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REPORT

HUMAN RIGHTS IN THE TRANSNISTRIAN REGION OF THE REPUBLIC OF MOLDOVA

JULY - DECEMBER 2017

CHISINAU - 2017

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Advancing democracy and human rights

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ABBREVIATIONS

RM	Republic of Moldova
ECtHR	European Court of Human Rights
CoE	Council of Europe
OSCE	Organization for Security and Cooperation in Europe
NGO	Non-governmental organisation
MRT	Self-Proclaimed Moldavian Republic of Transnistria
MGB	Ministry of State Security, the former KGB

INTRODUCTION

This report is the biannual periodical edition, drawn up by the Human Rights Program of Promo-LEX Association, which includes findings on the actual situation in the Transnistrian region in the field of human rights during July – December 2017.

Several research **methods** were used to expose the findings. The most important are: analysis of events related to the negotiation process, legislation analysis, analysis of the public policies and processes, illustration of the cases of human rights violations, exposing the findings of the international and regional courts, as well as formulation of certain conclusions.

The **need** to develop this kind of report was determined by the fact that human rights are poorly promoted and cannot be efficiently protected in the Transnistrian region due to a confined space for the operation of independent civil society. Human Rights in the region are practically not monitored at all by local, national or international specialised institutions. Few of the region's independent organisations remain tightly supervised by the so-called security service ('MGB'). The Russian Federation continues to play an important role in strengthening the de facto Tiraspol regime through generous and unconditional economic, social, political and military support that contravenes the international rules of law and its own status in the context of regulation of the Transnistrian issue. At the same time, public policies and strategies aimed at promoting and protecting the fundamental rights and liberties promoted by the constitutional authorities fail to achieve their purpose. In these conditions the de facto administration bears no responsibility for the human rights abuses and violations, enjoying total impunity for the deeds of its agents.

The **terms** used in the text do not imply any political positions of the authors and should not be interpreted this way. The use of such terms as '*Legislation*', '*MRT*', '*Constitution*', '*President*', '*Minister*', '*Prosecutor*', '*Bailiff*', '*Supreme Soviet*', etc. in the report does not mean the de jure legitimation of such de facto regulatory acts, authorities or institutions. These terms are used for the readers' convenience only, and in order to provide as exact identification of de facto documents, authorities and institutions, as possible.

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BACKGROUND

In the second half of 2017, the authorities of the Republic of Moldova undertook a number of actions as part of the negotiation of the Transnistrian issue. These actions set certain milestones that will allow monitoring how these commitments are honoured and how the detected problems are solved.

Activity of the Parliament

On 21 July 2017, the Moldovan Parliament approved the *Declaration on the withdrawal of Russian military forces from the territory of the country*.¹ In particular, this document stipulates that the continued stay of the Russian troops and the strengthening of their military presence in the Eastern part of the Republic of Moldova constitute violations of the Constitution, in particular regarding the Republic of Moldova's independence, sovereignty, territorial integrity and permanent neutrality, as well as of the international law.

At the same time, Prime Minister Pavel Filip requested, from the rostrum of the *United Nations (UN)*, to withdraw fully and unconditionally the Russian troops from the Transnistrian region of the Republic of Moldova.² Subsequently, the Moldovan Government, through the Permanent Representative of the Republic of Moldova to the UN, Victor Moraru, called for postponement of the discussion on the presence of Russian troops in the Transnistrian region.³ At the same time, the Moldovan Minister of Foreign Affairs, Andrei Galbur, reiterated at the meeting of the Ministerial Council of the Organization for Security and Co-operation in Europe (OSCE) the need to withdraw fully the Russian military forces from Moldova.⁴

On 22 December 2017, the *draft Law on Amendments and Addenda to Article 13 of Law No 100-XV of 26 April 2001 on Civil Status Documents* was approved in the second reading, referring to the confirmation of the vital events produced and recorded by the *de facto* administration in settlements on the left bank of the Nistru River and Bender municipality.⁵ These amendments were made to ensure that the vital events (birth, adoption, marriage, divorce, death etc.) produced and recorded in settlements on the left bank of the Nistru River and Bender are confirmed by civil status documents, issued by the competent constitutional authorities of the Republic of Moldova, if their registration occurred in conditions similar to those regulated by the legal framework of the Republic of Moldova.

The intention to set up a mechanism that would remove the restrictions in issuing documents to persons from the settlements on the left bank of the Nistru river and Bender municipality is welcome. However, the draft law was adopted at a high pace, with substantive and procedural errors identified afterwards.

Activity of the Presidency

The intention of the President of the country - made public on 22 July 2017 - to award the paramilitaries from the Transnistrian region and the Russian peacekeepers has raised concerns in the society, such an

1 'Press Releases - Parliament of the Republic of Moldova.' 21 Jul. 2017. Source: <http://www.parliament.md/Actualitate/Comunicatedepresa/tabid/90/ContentId/3269/Page/0/language/ro-RO/Default.aspx>. Accessed on 5.12.2017.

2 'The Prime Minister requested, from the UN rostrum, to withdraw fully and ...'. Source: <http://independent.md/premierul-cerut-de-la-tribuna-onu-retragerea-completa-si-neconditionata-trupelor-rusesti-din-transnistria/>. Accessed on 6.12.2017.

3 '(doc) Exclusively! Moldova has asked to remove from the agenda ... - Zdg.md.' 21.11.2017. Source: <https://www.zdg.md/stiri/stiri-politice/doc-exclusiv-r-moldova-a-cerut-excluderea-de-pe-agenda-onu-a-subiectului-privind-retragerea-trupelor-ruse-din-regiunea-transnistreana>. Accessed on 5.12.2017.

4 'Moldova has again demanded the withdrawal of Russian troops from ... - Timpul.md.' 8.12.2017. Source: <http://www.timpul.md/articol/moldova-a-cerut-din-nou-retragerea-trupelor-ruse-din-transnistria-124875.html>. Accessed on 9.01.2018.

5 'Draft legislative acts - Parliament of the Republic of Moldova.' Source: <http://www.parlament.md/ProcesulLegislativ/Proiectedeactelelegislative/tabid/61/LegislativId/3960/language/ro-RO/Default.aspx>. Accessed on 5.12.2017.

action being considered illegal and inappropriate.⁶

A few days later, on 26 July 2017, the President signed and made public his decree on awarding some people, including representatives of the OSCE Mission to Moldova, but the list does not contain names of persons from paramilitary or Russian military structures. However, he noted in a social network message that proposals had been made to award some Russian and Ukrainian peacekeepers, but the awards can only be accepted 'with the consent of the countries, whose representatives they are'.⁷

On 28 July 2017, President Dodon signed the Decree establishing the Civil Society Council under the President of the Republic of Moldova, which will consist of 15 line committees, including the Country Reintegration Committee.⁸ At the inaugural meeting of 9 October 2017, Igor Dodon announced that the draft laws submitted to the President for promulgation would be forwarded to the line committees for prior consultation.⁹

The head of the state also announced that public offices would be opened on 27 November 2017 to hold hearings for citizens from the left bank of the Nistru river in three localities: Rezina town, Cosnita village (Dubasari) and Varnita village (Anenii Noi). The President reiterated that he was considering the possibility of opening such offices in most of the country's districts. The activity of these public offices is meant to eliminate the bureaucratic barriers, and increase the efficiency and effectiveness of the President's administration when providing the necessary support to the inhabitants of both banks of the Nistru river.¹⁰

Activity of the Government of the Republic of Moldova

The Deputy Prime Minister for Reintegration, Gheorghe Balan had about 8 field visits (Rezina from Dubasari district, Orhei, Anenii Noi and Basarabasca), over 38 meetings with partners in the process of country's reintegration: The Special Representative of Ukraine, in charge of the Transnistrian conflict settlement, the Head of the OSCE Mission to Moldova, the Head of the EU Border Assistance Mission to Moldova and Ukraine (EUBAM), etc.

In the second half of 2017, the Government of the Republic of Moldova achieved visible results in the negotiation process. Thus, the **Moldovan-Ukrainian joint border crossing point 'Cuciurgan-Pervomaisc'** was inaugurated on 17 July 2017.¹¹ The joint Moldovan-Ukrainian control at the 'Cuciurgan-Pervomaisc' border crossing point is meant to help facilitate the movement of goods, vehicles and people to meet the interests of economic operators, including small and medium-sized entrepreneurs, as well as individuals from the Transnistrian region.¹²

The key actions of the Moldovan Government in this period resulted in the signing of some **protocol decisions** between the political representatives from Chisinau and Tiraspol - decisions regarding the commitments assumed in the '*Berlin Protocol Decision*':¹³

6 "Promo-LEX | The President's wish to award paramilitaries ..." 8 Aug .. 2017. Source: <https://promolex.md/10156-dorinta-presedintelui-de-a-decora-paramilitarii-transnistreni-si-pacificatori-rusi-stirbeste-si-submineaza-suveranitatea-si-inviolabilitatea-republicii-moldova/>. Accessed on 5.12.2017.

7 'President Igor Dodon signed the decree on ... - Free Europe.' 26.07.2017. Source: <https://www.europalibera.org/a/28641430.html>. Accessed on 6.12.2017.

8 'The Civil Society Council under the President of the Republic of Moldova ...' 28.07.2017. Source: <http://presedinte.md/rom/presa/consiliului-societatii-civile-pe-linga-presedintele-republicii-moldova-a-fost-instituit-prin-decret>. Accessed on 6.12.2017.

9 'Igor Dodon chaired the inaugural meeting of the Civil Society Council ...' 9.10.2017. Source: <http://presedinte.md/rom/presa/igor-dodon-a-prezidat-sedinta-de-inaugurare-a-consiliului-societatii-civile-creat-pe-linga-presedintele-republicii-moldova>. Accessed on 5.12.2017.

10 'The hearings of citizens from both banks of the ...' 23.11.2017. Source: <http://www.president.md/rom/presa/incepe-audienta-cetatenilor-din-raioanele-de-pe-ambele-maluri-ale-nistrului>. Accessed on 6.12.2017.

11 'Prime Minister Pavel Filip will participate in the inauguration of the joint border crossing point ...' 16.07.2017. Source: <http://www.gov.md/ro/content/premierul-pavel-filip-va-participa-la-inaugurarea-punctului-comun-moldo-ucrainean-de-trecere>. Accessed on 5.12.2017.

12 'Benefits of joint control at the border crossing point of ...' Source: <http://www.customs.gov.md/ro/content/beneficiile-controlului-comun-la-punctul-de-trecere-frontierei-de-stat-moldo-ucrainene>. Accessed on 5.12.2017.

13 'Protocol decision of the meeting focused on political issues in the Transnistrian settlement negotiations' 3.06.2016. Source: http://gov.md/sites/default/files/2016_06_03_protokol_52_berlin_0.pdf. Accessed on 5.12.2017.

- Protocol decision *on the opening of the bridge over the Nistru River near the towns of Gura Bacului and Bacioc*.¹⁴
- *The Protocol Decision on the organisation of interactions in telecommunications* refers to the parties' commitment to take all the necessary measures in order to restore the landline and mobile connection between the two banks of the Nistru river, as well as the necessary electronic communication infrastructure, incorporating the detailed actions in a sectoral interaction mechanism to be developed by subject-matter experts.¹⁵
- *The Protocol Decision on the apostille of study papers issued in the Transnistrian region* envisages the adoption of neutral samples of stamps and diplomas for papers issued by higher education institutions from the Transnistrian region.¹⁶
- *The Protocol Decision on the implementation of the agricultural land processing mechanism of 2006* stipulates the return to the mechanism of 2006 on the processing of land by the owners and farmers in from the villages of Dorotcaia, Cocieri, Cosnita, Molovata Noua, Pohrebea, Parata and Vasilevca.
- By the *Protocol Decision on the operation of Moldovan schools with Latin script teaching*, the Chisinau authorities and the Tiraspol administration assumed the following commitments:
 - a) To set up tariffs for public utility services, equivalent to those applied to institutions in the Transnistrian region;
 - b) To establish a minimum rental fee for the premises of the educational institutions;
 - c) To conclude the rental contracts for a period of 10 years, with the possibility to prolong them;
 - d) To offer the right to use the land, on which the educational institutions are located;
 - e) To ensure the free movement of teachers and pupils;
 - f) To ensure the free movement of teaching materials and other assets necessary for the educational process in these institutions.¹⁷
- In the Protocol of the official meeting of the '*Permanent Conference on Political Issues in the Transnistrian Settlement Process* (Vienna, 27-28 November 2017)'¹⁸, the political representatives from Chisinau and Tiraspol assumed the following commitments:
 - To sign an agreement by the end of 2018 on a mechanism allowing the participation of vehicles from the Transnistrian region in the international road traffic.
 - To achieve tangible results during 2018 on Issues 5 and 6 of the '*Berlin Protocol Decision*', which refers to criminal cases; ensuring the free movement of persons, goods and services between the two banks of the Nistru river; implementation of agreed agreements in good faith, etc.

Activity of the Joint Control Commission

The Joint Control Commission met 18 times during the reference period, having constructive discussions during some meetings. At the same time, many meetings were held in a tense atmosphere, with controversial discussions and provocative behaviour. During the JCC sessions, particular attention was paid to the need for the parties to refrain from media propaganda.¹⁹

14 'Protocol decision on the opening of the bridge over the Nistru River near the villages of Gura Bacului and Bacioc'. Source: http://www.gov.md/sites/default/files/protocol_gura_bicului_bicioc.pdf. Accessed on 5.12.2017.

15 Protocol Decision of 25.11.2017. Source: http://gov.md/sites/default/files/2017_11_25_protokolnoe_reshenie_o_vzaimodeystvii_v_oblasti_telekommunikaciy_2.pdf. Accessed on 5.12.2017.

16 'Vitali Ignatiev explained to Members of Parliament how he will ...' 1.12.2017, <https://novostipmr.com/ru/news/17-12-01/vitaliy-ignatev-rasskazal-deputatam-kak-budet-rabotat-mehanizm>. Source: Accessed on 5.12.2017.

17 Protocol Decision of 25.11.2017. Source: http://gov.md/sites/default/files/2017_11_25_protokolnoe_reshenie_o_funkcionirovanii_moldavskih_shkol.pdf. Accessed on 5.12.2017.

18 http://gov.md/sites/default/files/2017_11_28_protocolul_sedintei_oficiale_a_conferintei_permanente_pe_probleme_politice_in_procesul_de_reglementare_transnistreana_viena_27-28_noiembrie_2017.pdf

19 'In the Joint Control Commission, parties pointed out the need to be ...' 20.10.2017, <http://gov.md/ro/content/cadrul-comisiei-unificate-de-control-s-punctat-necesitatea-de-fi-evitate-mesajele-de>. Accessed on 5.12.2017.

Also, an abusive practice by the border guard structures of the Tiraspol administration was noticed, who demand to check and record the identification documents of representatives of the OSCE Mission, travelling in vehicles with appropriate symbols to the JCC meetings and within the Security Area.²⁰

Regulatory Documents

On 19 July 2017, the RM Government approved the *2018 Country Reintegration Activities Program*.²¹ The program envisages funding for the technical and material upgrading and development of educational institutions, maintenance of buildings and water pipes, illumination of localities. Thus, with the view to develop and modernize the institutions from the education system, the Government granted a one-off material aid of MDL 75,000 to equip the theoretical high schools in the cities of Tiraspol, Bender, Grigoriopol, Dubasari, Ribnita, boarding secondary school of Bender, secondary school from the villages of Corjova and Roghi, Dubasari district.

Activity of de facto Tiraspol administration

In the second half of 2017, de facto Tiraspol administration was also active both locally and internationally. Thus, Tiraspol leaders had separate meetings with the head of the European Union Delegation in Moldova,²² Deputy Prime Minister Dmitri Rogozin,²³ German Ambassador to Moldova,²⁴ Head of the OSCE Mission in Moldova,²⁵ Commissioner for Human Rights Nils Muižnieks.²⁶ At the same time, in response to the actions of the Republic of Moldova on the withdrawal of the Russian armed forces, the *de facto* Tiraspol administration declared that it intended to request that UN recognises its observer status.²⁷ Status currently enjoyed by Palestine and the Vatican, and which would represent a strong step towards the Transnistrian region strengthening its position of separation, which is rejected by the international law.

On 31 October 2017, Tiraspol leader Vadim Krasnoselski organised a special meeting to set up a working group in charge of *regulating* the activity of non-governmental organisations in the Transnistrian region, attended by representatives of the *Government* and the *Supreme Soviet*, as well as by representatives of certain non-governmental organisations from the region. However, it is unclear how many non-governmental organisations participated in this meeting, especially that according to official sources, there are around 3000 non-governmental organisations (NGOs) in the Transnistrian region. According to V. Krasnoselski, the Transnistrian region is oriented towards the Russian Federation, and such a *law* should establish very clear criteria and working requirements, and appropriate measures should be taken if they are violated.²⁸ Regarding the NGOs active in the region, he stated that some of them '*destroy the state from inside, and thus violate the Constitution and the law*.'²⁹

20 'The free movement of OSCE Mission representatives in Moldova in ...' 27.10.2017, <http://gov.md/ro/content/libera-circulatie-reprezentantilor-misiunii-osce-moldova-atentia-comisiei-unificate-de>. Accessed on 5.12.2017.

21 'New measures to build trust between the population of the two ...' 19.07.2017. Source: <http://gov.md/ro/content/noi-masuri-de-consolidare-increderii-intre-populatia-de-pe-cele-doua-maluri-ale-nistrului>. Accessed on 5.12.2017.

22 'Tiraspol // Michalko at the meeting with Krasnoselski: The EU will get involved' 24.11.2017. Source: <https://deschide.md/ro/stiri/politic/21960/Tiraspol--Michalko-la-%C3%AEntrevedere-cu-Krasnoselski-UE-se-va-implica-activ-%C3%AEnt-formatul-%E2%80%9E%E2%80%9D.htm>. Accessed on 5.12.2017.

23 '5+2 Format: Vadim Krasnoselski and Dmitri Rogozin ...' 16.11.2017. Source: <https://novostipmr.com/ru/content/format-52-vadim-kranoselskiy-i-dmitriy-rogozin-obsudili-perspektivy>. Accessed on 5.12.2017.

24 'On completion of the diplomatic mission - | Novosti' 17 Jul .. 2017. Source: <http://www.vspmr.org/news/supreme-council/v-svyazi-s-okonchaniem-diplomaticeskoy-missii.html>. Accessed on 7.12.2017.

25 <https://www.deschide.md/ro/stiri/politic/16881/OSCE-%C3%AEnt-misiune-Ignatiev-i-s-a-pl%C3%A2ns-lui-Scanlan-pe-Chi%C8%99in%C4%83u-%C3%AEnt-ajunul-%C3%AEnt%C3%A2lnirii-trilaterale.htm>

26 'Vadim Krasnoselski met with the Commissioner of the Council of Europe ...' 12.10.2017. Source: <https://novostipmr.com/ru/news/17-10-12/vadim-kranoselskiy-vstretilsya-s-komissarom-soveta-evropy-po>. Accessed on 5.12.2017.

27 'Transnistria will request that the UN grants the status ...' 6.09.2017. Source: <https://novostipmr.com/ru/news/17-09-06/pridnestrovo-obratitsya-v-oon-s-prosboy-o-pridanii-osobogo-statusa>. Accessed on 6.12.2017.

28 <http://president.gospmr.org/press-sluzhba/novosti/glava-gosudarstva-provel-rashirennoe-soveshanie-po-voprosu-devateljnosti-v-pridnestrovje-nepraviteljstvennih-nekommercheskih-organizatsiy.html>. Accessed on 7.12.2017.

29 'Law and NGOs | Transnistria.' 2.11.2017. Source: <http://newspmr.com/novosti-pmr/zakonodatelstvo/16960>. Accessed on 7.12.2017.

On 27 December 2017, at the initiative of the Tiraspol *leader*, the *Supreme Soviet* passed a decision *declaring amnesty in connection with the 22nd anniversary of the adoption of the MRT constitution*.³⁰

Cases of human rights violations in the region examined by international mechanisms and courts

During the reference period, ECtHR adopted two judgments recognizing the violation of human rights in the Transnistrian region.

Thus, the judgment in *Braga v. Republic of Moldova and Russian Federation* was published on 17 October 2017. The case concerns the illegal arrest and detention ordered by the *de facto* Tiraspol administration, the ill-treatment and interference in the right to communicate effectively with ECtHR. This is among the few cases where RM was found guilty of human rights violations in the Transnistrian region. On the one hand, the constitutional authorities of Moldova did not prevent the applicant's transfer back to the *penitentiary* in the Transnistrian region, and on the other hand accepted the detention on the basis of a conviction ordered by a court in the Transnistrian region, which is not recognized by the Chisinau authorities. Thus, the RM failed to fulfil its positive obligation to ensure observance of the applicant's rights.³¹

Another judgment was delivered on the same day in the case of *Draci v. Republic of Moldova and Russian Federation*. The applicant is the director of a Ukrainian company, who was summoned by the Ukrainian authorities to provide explanations for his refusal to execute a contract concluded with an association of farmers from the Transnistrian region. After the second hearing, the applicant was taken to the Transnistrian region, contrary to his will and without a passport, and there, suspected of committing a fraud, was sentenced to 10 years of *deprivation of liberty*. Therefore, ECtHR found violation of Article 3 and Article 5 § 1 of the European Convention on Human Rights by the Russian Federation.³²

On 7-8 November 2017, in Geneva, the United Nations Committee Against Torture (UN CAT), at its 62nd session, examined the third periodic report of the Republic of Moldova on the implementation of Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.³³

Promo-LEX developed, together with the World Organisation Against Torture (OMCT),³⁴ and in collaboration with the Tiraspol Media Center³⁵, the alternative report³⁶ that underscored that the Republic of Moldova had not addressed at all Question No 12 of the Committee on the measures taken by RM to ensure full compliance with the provisions of the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, including in the Transnistrian region.

30 Site of the region's leader <https://goo.gl/RcYFDQ>. Accessed on 6.01.2018.

31 *Braga v. Republic of Moldova and Russian Federation*, application No 76957/01, Judgment of 17.10.2017, <http://hudoc.echr.coe.int/eng?i=001-177650>

32 *Draci v. Republic of Moldova and Russian Federation*, application No 5349/02, Judgment of 17.10.2017. Source: <http://hudoc.echr.coe.int/eng?i=001-177651>.

33 'ONU Live Web TV ...'. Source: <http://webtv.un.org/meetings-events/>. Accessed on 6.12.2017.

34 World Organization Against Torture. Source: <http://www.omct.org/>. Accessed on 6.12.2017.

35 Portal of NGOs and journalists from Transnistria. Source: <http://mediacenter.md/>. Accessed on 6.12.2017.

36 'Promo-LEX | The civil society report on the third periodical report of Moldova ...'. Source: <https://promolex.md/10625-civil-society-report-for-the-review-of-the-third-periodic-report-of-moldova-at-the-62th-session-of-the-un-committee-against-torture-2/?lang=ro>. Accessed on 6.12.2017.

CURRENT PROBLEMS

Similarly to the previous monitoring period (January-June 2017), **no progress was made in respect of human rights** in the region in the second half of 2017. Moreover, human rights violations have been identified, especially the free movement — the Transnistrian *customs* officers did not allow a car transporting goods for the pupils of Lucian Blaga High School from Tiraspol and boarding secondary school for orphans of Bender to enter the Transnistrian region.

This report will also address the acute and current problems faced by Transnistrian residents: freedom of expression, private life and documentation of people.

Freedom of Expression

Media freedom in the Transnistrian region

A number of concrete actions of the *de facto* Tiraspol administration were found during the reference period, which affected flagrantly the media freedom in the region, and in some cases even the media on the right bank of the Nistru river.

The first situation identified refers to the incident in which the *de facto* Tiraspol administration blocked the access of the inhabitants of the Transnistrian region to the news portal www.deschide.md.³⁷ After publicizing the situation, V. Krasnoselskii recognized the vicious practice and asked the region's *security minister* to refrain from such actions.³⁸ The inconvenient media for *de facto* administration was blocked by the *ministry of state security* (MGB), which has a specialised unit.

During the monitored period, Nadejda Bondarenko, editor of 'Truth of Transnistria' ('Правда Приднестровья') newspaper, was fined 72 euros for slander. The journalist, who reported the Parcani accident, in which a relative of a local *dignitary* was involved, is accused of distributing on social networks defamatory information about *minister of interiors* Ruslan Mova, tarnishing his honour and dignity.³⁹

Another situation confirming that we cannot talk about freedom of expression in the Transnistrian region involves the producer of movie 'Sheriff: The Illusion of Lies', who was condemned for 5 years of imprisonment.⁴⁰ The movie that appeared in late 2016, refers to a very sensible subject – *criminal cases* initiated by the local structures against the murders committed in the early 1990s.

Such actions of the *de facto* Tiraspol administration are meant to intimidate and punish people for trying to make some journalistic investigations about situations of high public interest. At the same time, they aim at prohibiting such initiatives in the region.

Private life and presumption of innocence – in criminal chronicle

Promo-LEX Association has monitored the press releases of the respective structures from the region and the materials published and disseminated systematically on their official sites. As a result, violations of the principle of presumption of innocence have been frequently found, with the people concerned frequently described as 'thieves', 'killers', 'scammers', etc., affecting the reputation, the right to protection

37 'Tiraspol has blocked the access of people from Transnistria ... – Deschide.md' 3.10.2017. Source: <https://deschide.md/ro/stiri/politic/19024/Tiraspolul-a-blocat-accesul-locuitorilor-din-Transnistria-la-pagina-Deschidemd.htm>. Accessed on 4.10.2017.

38 'Krasnoselski admits. The KGB of Tiraspol blocked the access to ... !' Source: <https://deschide.md/ro/stiri/social/19098/Krasnoselski-recunoa%C8%99te-KGB-ul-de-la-Tiraspol-a-blocat-accesul-la-pagina-Deschidemd.htm>. Accessed on 4.12.2017.

39 'Communist Bondarenko did not show up in the court - MIA MRT' 17.10.2017. Source: <https://mvdpmr.org/vazhnaya-informatsiya/24872-kommunist-bondarenko-na-sud-ne-prishla.html>. Accessed on 4.12.2017.

40 'The Investigation Committee discussed the investigation of resonant cases against former civil servants ...' 2.10.2017. Source: <https://novostipmr.com/ru/news/17-10-02/sledstvennyy-komitet-rasskazal-o-rassledovanii-rezonansnyh>. Accessed on 4.12.2017.

of personal data, including of the under-aged (publication of private medical information, identification data, place of residence, photo and video images of people, etc.).

The investigation committee, security service MGB and ministry of interiors continue to violate the right to private life and presumption of innocence by:

- distributing press releases and reports with titles that accuse, ridicule or humiliate the suspect or detained person;
- disseminating press releases or materials containing personal data that need to be protected (including about the under-aged);
- publishing on Youtube and/or sending to journalists operative videos with unblurred faces, which present people as offenders or show elements of their private life (especially data about the private life of the under-aged).

These practices have become a norm in the Transnistrian region, public opinion has become accustomed with them and people do not perceive them as an attack on their fundamental rights and freedoms, which is also explained by the lack of information and education programs about human rights and how to defend them. Such topics are interpreted by local *structures* as political topics that endanger the *Transnistrian statehood*.

The official press releases are often sent to journalists directly by the so-called *law enforcement bodies*, and the affiliated media channels, controlled by the local regime, do not comply with the journalist's ethical norms.⁴¹ Examples:

- 'People originating from Camenca used to take loans for **a crook**';⁴²
- '**Scammers** caught in the act';⁴³
- 'A citizen of Grigoriopol **committed a serious crime** on grounds of jealousy';⁴⁴
- 'Two **drug dealers** arrested in Ribnita'.⁴⁵

41 'The Journalists Code of Ethics of the Republica ... - The Press Council.' https://consiliuldepresa.md/fileadmin/fisiere/documente/cod_drom.pdf "...in their reports on lawsuits, journalists shall respect the right to private life and to a fair trial of all parties involved." Accessed on 4.12.2017.

42 'People originating from Camenca used to take loans for a crook' 10.03.2017, <https://point.md/ru/novosti/proisshestviya/doverchivye-kamenchane-brali-kredity-dlia-moshennitsy>. Accessed on 4.12.2017.

43 'Scammers caught in the act' | Pervyi Pridnestrovskii "26.01.2017, <https://tv.pgtrk.ru/ru/news/20170126/53273>.

44 'A citizen of Grigoriopol committed a serious crime ...' 25.08.2017, <http://tdinform.com/ru/news/20170825/09990.html>. Accessed on 6.12.2017.

45 'Two drug dealers were arrested in Ribnita' | | Novosti" 2.08.2017, <https://novostipmr.com/ru/news/17-08-02/v-rybnice-arestovany-dva-sbytchika-narkotikov>. Accessed on 6.12.2017.

CONCLUSIONS

The human rights situation did not improve in the Transnistrian region in the second half of 2017. Even though the constitutional authorities of Chisinau and the *de facto* Tiraspol administration have been very active in the political negotiations, the positive impact on the human rights situation is still to be expected.

On the other hand, the second half of 2017 was memorable thanks to the consensus reached and the protocol decisions signed on a number of issues, after a long period time and a series of failed attempts. Nonetheless, in essence, the general human rights situation still remains outside any monitoring process.

The problematic issues with freedom of expression in the Transnistrian region are reflected, on the one hand, by the intimidation and persecution of journalists who are disturbing the *de facto* Tiraspol administration; and on the other hand, by the presence of some *offenses* in the *local criminal code*, which affect the freedom of opinions through attempts to indoctrinate the population of the region. This tough reality characterizes the seriousness and extent of the problems affecting the freedom of expression, deprived of its intrinsic value in the Transnistrian region — a value that makes it a driving force in a democratic society.

Protection of private life and presumption of innocence in the Transnistrian region is not respected due to the vicious practices of *public institutions*. The population cannot obtain information and details about the nature of these rights and does not perceive the serious risks and problems that affect their privacy and private life. Such issues and situations are not discussed, analysed or explained to the general public.