of the most influential in the entourage, and he has publicly promised to win all the lawsuits against me. I suggest to take the case to a truly independent court.

The articles from this issue of Promo-LEX Newsletter were developed by "The man and his rights" / Человек и его права newspaper's team, with the support of Promo-LEX Association, within the Matra Programme (Embassy of Kingdom of the Netherlands).

Promo - LEX

Advancing democracy and human rights



**National Endowment
for Democracy**

Supporting freedom around the world

Edition coordinated by:

Carolina Bondarciuc

E-mail: crdt@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

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 (NED).