



WHITE PAPPER

Moldova's preparations for the reintegration of the Transnistrian region in terms of justice and victims' rights – an assessment of institutional preparedness

Findings and directions for action

Promo-LEX
Advancing democracy and human rights

 **Soros
Foundation
Moldova**

 **NED** | NATIONAL
ENDOWMENT
FOR
DEMOCRACY
SUPPORTING FREEDOM AROUND THE WORLD

Chișinău, 2026



Author: Nicoleta Hriplivii
Contributors: Mihaela Șerpi, Vadim Vieru
Editor: Olga Manole
Graphic design and layout: Marina Bejenari

This document was produced by the Promo-LEX Association with financial support from the Soros Foundation Moldova and the National Endowment for Democracy. The views expressed in this document are solely those of the authors. They should not be interpreted in any way as reflecting the views and position of the Soros Foundation Moldova and the National Endowment for Democracy.



Contents

Acronyms	4
Executive summary	5
Introduction	7
Methodology	9
Chapter 1. Reintegration as a public policy objective: context, gaps and comparative benchmarks	11
1.1. The general context regarding the human rights situation in the Transnistrian region	11
1.2. Reintegration as a strategic objective: the lack of an integrated public policy framework covering, inter alia, the dimensions of justice and victim protection.....	13
1.3. Ukraine – a benchmark for institutional reflection on public policies for occupied territories.....	14
Chapter 2. Justice in reintegration policy – what the institutional responses reveal	21
2.1. The Deputy Prime Minister for Reintegration and the Bureau for Reintegration Policies	21
2.2. The Ministry of Justice	22
2.3. The Superior Council of Magistracy	23
2.4. The Superior Council of Prosecutors	24
2.5. The Security and Intelligence Service	25
2.6. The General Prosecutor's Office	26
Chapter 3. Deficient institutional architecture for reintegration	35
3.1. Limited and fragmented institutional structure in the reintegration sector	35
3.3. Absence of a formalized mechanism for strategic interinstitutional coordination on reintegration.....	42
Chapter 4. Victims of abuses by the Tiraspol regime - a vacuum of protection, assistance and reparations	46
4.1. Recognition of victim status and access to informational support.....	46
4.2. The current legal framework for protection: assistance and redress under Law No. 137/2016 and its limitations.....	49
Chapter 5. Reflection agenda for the constitutional authorities	52
Annexes	55

Acronyms

ANP	National Administration of Penitentiaries
ASP	Public Services Agency
BIE	Office for European Integration
BPR	Bureau for reintegration policies
DGAMS	General Directorate for Medical and Social Assistance, Chişinău
CNAM	National Health Insurance Company
CSM	Superior Council of Magistracy
CSP	Superior Council of Prosecutors
GD	Government Decision
MAI	Ministry of Internal Affairs
MJ	Ministry of Justice
MNRV	National Victim Referral Mechanism
MMPS	Ministry of Labour and Social Protection
PG	General Prosecutor's Office
SIS	Security and Intelligence Service
EU	European Union
USD	US Dollar

Executive summary

This White Paper¹ examines a little-discussed aspect of the Transnistrian issue: the preparedness of constitutional authorities for issues of justice, victim protection and accountability that already exist and which could intensify in a potential reintegration process. In this document, accountability is understood as part of the justice response, through the documentation of abuses, their investigation and the prevention of impunity.

The analysis highlights the lack of a common framework within which issues of justice, victim protection and accountability can be consolidated, analysed and translated into public policy options.

Institutional capacity-building in the areas of justice and victims' rights cannot be postponed until the time of a potential reintegration. The problems already exist and are having an impact right now: people affected by unlawful detention, ill-treatment, intimidation or other abuses do not have a clear pathway for information, referral and support when they come into contact with the constitutional authorities; the investigation of the facts is hampered by major practical obstacles; and the lack of aggregated data, methodologies and coordination platforms means that similar situations are dealt with on an ad hoc, case-by-case basis.

The lack of effective control over the region is a major constraint on investigation, the execution of procedural acts, victim protection and access to evidence. However, this constraint does not fully explain the low level of institutional preparedness. A significant part of the problems relates to the internal capacity of constitutional authorities to collect data, formulate methodologies, clarify competences, activate coordination mechanisms and develop regulatory or administrative options before these gaps become urgent issues.

In the absence of an institutional process of analysis and preparation, difficulties that could be addressed gradually today risk becoming major obstacles at a more politically sensitive moment.

Key findings

- ▶ Reintegration is treated as a strategic objective, but is not supported by an integrated public policy.
- ▶ The current institutional architecture appears insufficiently robust for the complexity of the reintegration issue.
- ▶ The justice dimension is not addressed systematically in reintegration preparations.
- ▶ Institutions respond predominantly on a sectoral basis, without a platform to translate systemic problems into public policy options.
- ▶ The General Prosecutor's Office acknowledges the difficulties of the criminal justice system in relation to the region, but resolving them requires a broader inter-institutional framework: regulatory clarifications, methodologies, institutional cooperation and specialised expertise, and the strengthening of the analytical capacity of the prosecution system.

¹ In European and international practice, the term 'white paper' refers to an exploratory document that presents analyses, findings and options for consideration on a public policy issue, with the aim of opening an informed debate among authorities, stakeholders, the academic community and the public. According to the European Union's official glossary, the European Commission's white papers aim to "launch a debate with the public, stakeholders, the European Parliament and the Council in order to reach a political consensus". European Union, *EUR-Lex – Glossary of terms: White paper*, Publications Office of the European Union, <https://eur-lex.europa.eu/RO/legal-content/glossary/white-paper.html>

- ▶ Victims of unlawful detention and other abuses do not benefit from a functional mechanism for recognition, information, referral and support, and Law No. 137/2016 does not address the specific needs of this group.

Areas for reflection and institutional action

This document does not propose definitive solutions and does not replace the decision of the competent authorities. It sets out an agenda for institutional reflection, focusing on several steps to be taken:

- ▶ a functional assessment of the existing institutional architecture for reintegration from the perspective of its capacity to manage issues of justice, victims' rights and accountability;
- ▶ reactivating and operationalising the Governmental Commission for the Country's Reintegration or an equivalent mechanism for strategic coordination;
- ▶ the establishment of an inter-institutional platform dedicated to justice and victims' rights in the context of reintegration;
- ▶ integrating the Transnistrian dimension into the institutional planning of the Prosecutor's Office, including by capitalising on the process of drafting the Prosecutor's Office Strategic Development Programme 2026–2030, as well as, where appropriate, into the planning documents of other relevant institutions in the justice sector;
- ▶ the organisation by the constitutional authorities of a joint exercise, with the participation of the Bureau for reintegration policies (BPR), the Ministry of Justice (MJ), the General Prosecutor's Office (PG), the Superior Council of Magistracy (CSM), the Superior Council of Prosecutors (CSP), the Ministry of Internal Affairs (MAI), the Security and Intelligence Service (SIS), the Ministry of Labour and Social Protection (MMPS) and other relevant institutions, regarding the identification and consolidation of legal issues arising from the operation of the Tiraspol regime;
- ▶ developing a concept for an information, guidance and referral mechanism for victims;
- ▶ drawing on international experience, including that of Ukraine, as a benchmark for analysis.

The purpose of this document is to open this discussion in a structured framework, before the state finds itself having to respond reactively to foreseeable problems.

Introduction

This document is based on the premise that the reintegration of the Transnistrian region is not merely a political, diplomatic or economic issue. It also has a dimension of justice, accountability and victim protection, which must be discussed prior to any potential reintegration. For over three decades, the region has remained outside the effective control of the constitutional authorities, and the unlawful bodies in Tiraspol continue to have an impact on people's lives: illegal detentions, pseudo-judgements, restrictions on rights, lack of remedies and fear of reprisals.

This document takes as its starting point a simple yet essential question: how prepared are the constitutional authorities of the Republic of Moldova today to address, in a coordinated manner, issues of justice and victims' rights arising from the functioning of the Tiraspol regime? The question does not concern only the hypothetical moment of political reintegration. It also concerns the present: what is the state doing today for those affected by the abuses of the Tiraspol regime, how are serious offences investigated, who coordinates public policies in this area, and whether there is an institutional mechanism capable of transforming the identified problems into legislative, administrative and budgetary solutions.

This White Paper is exploratory in nature. Its aim is to identify gaps and open up a space for institutional reflection on justice-related issues and victims' rights in the context of reintegration.

The analysis focuses on three interdependent dimensions. The first concerns justice: the conduct and management of criminal prosecutions in cases involving representatives of unlawful bodies on the left bank of the Nistru, difficulties in investigating and managing evidence, suspended criminal cases, the risk of evasion due to the presence of individuals in the region, the lack of distinct data and methodological guidelines, as well as other legal issues that do not appear to be systematically addressed. The second concerns the rights of victims of abuses by the Tiraspol regime: including the situation of persons unlawfully deprived of their liberty, the need for recognition, protection, assistance and possible forms of redress. The third concerns institutional capacity: whether there is a functional framework linking analysis, planning, policy-making, inter-institutional coordination and implementation, so that issues of justice, victims' rights and accountability are not addressed in a piecemeal manner or merely on a case-by-case basis.

The working hypothesis of the document is that current problems cannot be explained solely by the lack of effective control over the region. This is, of course, a major constraint. However, the analysis of institutional responses obtained through access to information requests, as well as of public documents, suggests that there is also an internal structural problem: reintegration is treated as a political and diplomatic objective, but it is not sufficiently developed as an integrated public policy, particularly with regard to justice and the protection of victims. In the absence of a formalized coordination mechanism, problems circulate between institutions, remain outside sectoral plans, or are addressed on an ad hoc basis, without being translated into public policy options.

The comparative material drawn from Ukraine's experience is used for specific points of reflection, not as a model to be replicated. Its value lies elsewhere: it shows that difficult questions such as – documenting violations, investigating criminal acts, the status of victims, documents issued in occupied territories, accountability, amnesty, lustration, the reconstruction of case files, the pool of qualified personnel and the preparation of institutions – can be brought into the public sphere, discussed inter-institutionally and transformed into concrete planning tasks. For the Republic of Moldova, the value of the comparison lies in the questions it raises, not in the solutions it might impose.

Consequently, this document does not conclude with a rigid set of final recommendations. Rather, it proposes an agenda for institutional reflection, necessary for the constitutional authorities to assess existing capacities, gaps in preparedness, the institutions that need to be involved, and the issues that can no longer be postponed, regardless of the political timeline for reintegration.

Reintegration will not merely entail the formal return of a territory to the constitutional authority of the state. It will also involve addressing the legal, social and human consequences of an illegitimate regime that has resulted in unlawful detentions, pseudo-judgements, abuses, trauma and impunity.

Methodology

The research assesses, based on public sources and available institutional responses, the extent to which constitutional authorities are prepared to address certain issues of justice and victim protection related to the Transnistrian region. The analysis does not aim to cover the entire justice sector or all possible reintegration scenarios, but rather to identify visible gaps, institutional questions and areas requiring further discussion.

The analysis is based primarily on desk research and the examination of documents available to the public or obtained through official procedures. The research was conducted mainly between November 2025 and April 2026, and publicly available information was verified and updated as necessary up to the date of the text's completion. Institutional responses to requests for access to information made under Law No. 148/2023 were analysed, judicial and administrative documents, the case law of the European Court of Human Rights and the Constitutional Court of the Republic of Moldova, legislative acts, Government decisions, orders, reports, press releases and other public documents issued by state authorities.

The research examined institutional responses to requests for access to information addressed to six institutions: the Bureau for reintegration policies, the Ministry of Justice, the Superior Council of Magistracy, the Superior Council of Prosecutors, the General Prosecutor's Office and the Security and Intelligence Service. The requests for access to information and the relevant institutional responses are included in the annexes to this document, organised into thematic tables and grouped into seven annexes.

The analysis also draws on monitoring materials from the Promo-LEX Association, cases documented and managed by the organisation, as well as information resulting from professional interactions, thematic meetings and institutional discussions held during the research period. These sources are used to identify patterns, institutional gaps, systemic difficulties and practical effects on victims, not to draw legal conclusions regarding the facts. Specific cases are mentioned only for illustrative or analytical purposes, insofar as they have already been documented, reported to the authorities or made public; information resulting from professional interactions is not treated as independent official sources unless it is found in documents, institutional responses, public statements or other written materials.

The document also draws on relevant public sources, including institutional reports, journalistic investigations, official statements and specific comparative examples from the practice of other states. References to international experience are used as points of reflection, not as models to be replicated, nor as an in-depth comparative analysis. Such an analysis would require a separate examination of several post-conflict or occupation contexts, their legal frameworks, the institutions involved, and measures concerning justice, victims, accountability and reintegration, as well as the limits of transferability to the Republic of Moldova. For this reason, comparative examples are used selectively, solely to formulate questions and lines of analysis that may be relevant to the constitutional authorities.

Terminology note

For clarity and consistency, the following terms are used in the text:

- ▶ *The Transnistrian region* – to designate the territory on the left bank of the Nistru River and the municipality of Bender, which is temporarily under the occupation of the Russian Federation, which controls the regime in Tiraspol.
- ▶ *the Tiraspol regime* – used as a general term to refer to the unlawful bodies exercising effective control in the region, without thereby recognising any legal legitimacy;

Terms such as 'court', 'judge', 'prosecutor', 'ministry', 'president', 'government' or 'law', etc., when referring to pseudo-institutions, functions or acts attributed to the illegal Transnistrian bodies, they are used in quotation marks and exclusively for factual, analytical or evidential purposes. The use of these terms does not imply the legitimisation or legal recognition of the respective bodies, the functions exercised within them or the documents they issue. The exact names of these bodies and functions are reproduced only when necessary for the precise identification of the sources analysed.



Chapter 1.

Reintegration as a public policy objective: context, gaps and comparative benchmarks

1.1. The general context regarding the human rights situation in the Transnistrian region

The human rights situation in the Transnistrian region reflects a combination of factors: the lack of effective control by constitutional authorities, the operation of parallel pseudo-institutions, effective control by the Russian Federation, the absence of regular independent monitoring, and the lack of effective protection mechanisms. For the discussion on reintegration, this reality is essential: the state will not merely reintegrate a territory, but also the consequences of a system of control, fear and impunity that has built up over more than three decades.

International assessments confirm the systemic nature of the lack of safeguards. In the 'Freedom in the World 2026' report, the Transnistrian region is classified as 'Not Free', with a score of 16/100, down from 24/100 in 2017. Between 2021 and 2025, the region consistently scored the minimum of 0 out of 4 on indicators relevant to the judiciary, fair trial, free media, freedom of assembly and safeguards against corruption². These data indicate not isolated incidents, but a persistent breakdown of basic legal and democratic safeguards.

Figure 1. Freedom House indicators (Freedom in the World), Transnistrian region
Five years. Five freedoms. Five zeros.

	2021	2022	2023	2024	2025
F1 • RULE OF LAW Independent "justice"	0/4	0/4	0/4	0/4	0/4
F2 • RULE OF LAW "Due process"	0/4	0/4	0/4	0/4	0/4
D1 • FREEDOM OF EXPRES- SION Free and independent media	0/4	0/4	0/4	0/4	0/4
E1 • RIGHTS OF ASSOCIATION Freedom of assembly	0/4	0/4	0/4	0/4	0/4
C2 • ANTI-CORRUPTION Safeguards against corruption	0/4	0/4	0/4	0/4	0/4

Source: Freedom House, Freedom in the World – Transnistria Country Reports, 2021, 2022, 2023, 2024 and 2025 editions. Methodology: each question is scored on a scale of 0–4 (4 = maximum level of freedom); each annual edition assesses the situation in the previous calendar year.

² Freedom House, Freedom in the World 2026: Transnistria, 2026, <https://freedomhouse.org/country/transnistria/freedom-world/2026>

This trend is confirmed by reports from the US State Department and monitoring by the Promo-LEX Association^{3,4,5}. These describe illegal detentions, inhuman treatment, restrictions on freedom of expression and association, increased censorship, the blocking of online resources, and the expansion of surveillance. For the purposes of this analysis, the primary effect is to deter victims, witnesses, relatives of those illegally detained, journalists and human rights defenders from communicating information, filing complaints or submitting evidence. In the absence of secure reporting channels, the available data only partially reflects the scale of the violations.

At the heart of this repressive system lies unlawful deprivation of liberty. According to the Promo-LEX report for 2024, the incarceration rate in the Transnistrian region was estimated at 391.67 detainees per 100,000 inhabitants, compared to 235.01 on the right bank of the Nistru and the European average of 116.2^{6,7}. In other words, the rate is approximately **1.67 times higher** than on the right bank and **more than three times higher** than the European average. In a system lacking real procedural safeguards, transparency and independent monitoring, these figures raise serious concerns regarding the use of detention as a tool of social control.

Detention conditions confirm the same problem. The minimum space allocated to a detainee in illegal detention facilities was **2 m²**, below the **4 m²** standard recommended by the European Committee for the Prevention of Torture. For healthcare, the initial budget allocation was approximately USD 20,913 per year for the entire 'prison system', based on **1,785 people unlawfully deprived of their liberty**, i.e. approximately **USD 11.7 per person per year**, less than **USD 1 per month** for medicines and medical services⁸.

Promo-LEX's monitoring in the first quarter of 2026 shows that actual expenditure was even lower: the 'prison system's' procurement plan for 2024 was amended 61 times, and actual expenditure on medicines and medical services amounted to approximately \$10,559 for 1,754 prisoners, around \$6 per person per year, or less than **\$0.50 per month**. By comparison, on the right bank of the Nistru the allocation was approximately **\$160 per prisoner per year**, a difference of **more than 26 times**. This indicates not only underfunding, but, in practice, a lack of real access to healthcare⁹.

Underfunding also affects detention facilities. In 2026, no funds were allocated for the repair of accommodation where persons unlawfully deprived of their liberty are held, whilst the administrative buildings of the 'prison system' continued to receive allocations. Resources appear to be prioritised for the maintenance of the administrative apparatus, rather than detention conditions. Furthermore, detainees do not have a secure and confidential channel for reporting abuses. Complaints and correspondence pass through the detention facility administration, which undermines confidentiality and creates a risk of reprisals. Under these circumstances, documenting abuses often relies on indirect sources: released individuals, families, legal representatives, open sources, or other channels that do not further expose the victims.

3 U.S. Department of State, *2024 Country Reports on Human Rights Practices: Moldova*, 2025, 'Transnistria' section, <https://www.state.gov/reports/2024-country-reports-on-human-rights-practices/moldova/>

4 Promo-LEX Association, *Human Rights in the Transnistrian Region of the Republic of Moldova. Review of 2025*, Chişinău, 2026, <https://promolex.md/drepturile-omului-in-regiunea-transnistreana-a-republicii-moldova-retrospectiva-anului-2025/>

5 Promo-LEX Association, *The human rights situation in the Transnistrian region of the Republic of Moldova: monitoring period 1 January 2026 – 31 March 2026*, Chişinău, 2026, https://promolex.md/wp-content/uploads/2026/05/raport-dort-2026_1_ro.pdf

6 Promo-LEX Association, *Human Rights in the Transnistrian Region of the Republic of Moldova. Review of 2024*, Chişinău, 2025, <https://promolex.md/wp-content/uploads/2025/02/raport-dort-2025-1-1.pdf>

7 Marcelo F. Aebi and Edoardo Cocco, *Prisons and Prisoners in Europe 2024: Key Findings of the SPACE I Report*, Strasbourg: Council of Europe / University of Lausanne, 2025, https://wp.unil.ch/space/files/2025/07/250715_key-findings-space-i-prisons-europe-2024_full.pdf

8 Promo-LEX Association, *Human Rights in the Transnistrian Region of the Republic of Moldova. A Review of 2024*, Chişinău, 2025, <https://promolex.md/wp-content/uploads/2025/02/raport-dort-2025-1-1.pdf>

9 Promo-LEX Association, *The Human Rights Situation in the Transnistrian Region of the Republic of Moldova: Monitoring Period 1 January 2026 – 31 March 2026*, Chişinău, 2026, https://promolex.md/wp-content/uploads/2026/05/raport-dort-2026_1_ro.pdf

From this perspective, post-detention support is not an abstract need. Those released may return to the care of the constitutional authorities with medical, psychological, social and legal problems accumulated within a system lacking safeguards. Therefore, victims of unlawful detention must be viewed as individuals exposed to a system of abuse, and the state's response raises questions regarding the recognition of victim status, access to services, legal support, the documentation of harm, and potential forms of redress.

1.2. Reintegration as a strategic objective: the lack of an integrated public policy framework covering, inter alia, the dimensions of justice and victim protection

This subsection does not analyse political reintegration in the broad sense, nor does it discuss solutions regarding status, negotiations or constitutional scenarios. It merely aims to demonstrate whether the objective of reintegration is supported by a public policy framework capable of incorporating the dimensions of justice and victim protection, including the accountability component.

Available public documents show that reintegration is consistently treated as a political objective of the state, but is not translated into a clear, coherent and verifiable public policy framework. No distinct reintegration strategy, framework concept, medium- or long-term action plan, or sectoral documents anticipating legal, administrative and institutional scenarios can be publicly identified. However, a political objective is not equivalent to a public policy: the latter entails defined problems, operational objectives, responsible institutions, scenarios, assessed risks and implementation mechanisms.

The BPR's response to Promo-LEX request no. 232 of 1 December 2025 confirms this finding. Although information was specifically requested regarding the existence of a strategy, a framework concept or sectoral reintegration plans, including in the justice, health, education, social protection, economic and security sectors, the BPR did not indicate any such documents. The BPR referred only to the Government's Work Programme, under the section 'Cohesion between the banks'¹⁰.

The public instruments relevant to the reintegration dossier suggest day-to-day management rather than an integrated public policy. *The Government's Work Programme "EU, Peace, Development"* expresses the political priority of reintegration and sets out general directions, such as the gradual convergence between the two banks, the expansion of public services, the protection of human rights and the reduction of military risks. However, it does not set out reintegration scenarios, detailed sectoral responsibilities, timelines, indicators or monitoring mechanisms for areas such as justice, victim protection or accountability.

For its part, *the Annual Programme of Reintegration Activities, approved for 2025 by Government Decision No. 311/2025*, serves primarily a budgetary and administrative function¹¹. It funds specific projects and interventions, but does not set out a vision for the reintegration process, does not establish stages, and does not define sectoral institutional roles for a potential reintegration process. Similarly, the BPR's Action Plan for 2025 organises the Office's day-to-day work, the maintenance of dialogue platforms, the management of current cases, the coordination of projects and public information, without indicating the development of a general strategy, a framework concept or sectoral plans for justice, victims, accountability or the restoration of the single legal space¹².

10 Parliament of the Republic of Moldova, Decision No. 269/2025 on the approval of the Government's Action Programme 'EU, Peace, Development', section 'Cohesion between the Banks', 2025, https://gov.md/sites/default/files/media/documents/2026-02/Program%20de%20Guvernare%202025.pdf?utm_source

11 Government of the Republic of Moldova, Decision No. 311 of 21 May 2025 on the approval of the Programme of activities for the reintegration of the country for the year 2025, https://www.legis.md/cautare/getResults?doc_id=148664&lang=ro

12 Bureau for reintegration policies, *Action Plan of the Bureau for reintegration policies for 2025*, Chişinău, 2025, <https://gov.md/sites/default/files/users-media/media-23/BPR/2025%20PA%20BPR%202025-1-7.pdf>

A recent development indicates that the authorities have begun to adopt more concrete sectoral measures regarding the economic dimension of reintegration. The adoption, on 30 April 2026, of *the law on the phased elimination of tax incentives for economic agents in the Transnistrian region* aims to gradually reduce the fiscal and legislative differences between the two banks of the Nistru and to establish a uniform tax and customs regime throughout the territory of the Republic of Moldova¹³. The first measures concern the application of VAT and excise duties on certain products, the removal of certain tax incentives for the supply of balancing electricity and natural gas, and the harmonisation of import and export rules for economic operators on the left bank of the Nistru, with full implementation planned by 2030¹⁴.

In parallel, the authorities have announced their intention to create a *Convergence Fund*, financed from the revenue generated by these measures. The fund would be used for infrastructure projects, social programmes and reducing disparities between the two banks of the Nistru. Its relevance, however, depends on how the management mechanism, eligibility criteria, transparency of decision-making and control over the use of resources are defined¹⁵.

From a public policy perspective, these measures can be seen as important sectoral steps towards economic and budgetary convergence between the two banks. However, they cannot be treated as evidence of the existence of a general reintegration strategy. Economic convergence is necessary, but does not, in itself, answer questions regarding the status of acts issued by unlawful bodies, the situation of persons unlawfully deprived of their liberty, support mechanisms for victims, the role of judicial institutions, effective access to remedies, or accountability for abuses.

This gap between the day-to-day management of cases and the existence of an institutional planning process explains the relevance of the following subsection. Ukraine's experience is useful in terms of how certain difficult issues of reintegration have been brought into a public framework for analysis and coordination. For the purposes of this document, the comparison helps to clarify the central question: *what are we missing when reintegration remains a political objective but is not transformed into a prepared, discussed and verifiable institutional process?!*

1.3. Ukraine – a benchmark for institutional reflection on public policies for occupied territories

Ukraine's experience is relevant to the present analysis not through the specific solutions dictated by a different military, territorial and legal context, but through the fact that the problems generated by the occupation of territories have been incorporated into public policy documents, strategies, implementation plans, working groups, consultations with civil society, thematic documents on the post-occupation period and coordination platforms. For the purposes of this document, this experience is used as a general benchmark for institutional preparedness, and the selected examples are analysed to the extent that they can help formulate questions relevant to the Republic of Moldova, including in the areas of justice, accountability and victim protection.

13 Parliament of the Republic of Moldova, Factsheet on the draft law concerning the phased elimination of tax incentives for economic operators in the Transnistrian region and the establishment of the Convergence Fund, passed on 30 April 2026, <https://parlament.md/material-details-md.nspx?param=4700a19c-98be-4095-91ee-056174270560>; Cotidianul.md, "Document. Chişinău puts an end to a 30-year-old illegal subsidy. Parliament has passed a law introducing VAT and excise duties for companies in the Transnistrian region", 30 April 2026, <https://cotidianul.md/30319/document-chisinaul-pune-capat-unei-subventii-ilegale-de-30-de-ani-parlamentul-a-votat-legea-care-introduce-tva-si-accize-pentru-companiile-din-Transnistrian-region/>

14 TV8, "Tiraspol calls for the removal of taxes for the left bank of the Nistru. Chisinau: the changes are about people", 29 April 2026, <https://tv8.md/2026/04/29/video-tiraspolul-cere-eliminarea-taxelor-pentru-stanga-Nistru-chisinaul-modificarile-sunt-despre-oameni/301701>

15 Radio Free Europe/Radio Liberty Moldova, "How much money could the Convergence Fund for Transnistria raise by 2030?", <https://moldova.europalibera.org/a/cati-bani-ar-putea-aduna-fondul-de-convergenta-pentru-Transnistria-pana-in-2030/33703035.html>; Moldpres, "Equal taxes on both banks of the Nistru - Parliament has voted on the first measures", <https://www.moldpres.md/rom/societate/taxe-egale-pe-ambe-le-maluri-ale-nistru-parlamentul-a-votat-primele-masuri>

In Ukraine, policies regarding the occupied territories included instruments relevant to justice, victim protection and accountability: documenting violations, investigating incidents, keeping records of persons unlawfully deprived of their liberty, and preparing institutions for the post-deoccupation period. The benchmarks more directly applicable to criminal justice are summarised in section 2.6, dedicated to the General Prosecutor's Office.

The first example – the De-occupation Strategy and Action Plan

A key document is the Strategy for the de-occupation and reintegration of the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol, approved by Decree of the President of Ukraine No. 117/2021¹⁶. The strategy is based on the premise that reintegration is not an exclusively administrative exercise, but involves diplomatic, economic, informational, humanitarian, legal and institutional measures. It includes topics relevant to the present analysis: social dialogue, documentation of violations, evidence gathering, assistance for affected persons, accountability, amnesty, vetting and the preparation of the legal framework for the post-occupation period.

The strategy did not remain a mere declaratory document. It was followed by an action plan approved by the Government, with responsible institutions, deadlines, expected outcomes, annual reporting and periodic evaluation¹⁷. The relevance for the Republic of Moldova lies precisely in this mechanism: the transformation of political objectives into verifiable institutional tasks.

The examples below from the Ukrainian Plan are useful as points of reference for institutional reflection: they illustrate the kind of questions which, after more than three decades, should at least be formulated and discussed in a public and inter-institutional setting.

Documentation of violations and criminal investigation

The Plan provides for the systematic monitoring and documentation of violations of human rights and international humanitarian law in the occupied territory, involving the General Prosecutor's Office, the Ministry of Reintegration, the Ministry of Justice, the Security Service of Ukraine (SBU), the National Police and other institutions. The expected outcome is the inclusion in the single register of criminal investigations of information regarding offences committed in the occupied territory. This example shows that the investigation of acts committed in uncontrolled territories can be approached not merely as an individual criminal activity, but as part of an inter-institutional mechanism for collection, documentation and accountability.

Reconstruction of criminal and judicial files remaining in the occupied territory

The plan provides for the development of a mechanism to recover materials from criminal and judicial cases left in the occupied territory, including solutions for cases where reconstruction is not possible. For the Republic of Moldova, the example is relevant because of the question it raises: what happens to the files, evidence, procedural documents and materials remaining in an area not controlled by the constitutional authorities.

Persons unlawfully deprived of their liberty: registration, status and support

The plan provides for an integrated package of measures for this category: monitoring and systematising information about these individuals, record-keeping, payments to released

¹⁶ President of Ukraine, Decree No. 117/2021 on the approval of the Strategy for the de-occupation and reintegration of the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol, 24 March 2021, <https://zakon.rada.gov.ua/laws/show/117/2021#Text>

¹⁷ Cabinet of Ministers of Ukraine. Order No. 1171-r of 29 September 2021 on the approval of the Action Plan for the implementation of the Strategy for the de-occupation and reintegration of the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol, as amended by Order No. 288-r of 4 April 2023. <https://zakon.rada.gov.ua/laws/show/288-2023-%D1%80#Text>

individuals and their families, protection of rights, social rehabilitation, legal assistance and a dedicated online service. The plan also provides for the drafting of a bill on establishing the status of persons released from places of detention in the occupied territory and in the Russian Federation. These measures are linked to a separate national legal framework, which requires some conceptual clarification.

For the sake of legal clarity, an important terminological point must be clarified. In Ukrainian legislation, the umbrella term used is not *'a person unlawfully deprived of liberty'*, but a more precise formulation: *'a person in respect of whom it has been established that they have been deprived of their personal liberty as a result of armed aggression against Ukraine'* (Ukrainian: "особа, стосовно якої встановлено факт позбавлення особистої свободи внаслідок збройної агресії проти України"). This wording is enshrined in Law No. 2010-IX of 26 January 2022 on the social and legal protection of such persons and members of their families¹⁸. Ukrainian Law No. 2010-IX does not automatically grant this status, but provides for a formal procedure to establish the fact of deprivation of liberty and its link to the armed aggression. Two elements are relevant for the Moldovan context: the individual verification of status and the requirement for a causal link between the deprivation of liberty and the actions of the occupying forces or administrations.

Temporal scope. Law No. 2010-IX was adopted prior to the large-scale invasion of 24 February 2022 and addressed situations that had arisen since 2014, following the occupation of Crimea and the armed conflict in eastern Ukraine. Thus, the Ukrainian framework treats the armed aggression as a phenomenon that began in 2014, not merely following the full-scale invasion¹⁹.

Distinction between categories. The Ukrainian framework distinguishes between several categories of persons in detention in the occupied territories, each raising different legal issues²⁰:

(a) Persons abducted or detained by the occupying forces without due process

Persons detained for civic activism, journalistic activity, displaying Ukrainian national symbols, political persecution, hostages, captured military personnel. Under the special procedure provided for by Law No. 2010-IX, these individuals fall into the category of persons whose deprivation of liberty has been established as a result of armed aggression; they and their families are entitled to the social and legal protection package provided for by law.

(b) Persons 'tried' and detained by the 'courts' of the occupying administrations on the basis of articles of the Criminal Code of the Russian Federation that have no equivalent in Ukrainian law

The second category concerns persons "tried" and detained by the "courts" of the occupying administrations for acts with no equivalent in Ukrainian law or which, in Ukraine, do not constitute offences. In these situations, the Ukrainian approach treats them as potential victims of political persecution and discusses the possibility that, following de-occupation, a

¹⁸ Law of Ukraine No. 2010-IX of 26 January 2022 on the social and legal protection of persons deprived of their liberty as a result of the armed aggression against Ukraine and their family members, Articles 2–5. For an assessment of implementation, see Verkhovna Rada of Ukraine, Research Service, *Parliamentary Study on the Effectiveness of the Implementation of Law No. 2010-IX*, June 2025, https://research.rada.gov.ua/en/documents/page/documents/analyticRSmaterialsDocs_en/hum_social_policy_en/parliam_rs-hsp_en/76533.html

¹⁹ Law of Ukraine No. 1207-VII of 15 April 2014 on ensuring the rights and freedoms of citizens and the legal regime in the temporarily occupied territory of Ukraine, <https://zakon.rada.gov.ua/laws/show/1207-18>

²⁰ The distinction between the three categories and the description of the current institutional debate in Ukraine are drawn from the views expressed during the discussion organised by the ZMINA Human Rights Centre: Mykola Mirnyj, 'How should Ukraine respond to court decisions issued during the occupation?', ZMINA Human Rights Centre, 1 February 2024, <https://zmina.info/en/articles-en/how-should-ukraine-respond-to-court-decisions-issued-during-the-occupation/>. The discussion brought together, among others, Daria Svyrydova (expert "Ukraine. 5 AM Coalition"), Vitaliy Sekretar (Deputy Chief Prosecutor of the Autonomous Republic of Crimea and the city of Sevastopol), Kostiantyn Kharakoz (judge at the Civil Court of the Donetsk region) and Hanna Khrystova (human rights defender).

legitimate Ukrainian court might find the deprivation of liberty to have been unlawful, annul the effects of the “conviction” and grant access to reparations.

(c) Persons “tried” and detained by the “courts” of the occupying administrations for acts classified as common law offences

Murder, bodily harm, robbery, property offences, drug offences and others. Unlike categories (a) and (b), for which there is already an operational legal framework or a clear official position, *for this category the legal framework is still under public institutional debate and will become operational, for the most part, only after de-occupation*. Representatives of the Prosecutor’s Office of the Autonomous Republic of Crimea and the city of Sevastopol have framed the dilemma in two respects:

- ▶ On the one hand, the automatic annulment of all ‘convictions’ could deprive victims of actual common law offences of recognition and justice and could allow certain individuals to return to society without the facts being examined, with the risk of impunity and a threat to public security.
- ▶ On the other hand, the automatic recognition of these ‘convictions’ is equally out of the question, as trials conducted in the occupied territories are marred by systematic violations of fair trial standards.

Ukrainian institutional thinking is moving towards an adapted verification or review mechanism, in which the legitimate Ukrainian court does not ‘confirm’ the document issued under occupation, but conducts its own examination. Materials produced under occupation could be used only as a source of information, subject to the rules of admissibility and fair trial standards applicable to the legitimate Ukrainian court. The model under discussion includes a transitional period during which ‘convicted’ persons and victims of the alleged offences could request a review of the case by legitimate Ukrainian courts. The review should comply with fair trial standards, filter out evidence produced under occupation, exclude evidence obtained through torture or coercion, and allow for outcomes such as dismissal of the case, acquittal, conviction based on admissible evidence, or the rehabilitation of the individual.

For individuals who, at the time of de-occupation, are still in detention on the basis of such ‘convictions’, the issue becomes one of immediate urgency. The Ukrainian authorities have acknowledged that it is necessary to expressly regulate their legal status during the transitional period, including the conditions for possible provisional release during the review, in order to avoid prolonging detention based on a legal act not recognised by the state, but without jeopardising public safety where there is serious evidence of the offences. At the time of writing, no final version of the mechanism had been enshrined in law.

For the Republic of Moldova, the Ukrainian framework is relevant in terms of the questions it raises:

- ▶ who, in legal terms, is a person unlawfully deprived of liberty from the Transnistrian region;
- ▶ how is a distinction made between politically motivated detentions, arbitrary detentions and ‘convictions’ for common law offences;
- ▶ what verification mechanism can be envisaged for the acts of unlawful bodies;
- ▶ and through what procedure can the fact of deprivation of liberty be established to allow access to support, recognition and possible reparations.

Accountability, amnesty, lustration and the limits of state tolerance

The plan includes measures to establish criteria for holding accountable those who have committed war crimes, crimes against humanity, serious human rights violations and other offences. At the same time, the plan addresses the application of amnesty following the withdrawal of troops, excluding those who have committed serious crimes. The relevance of

this example lies in the fact that such questions - who and for what acts, which categories may be treated differently, where the limits of amnesty lie, and how collaboration with unlawful bodies is addressed - are transformed into matters of public policy and regulation, rather than being left exclusively for the post-reintegration phase.

Documents issued in the occupied territory and the 'Namibia exception' principle

The plan provides for the drafting of a bill on overcoming the consequences of the occupation, including the recognition or verification of information in documents issued by the occupying administrations, with express reference to the 'Namibia exception' principle²¹. Issues such as the resumption of the activities of notaries, lawyers and courts following de-occupation are also addressed. This example is relevant to the Republic of Moldova because the treatment of documents issued by illegal Transnistrian bodies is one of the unavoidable legal issues in any reintegration scenario.

Institutional capacity: human resource reserve and training

The plan provides for the creation of a pool of personnel for the courts, law enforcement agencies, public authorities, the security sector and public administration in the de-occupied territory, as well as training on de-occupation, reintegration, administration and transitional justice. This example shows that preparing for reintegration concerns not only the regulatory framework, but also the people who will administer, adjudicate, investigate, provide services and restore the functioning of institutions.

The second example – “Priority steps for the Ukrainian state following the de-occupation of Crimea”

A second example is the document “*Priority steps for the Ukrainian state following the de-occupation of Crimea*”, published by the Office of the President of Ukraine in the Autonomous Republic of Crimea. Its relevance lies both in its content and in the drafting process, which involved state institutions, civil society organisations and experts²². The document addresses issues that are absent from the Moldovan public debate: amnesty and lustration, the verification of documents and rulings issued by the occupation ‘courts’, property rights, and the demilitarisation of education and culture.

The document contains concrete planning elements. To restore public administration, it provides for the phased return of state authority, from temporary or military-civilian administrations to state administrations, local authorities and, subsequently, *elections, but only after the implementation of reintegration measures and the establishment of conditions for security and political pluralism*. The document also outlines the creation of a pool of personnel for public institutions in the de-occupied territories, the online course ‘*ProKrym: state policy on the reintegration of Crimea*’ for civil servants, and educational programmes on post-conflict governance²³.

From a legal perspective, the Ukrainian document makes a useful distinction: *not every act produced during the occupation is treated identically. This differentiation demonstrates the existence of a nuanced legal approach, which avoids both blanket recognition and the mechanical annulment of all effects produced in the territory.*

21 International Court of Justice, *Legal Consequences for States of the Continued Presence of South Africa in Namibia [South West Africa] notwithstanding Security Council Resolution 276 [1970]*, Advisory Opinion, I.C.J. Reports 1971, 16, para. 125, <https://www.icj-cij.org/index.php/node/103754>

22 Office of the President of Ukraine in the Autonomous Republic of Crimea, *Priority steps for the Ukrainian state following the de-occupation of Crimea*, September 2022, <https://ppu.gov.ua/documents/priorytetni-kroky-ukrayinskoyi-derzhavy-pislya-deokupatsiyi-krymu/>

23 Office of the President of Ukraine in the Autonomous Republic of Crimea, online course ‘ProKrym: State Policy on the Reintegration of Crimea’, <https://bit.ly/43NIP87>

- ▶ Documents affecting the rights and freedoms of individuals and issued by the occupying authorities are subject to verification.
- ▶ Most legal acts between private individuals may be recognised under certain conditions.
- ▶ Acts resulting from nationalisations, confiscations or decisions of the occupation 'courts' cannot be recognised.

The document also addresses victims of unlawful detention, providing for the release of persons unlawfully deprived of their liberty on political grounds and the provision of medical, psychological and other assistance. At the same time, it excludes amnesty for persons guilty of international crimes or of contributing to the establishment of the Occupation regime and provides for the individual assessment of those who worked in occupation bodies.

The third example – the 2024–2026 Strategy on the Restoration of State Authority

A third milestone is the draft Strategy on the Restoration of State Authority and the Reintegration of the Population in the De-occupied Territories of Ukraine by 2026, presented to the public in April 2024²⁴. The draft was developed alongside an operational plan for 2024 - 2026 and aims to restore the functioning of public authorities, rights and freedoms, security guarantees, and measures to overcome the consequences of aggression and occupation. The relevance of this project is reinforced by the fact that it also features in government planning: in the Cabinet of Ministers' action plan for 2024, the Ministry of Reintegration is listed as the institution responsible for drafting and submitting to the Government the draft act on the approval of the Strategy and the operational implementation plan²⁵.

International Coordination Platform – Crimea Platform

In parallel with internal strategic documents, Ukraine has also developed coordination platforms, such as *the Crimea Platform*, launched as an international consultation format on the occupation of Crimea²⁶. The platform operates at several levels, including at the level of heads of state and government, parliaments and civil society experts, and covers thematic areas such as the policy of non-recognition, sanctions, human rights, security, and the economic and environmental consequences of the occupation.

The relevance of this example for the Republic of Moldova lies in the idea of institutionalising the discussion. Ukraine has created a framework in which occupation, de-occupation, reintegration, human rights and the protection of victims are constantly discussed, at different levels and with the participation of various actors. *In the case of the Republic of Moldova, no comparable platform, whether domestic or international, can currently be identified in which the legal, social and human rights dimensions of the reintegration of the Transnistrian region are systematically discussed in relation to public policy scenarios.*

For the Republic of Moldova, this comparison raises a question of public policy: if, after more than three decades of unconstitutional control over part of its territory, there is no comparable public framework for reflection on justice, victims, acts issued by unlawful bodies, the documentation of abuses, integrity and accountability, then these issues risk being addressed belatedly, piecemeal and reactively.

24 Official statement on the presentation of the draft Strategy on the restoration of state authority and the reintegration of the population of the de-occupied territories of Ukraine by 2026, April 2024, <https://dn.gov.ua/news/prezentovano-proyekt-strategiyi-vidnovlennya-derzhavnoyi-vladi-ta-reintegratsiyi-naselennya-deokupovanih-teritorij-ukrayini-do-2026-roku>

25 Cabinet of Ministers of Ukraine, Action Plan of the Cabinet of Ministers for 2024, responsibilities of the Ministry of Reintegration, <https://www.kmu.gov.ua/storage/app/uploads/public/65c/f91/313/65cf913135996125931042.pdf>

26 Crimea Platform, 'About Crimea Platform', <https://crimea-platform.org/en/about/>

Figure 2. Reintegration policy framework – Moldova vs. Ukraine

REPUBLIC OF MOLDOVA	UKRAINE — REFERENCE POINT
STRATEGIC LEVEL X ABSENT <i>No reintegration strategy adopted by the Government or Parliament</i> <i>No framework concept — no principles, phases, scenarios, or indicators</i> <i>Official response of the RPO (10.12.2025): no such strategic document exists</i>	STRATEGIC LEVEL • Strategy for the de-occupation and reintegration of the temporarily occupied territory of the Autonomous Republic of Crimea and the city of Sevastopol (Decree of the President of Ukraine No. 117/2021) • Strategy for Restoration of State Authority and Reintegration 2024–2026 • Principles, phases, vision, indicators, implementation timeline
SECTORAL LEVEL X ABSENT <i>No sectoral plan developed by line ministries</i> <i>Justice · health · education · social protection · security · economy</i> <i>The Ministry of Justice confirmed in 2024–2025 that no such document has been initiated</i>	SECTORAL LEVEL • Government action plan with annual reporting and periodic evaluation • “Priority Steps Following De-occupation” — Working Group of 36 Experts (2022) • Six thematic directions: documentation, case files, detainees, lustration, civil records, personnel
OPERATIONAL LEVEL — BUDGET AND ADMINISTRATIVE INSTRUMENTS • Government Programme “EU, Peace, Development” — section “Cohesion between the Two Banks” (Parliament Decision No. 269/2025): general policy document • Reintegration Activities Programme (GD No. 311/2025): annual budget instrument — funds targeted interventions • RPO Action Plan for 2025: current activities of the Office (dialogue, projects, communication) • Fiscal Law 30.04.2026 + Convergence Fund: sectoral fiscal measure; fund creation announced, but without a clear allocation mechanism	OPERATIONAL LEVEL · COORDINATION • Crimea Platform — international coordination platform • Implementation through Min. of Reintegration, Min. of Justice, Prosecutor General’s Office, MoIA • Regular consultations with civil society, experts, international partners • Professional training courses for personnel for the post-de-occupation period

This analysis is not exhaustive and does not aim to provide a comprehensive assessment of Ukraine’s experience. Each of the elements mentioned – documenting violations, investigating the facts, the status of persons unlawfully deprived of their liberty, the treatment of documents issued in the occupied territories, the reconstruction of case files, amnesty, lustration, or preparing institutions for the post-occupation period – requires a separate comparative analysis. Such an analysis could help the authorities of the Republic of Moldova to understand what questions need to be asked, what options can be considered, what risks need to be avoided, and to what extent certain Ukrainian experiences can serve as benchmarks, without being mechanically replicated.

Chapter 2.

Justice in reintegration policy – what the institutional responses reveal

To ascertain whether there is a formalised institutional process in place to prepare for a potential reintegration scenario, including in the justice sector, official requests were sent to several relevant authorities between December 2025 and April 2026. The requests did not concern individual cases or operational activities, but rather the existence of analyses, strategic documents, consultations and inter-institutional platforms; the work of the Governmental Commission for the Reintegration of the Country; the mechanisms for interaction between the Deputy Prime Minister for Reintegration and public authorities; and planning documents²⁷.

The responses received provide a relevant picture through their cumulative analysis. The public policy problem arises precisely from their accumulation: each institution shifts responsibility, explicitly or implicitly, to another institution or to another level of decision-making, and the result is that no platform or institution can be identified in which the justice issues of reintegration are treated as a matter of state. The difficulties exist and are, in some cases, recognised at an institutional level, but there is a lack of a coherent process to integrate them into a strategic vision.

2.1. The Deputy Prime Minister for Reintegration and the Bureau for Reintegration Policies

The Deputy Prime Minister for Reintegration and the BPR, a subdivision of the State Chancellery, are the key actors from whom an overview is expected of how reintegration is shaped as public policy. Some of the questions addressed to these structures concern the institutional architecture in the strict sense – mandate, cabinet, Secretary of State, Government Commission, and the asymmetry in relation to the coordination framework for European integration – and are analysed in Chapter II. This subsection retains only the questions and answers relevant to the justice dimension, the segment which, in the current architecture, does not appear to be clearly assigned to an institution responsible for coordination and planning.

Between December 2025 and April 2026, the Promo-LEX Association submitted three requests for access to information to the Bureau under Law No. 148/2023:

- ▶ Request no. 232 of 1 December 2025 – sectoral public policy documents and risk of evasion²⁸;
- ▶ Request no. 246 of 3 December 2025 – the institutional architecture of the Deputy Prime Minister's office (analysed in Chapter II)²⁹;

27 Promo-LEX Association, Requests for access to information made pursuant to Law No. 148/2023 on access to information of public interest, addressed to the Bureau for reintegration policies, the Ministry of Justice, the Superior Council of the Judiciary, the Superior Council of Prosecutors, the General Prosecutor's Office and the Information and Security Service between December 2025 and April 2026; see Annex 'List of requests for access to information submitted'.

28 Promo-LEX Association, Request for access to information No. 232 of 1 December 2025, addressed to the Bureau for reintegration policies, concerning institutional mechanisms and reintegration policies, inter-ministerial architecture, strategic documents, the prevention of abductions and the risks of evasion; see Annex "List of requests for access to information submitted".

29 Promo-LEX Association, Request for access to information No. 246 of 3 December 2025, addressed to the Bureau for reintegration policies, concerning the institutional framework responsible for reintegration; see the Annex 'List of requests for access to information submitted'.

- ▶ Request No. 314 of 3 April 2026 – the role of the BPR in coordinating efforts in the justice sector and actions regarding specific cases of unlawful deprivation of liberty, torture and inhuman treatment³⁰.

Sectoral public policy documents. Request No. 232 concerned the existence of a strategy, a framework concept or sectoral plans in areas such as health, education, justice, social protection, the economy and security, as well as the existence of inter-institutional working groups for their development. In its reply of 10 December 2025, the BPR referred only to the 'Cohesion between the Banks' section of the Government's Work Programme and the Reintegration Activities Programme for 2025. However, these are a general government programme and an annual budgetary instrument, not sectoral public policies. The response does not mention a distinct reintegration strategy, a framework concept, a roadmap on justice or an inter-institutional working group dedicated to this aspect³¹.

The risk of evading criminal prosecution and the limitations of monitoring preventive measures. Request No. 232 sought to determine whether the Deputy Prime Minister for Reintegration and the Bureau for reintegration policies had been involved in discussions concerning the risk that persons under criminal investigation or standing trial may evade proceedings by remaining in the Transnistrian region, as well as the difficulties related to applying or monitoring non-custodial preventive measures. The questions concerned any referrals from the *General Prosecutor's Office*, the Superior Council of Magistracy or other authorities, as well as the BPR's participation in discussions on an administrative control mechanism for movement to and from the region. The BPR's response of 10 December 2025 was negative: the Office had not been notified or informed and had not participated, in the last five years, in discussions regarding such a mechanism.

The BPR's role in initiating and facilitating discussions in the justice sector. Request No. 314 of 3 April 2026 concerned whether the BPR had initiated or facilitated approaches, requests, working groups, consultations or discussion platforms with the Ministry of Justice (MJ), the *General Prosecutor's Office* (PG), the Superior Council of Magistracy (CSM) or the Superior Council of Prosecutors (CSP). The reply of 15 April 2026 was direct: "*We have not received or sent any requests relating to the justice sector, nor have we initiated the creation of such working groups*"³².

Taken together, the three responses from the BPR indicate that the justice dimension is not integrated into a clear coordination process on reintegration. Issues with a direct impact on criminal proceedings, including the risk of evasion in the Transnistrian region, have not been referred to the BPR as a coordination issue, and the BPR has not initiated a discussion platform with the relevant institutions in the justice sector. The Ministry of Justice, the *General Prosecutor's Office*, the Superior Council of Magistracy and the Public Service Commission do not appear, in the Office's responses, as formal interlocutors in a process of analysing the justice dimension in the context of reintegration.

2.2. The Ministry of Justice

In a coherently constructed reintegration policy, the Ministry of Justice would naturally play a role in coordinating the justice sectoral dimension: analysing the regulatory framework, institutional scenarios and organised dialogue with the PG, CSM, CSP and the State Chancellery/BPR.

30 Promo-LEX Association, Request for access to information No. 315 of 3 April 2026, addressed to the Bureau for reintegration policies, concerning inter-institutional interaction and public policies in the field of reintegration, including the State Secretary for Reintegration, the Governmental Commission, sectoral focal points, justice and education; see Annex "List of requests for access to information submitted".

31 Bureau for reintegration policies, Reply No. 23-78-12617 of 10 December 2025, to the request of the Promo-LEX Association No. 232 of 1 December 2025.

32 Bureau for reintegration policies, Reply No. 23-78-4298 of 15 April 2026, to the request of the Promo-LEX Association No. 315 of 3 April 2026.

On 24 February 2026, the Promo-LEX Association submitted request no. 295 to the Ministry of Justice, concerning the period 2024-2025³³. The questions concerned sectoral preparatory documents, working groups, consultations, sub-units or focal points, strategic documents, planning for 2026-2027, monitoring of legal issues, requests to other authorities, and the existence of a formalised platform with the Deputy Prime Minister for Reintegration.

The Ministry's response confirms - in relation to nine of the ten questions (nos. 1-4 and 6-10) - that such activities, mechanisms or documents do not exist. During the period 2024-2025, the Ministry of Justice³⁴:

- ▶ has not initiated, drafted, commissioned, endorsed or reviewed analyses, concept notes, reports, studies, scenarios, roadmaps or action plans aimed at preparing the justice sector for a potential reintegration scenario;
- ▶ has not established or participated in working groups, meetings, consultations or committees on this issue, together with the State Chancellery / Bureau for reintegration policies or other competent authorities;
- ▶ has not established a sub-unit or designated a focal point for the internal monitoring and coordination of this area;
- ▶ has not drafted or reviewed a sectoral strategy document;
- ▶ has not planned, for 2026-2027, to initiate such a document;
- ▶ has not carried out any monitoring or systematisation of the legal and institutional issues anticipated in a potential reintegration scenario;
- ▶ has not sent official requests to the State Chancellery / BPR, the CSM, the CSP, the PG, the MAI or other authorities to collect data or to systematise legal issues;
- ▶ there is no permanent formalised platform for regular consultations with the Deputy Prime Minister for Reintegration and/or the Bureau for reintegration policies on this issue.

In conjunction with the BPR's responses, the Ministry of Justice's response confirms a gap in the sectoral coordination framework regarding the justice dimension.

2.3. The Superior Council of Magistracy

On 1 December 2025, the Promo-LEX Association submitted Request No. 243/01.12.2025 to the Superior Council of Magistracy, addressing four issues: the risk that persons under criminal investigation may evade criminal proceedings by remaining in the Transnistrian region; referrals or proposals to other authorities; discussions, analyses or meetings on justice in the context of reintegration; and participation in national or international platforms or working groups on these issues³⁵.

The CSM's response, issued on 18 December 2025, begins by defining the Council's remit. According to the CSM, its responsibilities relate to judicial administration, the organisation of the system and guaranteeing the independence of the judiciary³⁶. On this basis, the answer to the four questions is negative. Over the past three years, the CSM has not examined the risk of persons under criminal investigation in the Transnistrian region absconding; it has not submitted complaints, proposals or recommendations to the BPR, the State Chancellery, the Ministry of Justice or other authorities; it has not initiated discussions, analyses, meetings or working groups on justice in the context of reintegration; nor has it participated in national or international platforms concerning justice in territories outside the effective control of the

33 Promo-LEX Association, Request for access to information No. 295 of 24 February 2026, addressed to the Ministry of Justice, concerning the justice system in the context of a possible reintegration of the Transnistrian region, institutional preparedness, the regulatory framework, capacities and strategic planning for the period 2024-2025; see Annex 'List of requests for access to information submitted'.

34 Ministry of Justice of the Republic of Moldova, Response of 17 March 2026 to Promo-LEX Association's request No. 295 of 24 February 2026.

35 Promo-LEX Association, Request for access to information No. 243 of 1 December 2025, addressed to the Superior Council of Magistracy, regarding institutional mechanisms and reintegration policies from the perspective of the judiciary; see Annex "List of requests for access to information submitted".

36 Response from the Superior Council of Magistracy No. 2639m/c of 18 December 2025.

constitutional authorities, the treatment of acts issued by unlawful bodies, the protection of persons deprived of their liberty, or transitional justice.

The response does, however, contain two relevant nuances. The CSM notes that its members regularly attend meetings with judges from Căușeni, Rezina and Soroca, where cases related to this subject are examined, and that, in discussions with development partners, the issue is presented as *“a challenge for the entire judicial system”*. The Council expresses concern regarding the difficulties highlighted and states that it will continue to monitor any systemic implications concerning the organisation of the courts, without intervening in the substance of judicial activity or the work of law enforcement bodies.

Beyond the legal demarcation, the response raises an institutional question. Promo-LEX's request did not seek intervention in specific cases or the regulation of preventive measures, but rather concerned the systemic organisation of the judiciary, internal analyses, referrals to the authorities regarding reintegration policy, working groups and participation in platforms. These issues relate to judicial administration, as invoked by the CSM itself. The fact that, over the last three years, there has been no dedicated meeting, analysis or internal memo indicates a contrast:

The difficulty is recognised in practice and described by the CSM, in dialogue with development partners, as a “challenge for the entire judicial system”, but it has not been transformed into an institutional process of reflection. Awareness exists, but there is no inter-institutional platform where this can be systematically analysed, together with the authorities responsible for justice and reintegration.

2.4. The Superior Council of Prosecutors

On 1 December 2025, the Promo-LEX Association submitted Request No. 244/01.12.2025 to the *General Prosecutor's Office* and the Superior Council of Prosecutors, concerning four issues: the risk that persons may evade criminal proceedings by remaining in the Transnistrian region; dialogue with the authorities responsible for reintegration; possible institutional discussions on justice in the context of reintegration; and the organisation of, or participation in, platforms or working groups on this topic³⁷.

The CSP's response, communicated on 5 December 2025, effectively declines competence in full. The Council stated that it “has no legal powers regarding the handling of criminal cases” nor in the analysis or administration of criminal files, redirecting the request to the General Prosecutor's Office³⁸.

The CSP's response, according to which the handling of criminal cases falls within the competence of the *General Prosecutor's Office*, is correct as regards individual cases, but it does not exhaust the issue. Insofar as Transnistria-related cases raise systemic difficulties - the evasion of criminal proceedings by persons under investigation, the impossibility of executing procedural acts, the lack of methodologies, the need for specialisation, or the risk of inconsistent practices - they are also relevant to the self-administration of the prosecution system. Not in relation to the handling of individual cases, but in relation to questions concerning the system's professional capacity: the training of prosecutors, possible criteria for specialisation, transfers or allocation of human resources, the assessment of institutional needs, and dialogue with the Prosecutor General's Office and other competent authorities.

The CSP could play an institutional liaison role, without interfering with the independence of prosecutors or the conduct of criminal investigations. As a stakeholder in prosecutors' careers, the Council can monitor whether certain categories of cases generate systemic needs regarding training, specialisation, resources and institutional coordination.

³⁷ Promo-LEX Association, Request for access to information No. 244 of 1 December 2025, addressed to the General Prosecutor's Office, concerning institutional mechanisms and policies for reintegration and the exercise of the General Prosecutor's Office's powers; see Annex 'List of requests for access to information submitted'.

³⁸ Response of the Superior Council of Prosecutors No. 5/7-04d/2025-2840 of 5 December 2025

In line with the PG's response, the CSP's response indicates that the question "*who transforms the systemic difficulties of the criminal justice system into subjects for strategic analysis for reform?*" does not yet have a clear formal addressee. The Public Prosecutor's Office directly encounters operational difficulties, whilst the CSP could reflect on their impact on the profession. In the absence of an inter-institutional platform, these levels remain poorly connected.

2.5. The Security and Intelligence Service

The request addressed to the SIS was formulated as a public access request: no operational data, sources, methods, internal assessment criteria or personal data were requested, but only document identifiers and, where available, aggregated statistical data. The request also invoked the principle of separating classified information from unclassified information, as provided for in Article 11(4) of Law No. 245/2008.

On 27 February 2026, the Promo-LEX Association submitted request No. 296/27.02.2026 to the SIS³⁹.

The questions in the request focused on three aspects:

- ▶ whether the Service maintains a non-operational record, aggregated or disaggregated by functional categories, concerning persons who have held or hold positions within unlawful bodies in the region;
- ▶ whether there are internal or inter-institutional documents preparing for a possible reintegration scenario; the request focused on their existence and identifiers, not on their content;
- ▶ whether, in checks conducted for public office or public office with special status, prior work within an unlawful body in the region is treated as a distinct factor relevant to the clearance decision.

The SIS's first response was a complete refusal, citing state secrecy in general terms⁴⁰. The second response, sent following a repeat request, confirmed three points: the SIS does not hold non-operational records or aggregate statistics regarding individuals who held positions within unlawful bodies; it has not received, in the last three years, any draft legislation regarding a potential reintegration scenario for security clearance; and previous activity within an unlawful bodies in the region is not provided for as a distinct verification criterion under the current regulatory framework⁴¹.

Taken together, these three confirmations complement the picture outlined by the BPR, the Ministry of Justice, the CSM and the CSP: at the SIS level, there are no aggregated records, no draft normative acts submitted for review or opinion, and no distinct screening criteria for individuals who have held positions within unlawful bodies.

The fact that, in the last three years, the SIS has not received any draft normative act on reintegration for review indirectly confirms the absence of any strategic, sectoral or normative document anticipating such a scenario that had reached at least the stage of security review. If such a document had been under preparation, the natural course of procedure would have brought it before the SIS for a security opinion.

The response regarding checks for public office raises a distinct issue: in the Republic of Moldova, individuals who have been active within unlawful bodies are checked exclusively under the general framework (Law No. 271/2008 and Law No. 245/2008), without such

³⁹ Promo-LEX Association, repeated request for access to information No. 296 of 27 February 2026, addressed to the Information and Security Service, following the failure to receive a response within the statutory time limit; see Annex "List of requests for access to information submitted".

⁴⁰ The Security and Intelligence Service of the Republic of Moldova, Reply No. 12-H-196/26 of 18 March 2026, to Promo-LEX Association's request No. 296 of 27 February 2026.

⁴¹ The The Security and Intelligence Service of the Republic of Moldova, Reply No. 12-H-321/26 of 7 April 2026, to the repeated request from the Promo-LEX Association regarding institutional preparedness for a possible reintegration scenario.

activity being provided for as a distinct element of assessment. Unlike Ukraine, where instruments concerning collaborationism and integrity screening for persons originating from occupied territories have been discussed, the Moldovan framework does not currently provide for a mechanism that would allow this category to be treated differently in a possible reintegration scenario. From the perspective of institutional preparedness, the absence of such an instrument is one of the most sensitive gaps, as it could affect integrity, security and public confidence in a possible reintegration process.

2.6. The General Prosecutor's Office

The General Prosecutor's Office is one of the institutions where the effects of the lack of effective control over the Transnistrian region are most visible: cases that are difficult to investigate, individuals evading criminal prosecution, evidence that is difficult to manage, suspended cases and victims without an effective response. The question is whether these difficulties are managed on a case-by-case basis or are transformed into data, standardised practices, methodological recommendations and cooperation mechanisms.

To ascertain whether these difficulties are being addressed institutionally, Promo-LEX submitted three requests for access to information to the General Prosecutor's Office. The requests did not concern individual cases, but rather the existence of analytical and management tools: *statistical records, the ability to identify cases with a Transnistrian connection within information systems, methodological recommendations, internal analyses, inter-institutional consultations and measures regarding the risk of evasion*⁴².

This subsection does not classify the persons concerned as "victims" and "non-victims" and does not draw conclusions regarding guilt in individual cases. All forms of deprivation of liberty ordered by the bodies of the Tiraspol regime are unlawful, since these bodies are not part of the constitutional order and do not provide the guarantees of a fair trial. At the same time, the Republic of Moldova has an obligation to apply criminal law throughout its territory and to investigate both acts committed by representatives of unlawful bodies and ordinary criminal offences committed or allegedly committed in the region.

The analysis distinguishes between two legal frameworks, which may overlap and require different instruments:

The first level concerns acts attributable to representatives of unlawful bodies - abductions, unlawful deprivation of liberty, torture, inhuman or degrading treatment, and abuses by the coercive bodies of the Tiraspol regime. The central question is how the constitutional authorities investigate these acts, document the harm suffered, protect victims, and ensure effective remedies.

The second level concerns the *de facto* effects of the pseudo-proceedings conducted in the region, particularly where a person has previously been "tried" or deprived of liberty by unlawful bodies and later comes before the courts of the constitutional order in relation to the same act. These situations do not validate the charges or "judgments" issued in the region, but they raise difficult questions: how should a period of detention actually served, but ordered unlawfully, be treated; whether this reality has any bearing on the principle of non bis in idem; what remedies are available for unlawful deprivation of liberty; and how the application of criminal law can be reconciled with the obligation not to ignore the real effects of detention.

The General Prosecutor's Office has described the uncontrolled region as "a zone of impunity, where those involved in crimes can avoid prosecution by taking refuge in this territory". This observation points to a two-tiered structural difficulty.

42 See Annex "List of requests for access to information", items 7-9: Request from the Promo-LEX Association

At the procedural level, prosecutors face concrete difficulties: limited access to the place where the acts were committed, the impossibility of carrying out criminal investigation measures in the region, the non-execution of summonses, warrants or other procedural documents, and the risk that persons concerned may evade criminal prosecution by remaining in the Transnistrian region.

At the public policy level, these difficulties, although they recur in practice, have not yet been integrated into an inter-institutional framework for analysis, planning and regulatory response.

The responses from the General Prosecutor's Office are significant for their openness: the institution did not deny the difficulties and did not invoke non-existent mechanisms. They outline a map of the real problems: investigative difficulties, a lack of disaggregated data, a lack of methodological tools, the absence of a specialised unit, and the lack of a systematic analysis of persistent legal issues. This finding does not concern the Prosecutor's Office alone, but highlights the need for a coordination platform involving the Ministry of Justice, the Superior Council of Magistracy, the courts, the Ministry of the Interior, the Bureau for reintegration policies, the Government and, where appropriate, other institutions and Parliament.

Criminal investigations remain suspended

The Republic of Moldova has positive obligations to prevent, effectively investigate and ensure remedies for serious human rights violations, including where the acts relate to the Transnistrian region. These obligations arise from the state's *de jure* jurisdiction and from the international obligations it has assumed.

However, criminal cases relating to the region are affected by a lack of effective control: *access to the place where the acts were committed is limited or impossible, the persons concerned cannot be brought before the constitutional authorities, summonses and warrants cannot be executed, and evidence is difficult to obtain or verify*. This situation affects both cases concerning abuses by unlawful bodies and common law offences committed or allegedly committed in the region.

The lack of effective control does not fully explain the absence of an institutional response. Certain actions can be prepared even without direct access to the region: systematising the statements of victims and witnesses, analysing suspended cases, identifying persistent obstacles, making methodological recommendations, inter-institutional exchanging information, clarifying legal classification practices, and establishing support procedures for victims. These measures do not replace access to the territory, but they can reduce fragmentation and transform repeated deadlocks into institutional issues that are addressed.

The difficulty of investigation also affects victims' access to redress. When a case remains suspended, the victim cannot access support mechanisms dependent on the conclusion of criminal proceedings, including the financial compensation provided for by Law No. 137/2016, analysed in Chapter IV.

Statistical and information systems are not configured to track Transnistria-related cases

To understand the scale of the phenomenon, general criminal statistics by territorial prosecutor's offices, by articles of the Criminal Code or by procedural stages are insufficient. The information relevant to this analysis would require a separate record of cases where the facts relate to the Transnistrian region, particularly where representatives of the illegal Transnistrian bodies in Tiraspol are involved or where procedural deadlocks are caused by the lack of effective control over the region. Promo-LEX's request specifically sought this dimension: data on complaints and reports, cases initiated under relevant articles of the Criminal Code, including Articles 164, 166, 166/1, 339, 340/1, 351 and other related articles,

cases that have been discontinued, closed, suspended, resumed, sent to trial and concluded with convictions, broken down by year and by regional prosecutor's office.

To understand the scale of the phenomenon, general criminal statistics are insufficient. Separate records of Transnistria-related cases would be necessary, particularly where representatives of unlawful bodies are involved or where procedural deadlocks are caused by the lack of effective control. Promo-LEX's request concerned data on complaints, cases initiated under relevant articles of the Criminal Code, including Articles 164, 166, 166/1, 339, 340/1, 351, and the status of cases that have been discontinued, closed, suspended, resumed, sent to trial or concluded with a conviction.

The General Prosecutor's Office indicated that it does not hold such disaggregated data for the period 2023–2025. This finding should be read in conjunction with the Report on the Activity of the Prosecutor's Office for the year 2025⁴³. The Report on the Activity of the Prosecutor's Office for 2025 contains only general data: 107 cases suspended in the criminal investigation department, of which 30 on grounds of evasion; and 7,437 cases suspended in the criminal prosecution department, of which 2,286 on grounds of evasion. However, these figures are not broken down for cases concerning the Transnistrian region, cases involving representatives of unlawful bodies, situations where a person evades proceedings by remaining on the left bank of the Nistru River, or other identified systemic issues.

Although the annual report is structured across several areas of activity, it does not include a separate analysis of criminal cases concerning the Transnistrian region, the procedural deadlocks caused by the lack of effective control, cases suspended due to the impossibility of carrying out procedural actions in the region, or cases involving representatives of illegal Transnistrian bodies.

This omission is significant because the same report mentions priorities regarding digitisation, the interconnection of information systems and the collection of statistical data. The report also shows that the Prosecutor's Office has drafted seven amendments to legislative acts and has provided opinions on 130 draft acts. Consequently, the issue is not a lack of institutional capacity for analysis, but the fact that cases related to the Transnistrian region do not appear as a distinct subject of systematic analysis in the Prosecutor's Office's annual report.

Referral to the Ministry of Internal Affairs, as the holder of data integrated into the law enforcement agencies' information system, may be administratively justifiable, but it raises an institutional question:

If there is a common information system, why can the analysis of data on cases falling within the Prosecutor's Office's jurisdiction not be carried out by the Prosecutor's Office itself? Is this a matter of restricted access, the way in which data fields are configured, or the manner in which the institutions' information systems communicate with one another? The question does not require an immediate technical answer, but it should be placed on the institutional agenda, all the more so in the context of a possible reintegration, when the volume of cases, the diversity of situations and the need for clear records will increase considerably.

One avenue for reflection would be the development of an internal methodology for collecting and analysing cases concerning the Transnistrian region. This would not entail the immediate resolution of cases or direct access to the region, but would allow for the identification of types of cases, the articles most frequently invoked, grounds for suspension, persistent obstacles, the prosecutor's offices concerned, and the necessary institutional measures. The data could be reflected separately in the prosecution service's reports and submitted to the Ministry of Justice, the Bureau for reintegration policies, the Government or Parliament as a basis for public policy.

⁴³ General Prosecutor's Office of the Republic of Moldova, *Activity Report of the Prosecutor's Office for 2025*, Chişinău, 2026, <https://www.procuratura.md/sites/default/files/2026-03/1-1-raportul-de-activitate-procuratura-2025.pdf>

The fundamental issue is not merely who owns the database, but whether the criminal justice system can produce consolidated information on cases relevant to reintegration, victim protection and the fight against impunity. Without such records, difficulties remain known only through individual cases, but are not analysed as an institutional phenomenon.

The lack of methodological guidelines may lead to inconsistent practices

The General Prosecutor's Office was asked whether it had developed methodological recommendations, instructions, guidelines or other internal documents concerning the investigation of cases involving representatives of unlawful bodies. The request also covered consultations with the Ministry of Internal Affairs, the Bureau for reintegration policies, the Ministry of Justice or other authorities on documenting acts, collecting and administering evidence, executing procedural acts, and locating individuals.

Such cases raise persistent issues: the classification of unlawful deprivation of liberty, the relationship between abduction, unlawful detention and inhuman treatment, the application of Article 166(1) of the Criminal Code, the documentation of facts without access to the scene of the crime, the protection of victims and witnesses, the handling of circumstantial evidence and institutional cooperation.

In the absence of methodological guidelines, prosecutors resolve systemic issues on an individual basis. This does not mean that the solutions are wrong, but that they may become inconsistent and dependent on the experience of each prosecutor or each regional prosecutor's office. For victims, inconsistency can lead to differences in treatment; for institutions, it reduces the ability to learn from practice.

The effects of unlawful detention in the region on constitutional proceedings have not yet been systematically addressed

A distinct problem arises when a person has previously been 'tried' and unlawfully deprived of their liberty in the region, and subsequently appears before the constitutional courts for the same offence. The situation raises questions regarding the effect of a *de facto* detention carried out on the basis of an illegal "sentence", the applicability of the *non bis in idem* principle, the possible consideration of the detention when determining individual liability, and remedies for unlawful deprivation of liberty.

Added to these legal difficulties are the conditions of detention in the region: years of actual deprivation of liberty in facilities without independent monitoring, without real safeguards against torture and inhuman treatment, and without the protections available to detainees under the control of constitutional authorities, issues analysed in Chapter I.

Taking into account the reality of a detention actually served does not mean recognising the illegal 'sentence'. However, denying any legal effect does not fully answer the question regarding the years of detention actually served. The difficulty lies in reconciling the non-recognition of unlawful bodies with the application of criminal law and the protection of human rights.

The response from the General Prosecutor's Office does not indicate the existence of a systematic analysis on this subject. The issue cannot be settled by the General Prosecutor's Office alone: it requires international expertise, the Supreme Court of Justice, the Ministry of Justice and, possibly, Parliament. The absence of a joint analysis creates the risk that similar situations may be addressed differently on a case-by-case basis.

The Minciuna case – an illustration of the difficulty

A recent example is the case of Andrei Minciuna, decided at first instance by the judgment of the Căușeni Court, Ștefan Vodă seat, of 26 December 2025, and subsequently reviewed by the

decision of the Central Court of Appeal of 25 February 2026^{44,45}. The person was tried before the courts of the constitutional order for murder, an act for which he had already served an actual but unlawful period of detention in the Transnistrian region between 14 March 2018 and 2 December 2024, on the basis of a “sentence” issued by unlawful Transnistrian bodies.

The trial court applied the logic of the *non bis in idem* principle, noting that, although the ‘sentence’ of the unlawful bodies is not a valid judicial act, the actual deprivation of liberty for over six and a half years cannot be ignored. On this basis, the court ordered the termination of the criminal proceedings pursuant to Article 391(1)(6) of the Code of Criminal Procedure - “other circumstances precluding the initiation of criminal proceedings and the imposition of criminal liability”.

The Central Court of Appeal upheld the prosecutor’s appeal, quashed the judgment and ordered a retrial. The Court held that the “courts” in the region are not courts established by law, that the detention ordered by these bodies is unlawful within the meaning of Article 5 §1 of the ECHR, and that the principle of *non bis in idem* does not apply where the previous “trial” and “conviction” were unlawful. The Court also indicated the possibility of asserting rights in a separate criminal case concerning unlawful deprivation of liberty, in which the person has the status of a victim.

The case is currently under retrial, and this analysis does not rule on the merits of the case. The case is relevant because it highlights a systemic problem: not the validation of the facts established by a ‘court’ in Tiraspol, but the legal treatment of an actual detention, carried out *de facto* in precarious conditions, albeit unlawfully ordered, for the same offence subsequently brought before the constitutional court.

Two institutional questions remain open:

- ▶ How are two coexisting realities managed at the institutional level? On the one hand, Article 4 of the Criminal Code, which establishes the application of criminal law throughout the territory of the Republic of Moldova, including the uncontrolled territory, without exception, meaning that the constitutional bodies are obliged to investigate and bring to trial the offences committed there. On the other hand, the same persons have endured actual and prolonged deprivation of liberty, unlawfully ordered by the bodies of the Tiraspol regime, in conditions that are difficult to imagine, with the real consequences borne entirely by the individual. *How can these two realities be addressed institutionally, so that the exercise of the duty to investigate does not disproportionately affect the rights of the person who has already, in fact, suffered a penalty – albeit an unlawful one – for the same act?*
- ▶ How effective is the remedy indicated by the Central Court of Appeal? According to the decision, the person may assert his rights in a separate criminal case in which he has the status of victim. However, as is evident from the case under consideration, as well as from the general experience of cases in this category, examined in the previous subsections of this chapter, *such cases are, as a rule, suspended or unresolved. A remedy that is formally indicated but practically inaccessible does not resolve the underlying issue, but merely postpones it.*

Limitation Risks Must Be Assessed in Advance

Some serious offences committed in the region date back many years. In the absence of effective legal proceedings or appropriate legislative solutions, there is a risk that certain offences will become impossible to punish due to the statute of limitations. This problem is not merely a technical-criminal one: it concerns the state’s ability to prevent *de facto* impunity from becoming definitive legal impunity.

44 Căușeni District Court, Judgment in Case No. 1-166/25, 26 December 2025, Minciuna case.

45 Centre Court of Appeal, Decision No. 1r-125/26, 25 February 2026, the Lie case.

In cases of torture and inhuman or degrading treatment, limitation periods do not apply, pursuant to Article 60(8) of the Criminal Code. The risk persists, however, for acts classified differently, such as abuse of power, usurpation of official capacity, or unlawful deprivation of liberty. Article 60(4) of the Criminal Code provides for the interruption of the limitation period when the case is referred to court for examination on the merits. If cases remain suspended at the criminal investigation stage, this mechanism is not triggered, without prejudice to the application of the rules on the suspension of limitation periods where the person evades proceedings.

The legal classification of the acts and the procedural steps required to prevent these cases from becoming time-barred do not, to date, appear on any public agenda. The issue of limitation periods should be analysed in connection with the State's procedural obligations, international standards, and the objective difficulties arising from the lack of effective control over the region; however, no such analysis exists.

Comparative benchmarks – Ukraine before 2022

Ukraine's experience is useful here as a process benchmark, not as a transferable model. The temporal delimitation is important: following the large-scale Russian invasion in February 2022, Ukraine's criminal justice response entered a different phase, dominated by war crimes, collaboration, international cooperation and massive documentation. For the Republic of Moldova, the period from 2014 to February 2022 is more relevant, when Ukraine was managing the annexed Crimea and parts of the Donbas that were outside its effective control.

During this period, Ukraine developed legal and institutional instruments that serve as useful points of reference for the Republic of Moldova.

Figure 3. Comparative benchmarks – Ukraine before 2022

Benchmark	Content	Source
Framework legislation on the legal regime of the occupied territory	<i>Ukraine has adopted a framework law on the legal regime of the occupied territory. Law No. 1207-VII of 15 April 2014 on ensuring the rights and freedoms of citizens and the legal regime in the temporarily occupied territory of Ukraine establishes the legal status of the occupied territory, the specific features of the functioning of public authorities in relation to that territory, and guarantees regarding the rights and freedoms of individuals. The law also regulates entry into and exit from the occupied territory, establishes that acts of bodies created outside the constitutional order are null and void, and maintains the regime until the constitutional order is restored. The Republic of Moldova does not currently have a comparable framework law that systematically regulates the legal effects of the regime in the Transnistrian region.</i>	Law No. 1207-VII of 15 April 2014 on ensuring the rights and freedoms of citizens and the legal regime in the temporarily occupied territory of Ukraine Ministry of Foreign Affairs of Ukraine – official note
Special procedures for criminal investigation and trial in absentia	<i>Ukraine has developed special procedures for criminal investigation and trial in absentia. In October 2014, the Code of Criminal Procedure of Ukraine was supplemented with a special chapter on special pre-trial investigation and trial in absentia – Article 297-1 et seq. Initially, the procedure was designed to enable the prosecution of the former Yanukovich leadership; it was subsequently extended and adapted for cases relating to Crimea and the Donbas. The procedure allows criminal investigations and trials to continue when the defendant is located in temporarily occupied territory or in the aggressor state and is evading the constitutional authorities.</i>	Council of Europe – CPP UA analysis
Specialisation of the prosecution service's capacity in cases concerning the occupied territories	Ukraine has begun to specialise the prosecution service's capacity in cases relating to the occupied territories. According to an analysis published by The London Ukrainian Review, in 2019 the Office of the Prosecutor General of Ukraine established a central unit for war crimes in Kyiv, whilst the specialised prosecution offices for Crimea and Donbas were already building cases concerning acts committed in connection with these territories.	London Ukrainian Review – Ukraine's pursuit of justice
Integrating de-occupation and reintegration into strategic documents and action plans	Ukraine has integrated de-occupation and reintegration into strategic documents and action plans, an aspect analysed in the comparative subsection on Ukraine.	(for details, see the comparative subsection on Ukraine)

Why the General Prosecutor's Office cannot cover the entire criminal-law dimension of reintegration through its own mandate?

The common element of the issues outlined is their inter-institutional nature. The Prosecutor's Office plays a central role in investigating the facts, but the bottlenecks identified go beyond criminal prosecution: *they relate to information systems, the regulatory framework, cooperation with other authorities and public reintegration policy.* This limitation is evident from the Prosecutor General's response of 27 April 2026: *"To ensure an effective and prompt investigation of violations of the law in the Transnistrian region, it is useful to identify and remedy gaps in the regulatory framework, clarify and delineate institutional competences, and establish effective mechanisms for inter-institutional cooperation."*

In the same response, the General Prosecutor's Office considered it appropriate to develop methodological instructions on the investigation of this category of cases, including the establishment of clear standards for the collection and administration of evidence under the specific conditions of the region. It also indicated the need to involve the academic community and the value of expertise from states with experience in managing comparable situations. Finally, the General Prosecutor's Office expressed its willingness to cooperate in addressing the challenges and strengthening strategic preparedness for the reintegration scenario, including through the development of a coherent, predictable and effective regulatory framework, tailored to the region's specificities.

The response is significant for the institutional openness it demonstrates. The General Prosecutor's Office does not limit itself to identifying constraints, but outlines the elements of a potential work agenda: *assessing regulatory gaps, clarifying competences, inter-institutional cooperation, investigative methodologies, evidentiary standards, and utilising academic or comparative expertise.*

The responses analysed indicate the absence of such a shared working platform: the CSP and the CSM have delineated their competences, the Ministry of Justice has not indicated any sectoral analyses or documents, the SIS has not confirmed the existence of any public plans, and the BPR has not identified a platform where criminal justice is discussed systematically as part of reintegration. This finding is not a criticism directed at any single institution, but rather a problem of institutional architecture: the prosecution service directly encounters the effects of impunity in the region, but does not have the tools to translate them, on its own, into a public policy response.

A relevant institutional opportunity is the process of drafting the Prosecutor's Office Strategic Development Programme for 2026–2030⁴⁶. The draft sets out strategic objectives and an action plan with deadlines, responsible departments, budget estimates and performance indicators.

At the same time, the concept explicitly identifies issues such as the lack of interoperability between IT systems, incomplete digitisation, shortcomings in the indicator system, limited inter-institutional cooperation, and the need to strengthen the capacity of the Prosecutor's Office. *These elements create a suitable framework for including a component dedicated to criminal cases concerning the Transnistrian region, representatives of illegal Transnistrian bodies, and the deadlocks caused by the lack of effective control over the region.*

46 General Prosecutor's Office of the Republic of Moldova, 'Initiative for a Modern Prosecutor's Office in Moldova: The New Strategic Development Programme for 2026–2030', press release, 20 June 2025, <https://www.procuratura.md/stiri-si-mass-media/comunicate-de-presa/initiativa-pentru-o-procuratura-moderna-moldova-noul> ;

Such a component would not transform the Prosecutor's Office Programme into a reintegration strategy, but would allow the problems encountered in criminal investigations - suspended cases, the lack of distinct data, the difficult handling of evidence, the risk of evasion, the lack of methodological guidelines and the need for cooperation - to be treated as institutional issues, not merely as difficulties in individual cases.

In practical terms, the Programme could include measures to develop an internal methodology for cases concerning the Transnistrian region, create statistical fields within information systems, reflect these cases separately in annual reports, and hold thematic consultations with the Ministry of Justice, the Superior Council of Magistracy, the Ministry of Internal Affairs, the Bureau for reintegration policies, the Superior Council of Prosecutors, the academic community and civil society.

This possibility is important because the Programme's concept provides for a participatory process, involving the General Prosecutor's Office, the Public Service Commission, prosecutors, the Ministry of Justice, law enforcement agencies, the judiciary, the legal profession, international partners and civil society. Including the Transnistrian dimension in the 2026–2030 Programme would thus be a realistic step within a planning process that has already begun.

Chapter 3.

Deficient institutional architecture for reintegration

Chapter III examines the institutional architecture of reintegration as a factor directly influencing the state's preparedness in the areas of justice and victim protection. The central question is not merely whether there are institutions formally responsible for reintegration, but whether they can identify relevant legal issues, convene the relevant actors, coordinate inter-institutional analysis, and transform recurring difficulties into public policy options.

The absence of the justice dimension in reintegration planning highlights the limitations of the current coordination framework. Without a mechanism bringing together the Bureau for reintegration policies, the Ministry of Justice, the General Prosecutor's Office, the Superior Council of Magistracy, the Superior Council of Prosecutors, security institutions and other relevant authorities, issues continue to be addressed separately, within the limits of each institution's competence, without a shared space for analysis and planning.

The analysis takes as its starting point the current model, centred on the Deputy Prime Minister for Reintegration and the Bureau for reintegration policies, following the dissolution of the former Ministry of Reintegration. The change is relevant because of the questions it raises: *which functions have been taken over, which functions depend on ad hoc cooperation among ministries, and which components of institutional preparedness for reintegration currently lack a clear institutional holder.*

This chapter does not replace a comprehensive functional assessment of the government's reintegration mechanism. It merely highlights the limitations of the current architecture that affect preparations in the areas of justice, victim protection and accountability.

3.1. Limited and fragmented institutional structure in the reintegration sector

To understand the current architecture, a historical institutional reference is useful. Between 2001 and 2008, the Republic of Moldova had a **Ministry of Reintegration**, a specialised central body with its own structure, a ministerial budget and a clear hierarchical position within the Government. The regulations approved by Government Decision No. 928/2005 defined it as the institution that "*promotes the Government's policy in the field of state reintegration*" and assigned it three main tasks⁴⁷:

- ▶ implementing the policy of territorial, political, economic and social reintegration;
- ▶ developing the legislative framework necessary for reintegration; and
- ▶ conducting negotiations to resolve the Transnistrian dispute.

Beyond this general wording, the regulation conferred upon the ministry a series of responsibilities directly relevant to inter-institutional coordination. The ministry was empowered to *coordinate the policy of the relevant central bodies* aimed at supporting the reintegration process – which, in administrative terms, means that it could issue binding directives to other ministries on matters of reintegration. The Ministry drafted legislation on reintegration, including in collaboration with other authorities. It was empowered to

⁴⁷ Government of the Republic of Moldova, Decision No. 928 of 30 August 2005 on the approval of the Regulations of the Ministry of Reintegration, *Official Gazette of the Republic of Moldova*, Nos. 119–122, Art. 1001, 9 September 2005, <http://www.lex.md/registru/registru.php?comp=&type=&bd=&bm=&by=&ed=&em=&ey=&publ=&offs=14420>

develop *post-reintegration rehabilitation scenarios and strategies* – a forward-looking and planning-oriented function, which required the systematic design of a reintegration scenario. The Ministry established relations with diplomatic missions in re s on reintegration issues and collaborated institutionally with civil society, including from the eastern districts.

This does not mean that the existence of a Ministry of Reintegration would, on its own, have resolved the justice issues analysed. The justice dimension remains the responsibility of the competent institutions: the Ministry of Justice, the General Prosecutor's Office, the Superior Council of Magistracy, the Public Security Council and the courts. The relevance of the former ministry, however, lies in the fact that it provided a stronger institutional framework for coordinating reintegration policy and convening sectoral institutions when issues fell outside the remit of a single authority.

The central element was the Ministry of Reintegration's right to exercise *control* over the implementation of state policy in the field of reintegration by other ministries. The Ministry could convene meetings with decision-makers from ministries, other central authorities, scientific institutions, and governmental or non-governmental organisations. Thus, it was not merely a participant in coordination, but had an explicit mandate to supervise and monitor how ministries integrated reintegration policy into their own areas of responsibility.

Following the dissolution of the Ministry of Reintegration in 2008, no other central specialised body responsible exclusively for reintegration policy was established in its place. The institutional model was reconfigured around a high-ranking political position – *the Deputy Prime Minister for Reintegration*, initially supported by an administrative structure within the Government Secretariat, and subsequently by *the BPR within the State Chancellery*.

One clarification is, however, necessary. The 'oversight' function previously exercised by the Ministry of Reintegration did not disappear completely after 2008, but was divided between two components: the Deputy Prime Minister for Reintegration, as a political actor, and the BPR, as an operational structure for coordination and information gathering. Together, they can carry out actions such as issuing official requests, convening inter-ministerial meetings and referring matters to the competent authorities. The difference from the previous system, however, is structural, on three levels:

- ▶ Firstly, there is a fragmentation of the function: what previously belonged to a single office-holder, with its own institutional identity, administrative apparatus and ministerial budget, is now divided between a minister without portfolio and a subdivision of the State Chancellery.
- ▶ Secondly, the terminological difference has legal relevance. Government Decision No. 928/2005 referred to the 'right to exercise control', which allowed for formal verification of how ministries were implementing reintegration policy. The current BPR regulations refer to "coordination", which is useful for communication and joint activities, but lacks the same formal verification mechanisms.
- ▶ Thirdly, the political component (the Deputy Prime Minister) does not have its own administrative apparatus and depends entirely, for any operational action, on the capacity of the BPR, which has 15 staff positions and a Legal Service with a single specialist.

The post-2008 model consisted of three components:

- A.** The Deputy Prime Minister for Reintegration, responsible for political representation and coordination;
- B.** The BPR, as a technical subdivision of the State Chancellery; and
- C.** The Governmental Commission for the Reintegration of the Country, established in 2011 as a formal mechanism for inter-ministerial coordination, but not convened since 2020.

The justification for the reform was to elevate the Transnistrian issue to a higher government level⁴⁸. Placing responsibility at the level of Deputy Prime Minister should have provided greater capacity for horizontal coordination than the model of a specialised ministry. The rationale is not without foundation: **reintegration is a cross-cutting issue**. However, this approach only works if the political role is supported by a sufficient administrative apparatus and a formalised mechanism for inter-ministerial coordination. In their absence, 'horizontal influence' risks remaining more of a political hypothesis than an institutional reality.

The current institutional structure for reintegration is concentrated in a small core, the Deputy Prime Minister for Reintegration and the BPR, whilst line ministries lack dedicated internal capacities for reintegration preparation. This structure can support the day-to-day management of negotiations, institutional communication and *ad hoc* projects, but appears insufficient for strategic planning, sectoral coordination, the integration of the justice dimension and the preparation of a realistic reintegration scenario.

A. Deputy Prime Minister for Reintegration

The Deputy Prime Minister for Reintegration is a high-ranking member of the Government and Chişinău's political representative in the negotiations on the Transnistrian settlement⁴⁹. This positioning gives the Transnistrian settlement process political visibility and access to the governmental level of decision-making. However, the position does not equate to the existence of a central specialised body or a dedicated administrative apparatus capable of drafting policies, providing technical coordination across ministries, and monitoring the implementation of reintegration measures.

The issue is not the representation of the issue at the level of Deputy Prime Minister; **for a cross-cutting area, high political rank is necessary**. The problem arises when the role is not supported by sufficient institutional infrastructure: a functional support apparatus, clear procedures, formalised inter-ministerial coordination and sectoral analytical capacity. In their absence, the political role depends on the limited capacity of the BPR and on ad hoc cooperation between ministries.

According to Law No. 199/2010, a public dignitary position is assumed on the basis of a mandate, either directly or indirectly, through appointment⁵⁰. The mandate ceases upon a change of government or the withdrawal of political support, and the office of Deputy Prime Minister must be reinstated in every government formation. During periods of transition or when the post is vacant, the political and strategic component of the reintegration architecture remains, *de facto*, suspended.

Unlike other Deputy Prime Ministers who coordinate key ministries, the Deputy Prime Minister for Reintegration does not have a dedicated ministry, does not head a specialised central body, does not manage a ministerial budget, and does not have specialised departments, sectoral human resources, or dedicated coordination procedures.

The Cabinet of the Deputy Prime Minister - a relevant factor in assessing the operational capacity of the Deputy Prime Minister for Reintegration is the existence and functioning of the Deputy Prime Minister's own cabinet. The general framework for staff in the cabinets of persons holding positions of public dignity is regulated by Law No. 80/2010, and the Bureau for reintegration policies expressly indicated that positions within the Cabinet of the Deputy Prime Minister for Reintegration may be filled pursuant to Article 8(5) of that law⁵¹.

48 Valentina Ursu, 'The Ministry of Reintegration has been elevated to a higher level', *Radio Free Europe Moldova*, 18 September 2009, <https://moldova.europalibera.org/a/1825376.html>

49 Law No. 136 of 7 July 2017 on the Government, available on the portal of the State Register of Legal Acts of the Republic of Moldova, https://www.legis.md/cautare/getResults?doc_id=133423&lang=ro

50 Law No. 199/2010 on the status of persons holding public office. https://www.legis.md/cautare/getResults?doc_id=60948&lang=ro

51 Law No. 80 of 07-05-2010 on the status of staff in the offices of persons with public dignitaries, https://www.legis.md/cautare/getResults?doc_id=23477&lang=ro

In the organisational chart of the State Chancellery, the Cabinet of the Deputy Prime Minister for Reintegration is classified as *a service*, while the Cabinet of the Deputy Prime Minister for European Integration is classified as *a directorate*. This difference should not be overstated, but it does indicate different levels of administrative capacity. Moreover, the Regulation on the Bureau for reintegration policies provides that the Bureau ensures organisational and information support for the Deputy Prime Minister for Reintegration, which means that, in the absence of a functional cabinet, operational support falls primarily to the Bureau.

The BPR's responses show that the formal existence of the Cabinet does not equate to its effective functioning. In its response of 8 December 2025, the BPR stated that, in the first half of 2025, the Prime Minister had approved the establishment of the Cabinet of the Deputy Prime Minister for Reintegration, with two adviser positions, as a "restoration" of a previously existing capacity⁵². In its reply of 15 April 2026, the BPR reconfirmed that *"at present, the positions within the Cabinet of the Deputy Prime Minister for Reintegration are not filled"*. Consequently, the posts exist within the formal structure and were reinstated in the first half of 2025, but were not filled at the time of the official confirmation.

This finding is significant: the Deputy Prime Minister for Reintegration holds a high political rank, but the Cabinet - his immediate instrument of political, analytical and institutional support - was not functioning effectively at the dates officially confirmed. Consequently, operational support remains concentrated within the Bureau for reintegration policies, deepening reliance on an already limited administrative structure.

Government Secretary of State for Reintegration (position created but vacant)

The establishment of the post of *Government Secretary of State for Reintegration* can be interpreted as an attempt to create a professional link between the political level, represented by the Deputy Prime Minister, and the technical-administrative level, represented by the BPR and line ministries. This post appears within a broader context of reorganising the State Chancellery and strengthening its capacity to manage cross-cutting government priorities.

The organisational chart of the State Chancellery from March 2025 already showed a differentiated structure of support capacities⁵³:

- ▶ The Office of the Deputy Prime Minister for European Integration comprised 6 staff positions;
- ▶ The Office of the Deputy Prime Minister for Reintegration had 2 staff positions;
- ▶ The Office for European Integration (BIE) had 41 staff positions, and the BPR had 15 staff positions.

The draft amendment to Government Decision No 657/2009 provided for several Government secretaries of state, including three for European integration and one for reintegration. The explanatory memorandum indicates a significant strengthening of the European integration portfolio, including the addition of 25 staff position to the Bureau for European Integration (BIE), whilst only one staff position of State Secretary was envisaged for reintegration. The key point is not the numerical comparison, but the fact that the explanatory memorandum acknowledges the strategic nature of the Transnistrian issue. It justifies the post by the need for "more active and intensive" management, for streamlining the coordination of sectoral policies and for driving forward the planning of priority measures.

This institutional recognition is significant and ties in with the concerns previously raised by Promo-LEX in the public sphere. In its statement at the 2025 Conference, Promo-LEX drew attention to the institutional vacuum experienced by victims of abuse in the Transnistrian region and to the fundamental question: *who takes responsibility for the case of a person released from unlawful detention or in need of protection, and where is that person referred*

52 Bureau for reintegration policies, Reply No. 23-78-12454 of 8 December 2025, in response to request No. 246 of 3 December 2025 from the Promo-LEX Association.

53 Government of the Republic of Moldova, 'Organisational Chart of the State Chancellery (March 2025)' <https://gov.md/ro/organigrama>

for assistance?⁵⁴ The establishment of the post of State Secretary for Reintegration can be seen, at least in theory, as a step towards strengthening coordination, but only if the post is actually filled and integrated into a real working mechanism.

According to the BPR's response of 15 April 2026, *"the post of Government Secretary of State for Reintegration is not currently filled"*. Although the formal structure had been expanded to include a new link, this was not operational at the time of documentation. Combined with the fact that two positions in the Cabinet of the Deputy Prime Minister for Reintegration were also vacant, the Deputy Prime Minister's immediate professional support remained concentrated primarily within the BPR. Thus, the position of Government Secretary of State for Reintegration appears to be a potentially useful instrument, but one that has not yet been used to effectively strengthen the link between political decision-making, administrative coordination and sectoral planning for reintegration.

B. Bureau for Reintegration Policies

In its current configuration, the BPR is not a ministry, does not have the status of a separate central administrative authority, and has no hierarchical control over ministries. The Regulation defines it as an "autonomous structural subdivision" of the State Chancellery, strategically and politically subordinate to the Deputy Prime Minister for Reintegration and administratively to the Secretary General of the Government⁵⁵. The BPR is located at the administrative heart of the Government, but does not have the authority of a ministry or a specialised agency.

As a subdivision of the State Chancellery, the BPR is not equivalent to a central specialised body: it has no legal personality of its own, no separate ministerial budget, nor any hierarchical authority over ministries. It may request information, coordinate, convene meetings and refer matters to competent institutions, but it has no command or control levers comparable to those of the former Ministry of Reintegration.

This distinction is important because the BPR is often perceived by the public as **'the institution responsible for reintegration'**. Legally, however, the BPR is a support, coordination and facilitation structure within the State Chancellery. It plays a central role in managing the Transnistrian issue, but lacks the institutional weight of a ministry and does not have sufficient tools to compel ministries to develop sectoral reintegration policies.

The level at which the BPR Regulation is approved is also relevant. As a regulation governing the organisation and functioning of a subdivision within the State Chancellery, it can establish the BPR's mission, functions, powers and rights, but it does not carry the same institutional weight as a separate government act that would regulate a binding inter-ministerial mechanism for all ministries. This limitation is also confirmed by the BPR's response of December 2025, according to which the coordination mechanism between the BPR and ministries is provided for in its Rules of Procedure, *'not being formalised by other acts'*.

The Regulations outline the Bureau's mission around four core functions:

- ▶ organisational and informational support for the Deputy Prime Minister responsible for reintegration;
- ▶ coordination of public administration authorities in the process of implementing sectoral reintegration policies;
- ▶ coordination and expert assessment of sustainable development projects in localities on the left bank of the Nistru and the Security Zone; and

54 Promo-LEX Association, "National Conference 'Human Rights in the Transnistrian Region: Challenges, Responses, Prospects for Reintegration and the European Path,'" YouTube video, 11 December 2025, <https://www.youtube.com/watch?v=uCiFLcx-Rtl&t=8725s>

55 State Chancellery of the Republic of Moldova, "Regulations of the Bureau for reintegration policies (approved 2025)." https://gov.md/sites/default/files/users-media/media-23/BPR/Regulament%20BPR_2025.aprobat.pdf

- carrying out actions aimed at ensuring respect for human rights in the Transnistrian region and providing the necessary support to applicants.

Strategic functions without a clear institutional holder

The Regulation confirms the central role of the BPR, but also its structural limitations: the Bureau can coordinate, request information, facilitate, refer matters and convene meetings, but it is not a central specialised authority and does not have levers equivalent to those of the former Ministry of Reintegration or a formalised government mechanism.

A first structural imbalance is evident: *the BPR's mandate is much broader than its visible institutional capacity*. The Bureau is called upon to simultaneously fulfil political, administrative, legal, analytical, diplomatic, inter-institutional coordination, public communication, project management and human rights response functions. At the same time, its internal structure remains limited.

In terms of human resources, the BPR comprises *15 staff positions*: a head, a deputy, three section heads and ten senior advisers. The internal structure comprises three sections – the Assistance Projects Section, the Sectoral Policies Section and the Analytical and Information Section – plus a Legal and Security Affairs Unit. The distribution across levels suggests that the sectoral policy team – the unit that should interact with ministries on the specific aspects of reintegration (justice, health, education, labour, social protection) – comprises approximately three people, including the Head of the Bureau.

The BPR occupies a central position, but its capacity does not appear commensurate with its mandate. The Bureau supports the Deputy Prime Minister, coordinates sectoral issues, manages dialogue, and addresses specific human rights issues on a case-by-case basis. However, it remains a subdivision of the State Chancellery, with limited staff and no hierarchical authority over ministries. A comparison between the former Ministry of Reintegration and the current Bureau for reintegration policies shows that some functions have been assumed only to a limited extent, while others remain without a clear institutional holder: the development of the legislative framework, oversight of the implementation of reintegration policy, and the planning of post-reintegration scenarios.

Development the legislative framework for reintegration was a key task of the former ministry. The BPR can contribute to draft legislation, but this is not its core remit and it lacks a legal department of sufficient size to undertake legislative drafting. The legal department, consisting of a single specialist, is more suited to providing internal advice. The shortcoming becomes apparent when specific issues are passed back and forth between the BPR and the relevant ministries without any authority taking responsibility for the overall regulatory framework. Examples concerning support for victims of unlawful detention illustrate this vicious circle.

Oversight of ministries in relation to reintegration. The former Ministry of Reintegration had the express right to request information and reports from ministries and *to monitor* the implementation of reintegration policy. The BPR can coordinate, request information, convene meetings and refer matters to the authorities, including via the Deputy Prime Minister, but these tools do not amount to institutional control over ministries. The consequence is that some issues reach the relevant ministries reactively, following complaints, journalistic investigations, civil society interventions or political initiatives. The weakness of the current architecture lies not in a lack of communication, but in the absence of a mechanism to transform specific complaints into sectoral policies. The only body that could exert clear inter-ministerial political pressure is the Government Commission, but it has not met since 19 August 2020.

The development of post-reintegration rehabilitation scenarios and strategies was an explicit responsibility of the ministry. This is one of the most significant current gaps: no institution is now explicitly required to plan for the post-reintegration period in political, economic, legal and social terms. The absence of this remit partly explains the lack of serious institutional planning in the justice sector. Some functions have been taken over by the BPR to a limited extent, others have been formally placed under the Government Commission, and some no longer appear to fall clearly within the remit of any institution.

C. The Governmental Commission for the Reintegration of the Country

Formally, the *Governmental Commission for the Reintegration of the Country*, established by Government Decision No. 132/2011, could represent the highest political level of inter-ministerial coordination⁵⁶. Given its composition, the Commission should be the forum where issues identified by the BPR, ministries, other authorities or civil society are raised at government level and translated into clear decisions, tasks, deadlines and responsibilities.

Information provided by the BPR indicates a gap between the Commission's formal existence and its actual functioning. The Commission has no regulations distinct from Government Decision No. 132/2011, secretariat procedures are not formalised by other acts, and the last officially recorded meeting took place on 19 August 2020. Under these circumstances, the Commission appears more as a formal structure than as an operational mechanism for strategic coordination. Its functioning is analysed in detail in subsection 3.2.

Sectoral working groups – platforms for negotiations, not an internal public policy mechanism

A significant institutional confusion concerns the Chisinau-Tiraspol sectoral working groups. In official responses, these are sometimes cited as evidence of the existence of sectoral officials or 'focal points' within ministries. *However, they are platforms for the negotiation process, not internal structures for the planning, coordination and implementation of public reintegration policies.*

The officials cited by the BPR as 'focal points' are appointed under Government Decision No. 545/2016 on officials responsible for Transnistrian issues. They provide support to the BPR, prepare materials for negotiations and participate in sectoral working groups to promote confidence-building measures⁵⁷. *The main purpose of these groups is dialogue with Tiraspol and the management of technical dossiers, not the internal governance of reintegration policies.*

A distinction must be made between representatives appointed to sectoral working groups and an institutional focal point for reintegration policies. A genuine focal point is not merely a person included on a list, but entails a clear internal mandate, stable responsibilities, capacity for sectoral analysis, reporting obligations, involvement in planning, and responsibility for integrating Transnistrian issues into the ministry's policies.

The confusion is explicitly evident in the BPR's response of 15 April 2026. In response to questions regarding focal points for sectoral reintegration policies, the Bureau indicated the officials designated within ministries in accordance with Government Decision No. 545/2016 and cited the involvement of members of sectoral working groups in the development and implementation of sectoral public policies.

This distinction is particularly important for the justice sector. In the same response dated 15 April 2026, the BPR stated that it had neither received nor sent any requests relating to the justice sector and had not established any

56 Government Decision No. 132/2011 on the establishment of the Government Commission for the Reintegration of the Country, <https://www.legis.md/cautare/downloadpdf/21096>

57 Government Decision No. 545/2016 on the appointment of civil servants responsible for Transnistrian issues, https://www.legis.md/cautare/getResults?doc_id=92582&lang=ro

such working groups. It follows that, although sectoral groups and designated individuals exist, justice-related issues are not channelled through a stable internal mechanism for analysis and coordination.

The confusion between the two registers can have a serious institutional impact: it creates the impression that ministries are covered in terms of reintegration, although in reality the very functions required for planning, analysis, reporting and implementation may be lacking. A ministry may have a representative in a Chişinău - Tiraspol working group and, at the same time, have no action or activity planned in its internal reintegration plans.

This distinction becomes all the more important given that the BPR itself highlights vulnerabilities in the functioning of these formats. The BPR's Action Plan for 2025 lists, among internal risks, *"insufficient tactical and technical performance on the part of working group coordinators and experts from Chişinău in the dialogue formats on the Transnistrian settlement"*⁵⁸. Another internal risk cited relates to the turnover of civil servants, with repercussions for the preservation of institutional memory and expertise on thematic dossiers. If such vulnerabilities exist even within the negotiation platforms, they cannot be treated as a substitute for a stable network of internal focal points within ministries.

Sectoral working groups are useful for the Chişinău - Tiraspol technical dialogue, but cannot be treated as an internal public policy mechanism. They do not replace institutional focal points, do not create sectoral plans, and do not ensure the state's preparedness for reintegration. This confusion explains why issues such as justice, the status of victims, the documentation of violations, reparations or the restoration of a single legal space are not integrated into ministerial planning.

3.3. Absence of a formalized mechanism for strategic interinstitutional coordination on reintegration

The problem with the institutional architecture of reintegration is not limited to the small size of the BPR or the lack of a ministerial-level institution. *A separate issue concerns the absence of a formalised mechanism for inter-institutional strategic coordination.*

A formalised mechanism does not simply mean contacts between institutions or the ability to convene meetings. A functional mechanism should clarify who sets the inter-institutional agenda, who identifies sectoral issues, who convenes the ministries, who formulates policy options and who monitors the implementation of decisions.

In the absence of these elements, coordination relies mainly on general administrative mechanisms, individual initiatives, ad hoc responses and the willingness of ministries to cooperate.

Coordination exists in general legislation, but not as a dedicated mechanism

When asked about the existence of a coordination mechanism between the Deputy Prime Minister for Reintegration and ministries or other authorities, the BPR replied that this stems from general legislation, Law No. 136/2017 and Government Decision No. 605/2013, 'not being formalised by other acts'⁵⁹. The mechanism between the BPR and ministries is, in turn, described as deriving from the BPR Regulations, without any separate formalisation⁶⁰.

58 Bureau for reintegration policies, 'Action Plan of the Bureau for reintegration policies for 2025'. State Chancellery of the Republic of Moldova. <https://gov.md/sites/default/files/users-media/media-23/BPR/2025%20PA%20BPR%202025-1-7.pdf>

59 Government Decision No. 605/2013 on the powers of the Prime Minister and Deputy Prime Ministers. Republic of Moldova. <https://www.legis.md/cautare/downloadpdf/20676>

60 Bureau for reintegration policies, Reply No. 23-78-12617 of 10 December 2025 to Promo-LEX Request No. 232 of 1 December 2025,

This response confirms that, at present, reintegration is not governed by a dedicated normative act establishing a unified framework for interinstitutional coordination. There are responsibilities, general competences, the possibility to request information and to convene meetings, but there is no regulatory mechanism linking all these elements into a predictable institutional process.

In other words, the state has a body responsible for reintegration, but lacks a sufficiently clear mechanism through which this body can translate sectoral issues into government decisions and inter-ministerial implementation.

In request no. 315 of 3 April 2026, Promo-LEX asked whether, with the establishment of the post of Government Secretary of State for Reintegration, the need to amend Law No. 98/2012 on the central specialised public administration ⁽⁶¹⁾ had been analysed, so that the coordinating role of the State Chancellery in the area of reintegration could be expressly regulated, similar to the existing framework for European integration.

The BPR stated that amending Law No. 98/2012 “*is not envisaged at this time*” and that European integration and reintegration have “different agendas and priorities”⁶². However, the response does not describe a dedicated mechanism for reintegration, but confirms that the interaction between the Deputy Prime Minister and ministries stems from general acts, and the relationship between the BPR and ministries from the BPR Regulations. The issue is not whether reintegration should be organised along the lines of European integration, but whether a strategic, cross-cutting and complex area requires its own coordination mechanism.

The comparison with European integration is useful only to illustrate an administrative principle: *when the state treats an objective as a strategic priority, it creates proportionate mechanisms, functions, procedures, reporting and administrative capacity.*

With regard to European integration, the Republic of Moldova has established a dedicated regulatory mechanism. Government Decision No. 868/2022 approved the Mechanism for the Coordination of the European Integration Process, and subsequently the architecture for the accession process was strengthened through coordination levels, distinct roles, a negotiating team and clear responsibilities for the Deputy Prime Minister, the Government Secretary of State for European Integration, the Office for European Integration and the sectoral working groups⁶³.

The difference should not be interpreted simplistically: reintegration should not mechanically replicate the architecture of European integration, but requires its own architecture, appropriate to its complexity. The same issue is reflected in the public analysis by the head of the BPR, Alin Gvidiani: although the organisational chart appeared complex, in practice the reintegration policy was managed primarily by the Deputy Prime Minister and the BPR, a structure described as understaffed, with limited personnel and insufficient capacity for analysis and strategic planning. Difficulties in cooperating with central authorities were also reported, including reluctance, superficial approaches, the lack of a clear mandate, or the need for high-level political decisions⁶⁴.

61 Law No. 98/2012 on specialised central public administration, Article 16, https://www.legis.md/cautare/getResults?doc_id=150065&lang=ro#

62 Bureau for reintegration policies, Reply No. 23-78-4298 of 15 April 2026 to Promo-LEX Request No. 315 of 3 April 2026, regarding inter-institutional interaction and public policies in the field of reintegration.

63 Government of the Republic of Moldova, draft decision “On the mechanism for coordinating the process of the Republic of Moldova’s accession to the European Union and the organisation and functioning of the negotiating team within this process”, 2024, <https://old.cancelaria.gov.md/sites/default/files/document/attachments/nu-198-cs.pdf>

64 Alin Gvidiani, *Collection of articles on the Transnistrian issue (2016–2020)* (Chişinău: n.p., 2020), 10–11, https://gov.md/sites/default/files/users-media/media-23/BPR/alin_gvidiani_-_culegere_de_articole_pe_problematika_transnistreana.pdf

The Governmental Commission for the Reintegration of the Country: an inactive formal mechanism with potential for reactivation

Formally, the Governmental Commission for the Reintegration of the Country could be the highest political level of inter-ministerial coordination. According to Government Decision No. 132/2011, the Commission is chaired by the Prime Minister, has the Deputy Prime Minister for Reintegration as its vice-chair, includes key ministries and authorities, and its secretariat is provided by the BPR. Meetings should, as a rule, take place at least once every six months.

Through its positioning, the Commission could function as the governmental forum in which reintegration issues are raised at the political level, discussed among the relevant institutions, and translated into clear decisions, tasks and deadlines. In a functional structure, it could link the BPR's work to line ministries and the Government's decision-making level, including on matters that exceed the Office's administrative capacity.

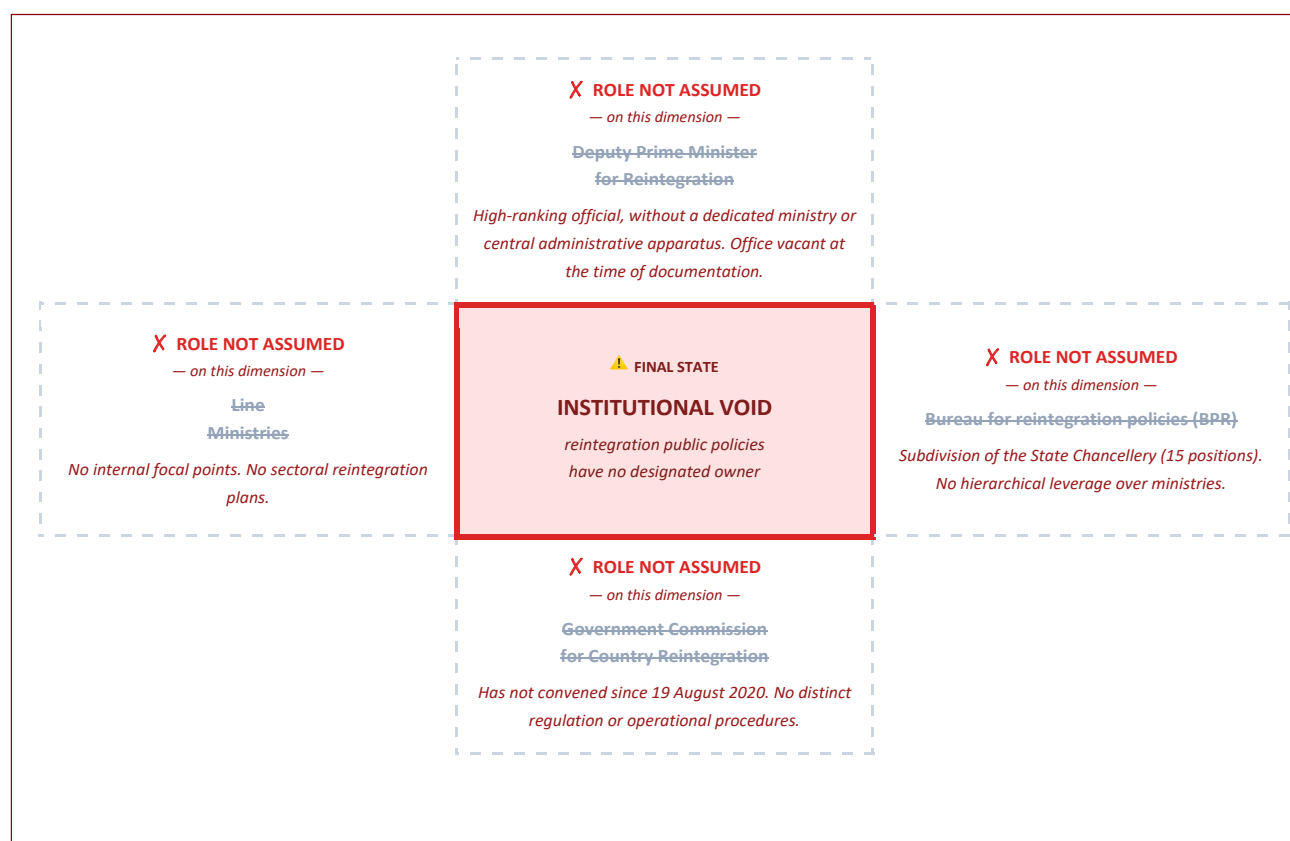
In practice, the BPR's responses indicate that its functioning is more formal than effective. In its response of 10 December 2025, the BPR stated that this Commission has no regulations distinct from Government Decision No. 132/2011, secretariat procedures are not formalised by other acts, and the last officially recorded meeting took place on 19 August 2020. No meeting of the Commission was scheduled for 2025.

In request No. 315 of 3 April 2026, Promo-LEX asked whether the reactivation and streamlining of the Commission, the convening of regular meetings, and the formalisation of secretariat procedures had been considered. In its reply of 15 April 2026, the BPR stated that the Commission meets at the request of its chair or vice-chair and that *'it is not considered appropriate to formalise, through additional acts, the procedures by which the Bureau performs the secretariat functions for the Commission'*. The response does not indicate whether the reactivation of the Commission has actually been considered, does not set out measures for regular convening, and does not explain why formalising the procedures would be unnecessary in a context where the Commission has not met since 2020.

Consequently, the Commission exists formally, but does not function as an active mechanism for strategic coordination. This finding is relevant because the BPR stated that *"the current institutional architecture for the country's reintegration is sufficient"*. However, the Bureau's own responses indicate vulnerabilities: The Commission is not active; coordination between the Deputy Prime Minister, the BPR and the ministries is not formalised through dedicated instruments; the position of Government Secretary of State for Reintegration and the positions within the Cabinet of the Deputy Prime Minister for Reintegration were vacant; and, in the area of justice, the BPR did not indicate any requests or working groups.

These elements do not indicate the absence of an institutional architecture, but rather the limits of its effective functioning. An architecture is sufficient only if it enables coordination, planning, decision-making, monitoring, and the addressing of bottlenecks. At present, sectoral issues can be referred by the BPR to the relevant ministries, but in the absence of an active interministerial political platform, bottlenecks are not systematically translated into legislative, administrative or budgetary solutions. This is precisely the difference between administrative coordination and strategic capacity: the former transmits requests, while the latter identifies problems, assigns responsibilities, and monitors implementation.

Figure 4. Institutional architecture of reintegration – a vacuum in public policy-making



From this perspective, the Governmental Commission remains an important structure precisely because it already exists and could be reactivated. The problem is not the formal absence of a mechanism, but its failure to be utilised as a regular forum for political, inter-ministerial and strategic coordination on the issue of reintegration.

Chapter 4.

Victims of abuses by the Tiraspol regime - a vacuum of protection, assistance and reparations

4.1. Recognition of victim status and access to informational support

The issue of victims of abuses committed by the illegal bodies in Tiraspol must be analysed from a perspective distinct from that of strictly criminal procedure. In ordinary law, the status of victim, injured party or civil claimant is, as a rule, linked to the existence of a criminal case, the actions of the criminal investigation authorities or a judicial finding. In the case of the Transnistrian region, this approach is insufficient. Persons unlawfully detained, subjected to inhuman or degrading treatment, intimidated, persecuted or coerced by the illegal Transnistrian structures may have an immediate need for information, protection and support before a criminal trial is initiated, pursued or concluded by the constitutional authorities.

In this subsection, 'recognition of victim status' does not refer to the attribution of a procedural status in criminal proceedings, but rather to a functional recognition necessary for access to information, guidance, initial assessment and support services. Criminal procedural status may depend on factors over which the victim has no control, such as the initiation of criminal proceedings, the handling of evidence, access to information or the duration of investigations. The need for protection, however, arises immediately following release, escape, deportation or return to the right bank.

The distinction between support provided to victims and criminal procedural status is confirmed by Directive 2012/29/EU. Article 4 provides that victims must receive information without undue delay, from the first contact with a competent authority, including on the support available, conditions of access, complaint procedures, protection and counselling. Article 8(5) stipulates that access to support services does not depend on the lodging of a formal complaint, and emphasises the need for coordination of public services to avoid victims being repeatedly referred between institutions⁶⁵.

In practice, for many victims of abuses committed by the unlawful bodies of the Tiraspol regime, the first contact with the constitutional authorities is not a criminal complaint, but a submission addressed to the Deputy Prime Minister for Reintegration or to the Bureau for reintegration policies. For a person released from unlawful detention, "expelled", threatened, or seeking immediate support, the Bureau for reintegration policies appears to be the institution specialised on Transnistrian issues. The question is whether this institution provides merely a channel for correspondence, or also a practical pathway for information, case-taking and referral.

⁶⁵ European Parliament and the Council of the European Union, Directive 2012/29/EU of 25 October 2012 establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA, *Official Journal of the European Union* L 315, 14 November 2012, Article 8(5), <https://eur-lex.europa.eu/eli/dir/2012/29/oj/ron>

Promo-LEX analysed these shortcomings in its 2024 Analytical Note on information support for victims of human rights violations in the Transnistrian region. The Note notes the absence of an institution responsible for the integrated management of victims' needs, the absence of a formalised mechanism for referral to specialised services, and the absence of a single multifunctional point of contact. It also confirms that the BPR website focuses on institutional information and the negotiation process, rather than on practical guidance for victims⁶⁶.

Following public reports by Promo-LEX, including at the National Conferences on the human rights situation in the Transnistrian region in 2024 and 2025⁶⁷, certain institutional contacts were added to the 'useful information' section of the Government's BPR page^{68,69}. However, this adjustment does not resolve the underlying issue. A list of telephone numbers is not equivalent to an information support mechanism for victims. For a person released from unlawful detention, subjected to torture or threatened, information support must answer basic operational questions: *what is the first step; who takes on the case; what services can be accessed; under what conditions can free medical care be obtained; where can psychological counselling or legal assistance be sought; how can identity documents be obtained or reissued; who can guide the person through the system; and in what language is the information provided, and many others.*

The lack of guidance is critical in the first days after release or after crossing to the right bank of the Nistru River, when the person needs quick answers rather than having to navigate multiple institutional websites on their own. Currently, there is no website dedicated to victims or persons from the region who are at risk, no one-stop shop, no dedicated helpline, no standardised referral pathway, and no practical guides on accessing medical, psychological, social, legal, language assistance or documentation services.

The case of Alexandr Dimov illustrates this problem in concrete terms. According to the journalistic investigation "*There is no law for victims of the Tiraspol regime*", published on 31 March 2026 by the Public Association Media Project "Cu Sens", which has given a voice and public visibility to issues that Promo-LEX has been documenting and reporting to the authorities for years: victims who have been released or returned to the right bank face legislative gaps and poor communication between institutions, including regarding access to medical services, social assistance, psychological counselling and legal aid⁷⁰.

After his release from illegal detention, Alexandr Dimov returned to Chişinău without health insurance, without a job, without an income and with serious health problems. Assisted by Promo-LEX lawyers, he spent three months trying to access state support: on 5 March 2025 he wrote to the Deputy Prime Minister for Reintegration and BPR, and on 9 April 2025, to the Ministry of Health, *the National Health Insurance Company (CNAM)*, the Ministry of Labour and Social Protection (MMPS) and the General Directorate for Medical and Social Assistance in Chişinău (DGAMS).

66 Promo-LEX Association, "Analytical Note / Information Support for Victims of Human Rights Violations in the Transnistrian Region," 17 December 2024, <https://promolex.md/nota-analitica-suport-informatiional-pentru-victimele-incalcarilor-drepturilor-omului-din-transnistrian-region/>

67 Promo-LEX Association, "National Conference 'Human Rights in the Transnistrian Region: Challenges, Responses, Prospects for Reintegration and the European Path'," YouTube video, 11 December 2025, <https://www.youtube.com/watch?v=uCiFLcx-RtI&t=8725s>

68 Government of the Republic of Moldova, Bureau for reintegration policies, "Useful Information," <https://gov.md/ro/informatii-utile>

69 Promo-LEX Association, "National Conference 'Human Rights in the Transnistrian Region: Challenges, Responses, Prospects for Reintegration and the European Path'," YouTube video, 11 December 2025, <https://www.youtube.com/watch?v=uCiFLcx-RtI&t=8725s>

70 Promo-LEX Association, "Victims of unlawful detention in the Transnistrian region on the agenda of the Coordinating Council of the National Referral Mechanism for Victims of Crime," 17 April 2026, <https://promolex.md/victimele-detentiei-ilegale-din-Transnistrian-region-pe-agenda-consiliului-coordonator-al-mecanismului-national-de-referire-a-victimelor-infractiunilor/>; Adela Şevciuc, "Investigation: No law for victims of the Tiraspol regime," CU SENS, YouTube video, 31 March 2026, <https://www.youtube.com/watch?v=SfF56-lihm0>

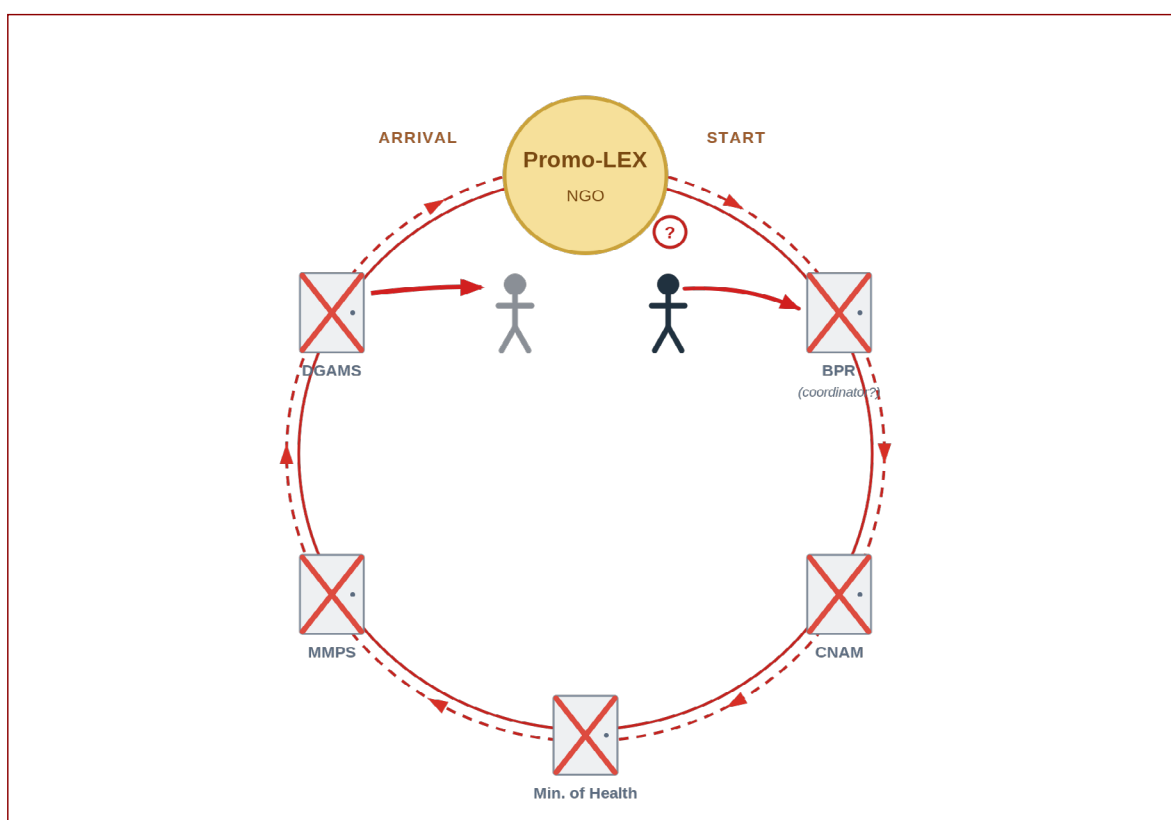
The responses received confirmed institutional fragmentation:

CNAM and the Ministry of Health indicated that persons released from unlawful detention in the Transnistrian region are not expressly covered by the legislation and cannot, on that basis, obtain the status of insured persons; the Ministry of Labour and Social Protection referred the case to the National Probation Inspectorate, even though the person had not served a sentence imposed by the courts of the constitutional order; and the Chişinău General Directorate for Medical and Social Assistance recommended contacting Promo-LEX.

The Dimov case shows that, for a person released from unlawful detention and returning to territory controlled by the constitutional authorities, there is no clear point of entry into the state support system. The person is not taken in by a responsible institution to assess their needs, explain their rights, guide them through procedures and ensure effective access to medical, social, psychological or legal services.

The way the case was handled revealed a succession of referrals between institutions. Each authority examined the request through the lens of its own mandate and pointed to the limits of its competence or to the absence of an explicit legal basis. Administratively, such responses may be understandable; from the perspective of victim protection, however, their cumulative effect is problematic: *the person remains caught between institutions, without an integrated assessment of needs and without effective access to support.*

Figure 5. *The Victim's Journey: No Information, No One-Stop Shop, No Institutional Intake*



The person returns to the NGO without accessed medical, social or psychological assistance from the state. In the absence of a one-stop and an effective coordinator, the NGO remains both the first and the last gate.

Consequently, the lack of information support is not a secondary issue of public communication. It reflects the absence of an operational status for the victim and of a referral mechanism.

Beyond the individual case, this category of victims has needs that go beyond the scope of a criminal complaint or a one-off social request. These may include: *temporary accommodation; medical assessment and treatment, including for the consequences of torture or detention in degrading conditions; psychological support; legal assistance with complaints, documents, status and access to services; information in a language the person understands; guidance through the system, including via a case manager; obtaining or reissuing identity documents; and support for socio-economic integration.*

These needs cannot be met through referrals between institutions. They require an intersectoral architecture, an initial assessment, a referral pathway, clear responsibilities, and minimum stages of implementation. In their absence, the victim is treated in a fragmented manner - as a patient without insurance, a person without income, a person with uncertain eligibility for social assistance, an applicant for documents, or a petitioner - rather than as a person affected by a system of abuse that requires a coordinated response.

Consequently, the issue of access to information support cannot be separated from the issue of recognising victim status. As long as the person is not functionally recognised as a victim of unlawful detention or of other abuses committed by the illegal bodies of the Tiraspol regime, institutions tend to treat them as **an ordinary applicant for sectoral services**. This fragmentation explains why information alone is not sufficient. It must be linked to a referral mechanism, needs assessment, and access to services. The following subsection analyses the extent to which the existing legal framework and national mechanism can respond to these needs, and where their structural limitations arise.

4.2. The current legal framework for protection: assistance and redress under Law No. 137/2016 and its limitations

Law No. 137/2016 on the rehabilitation of victims of crime is the main general legislative framework for support services for victims. It establishes for information counselling, psychological counselling, state-guaranteed legal aid and financial compensation⁷¹. In principle, the framework may also be relevant to persons affected by unlawful detention, torture, inhuman treatment or other abuses committed by representatives of illegal Transnistrian bodies.

The central issue is not merely whether this category is expressly mentioned in Law No. 137/2016. If a person is recognised as a victim for criminal-procedure purposes, they may, at least in theory, fall within the scope of the law. The difficulty lies in the fact that many services depend on the existence of criminal proceedings, procedural acts, or legal conditions that are difficult to meet in practice. Therefore, the express inclusion of victims of abuses in the Transnistrian region would have clarifying value, but would not remove the structural obstacles.

The first obstacle concerns *financial compensation*. For victims from the Transnistrian region, compensation is important because many people return to the right bank with medical problems, without income, without a job, without support and sometimes without valid documents. However, according to the analysis presented at the MNRV meeting on 16 April 2026, compensation under Law No. 137/2016 depends on the outcome of the criminal proceedings, in particular through the mechanism of Article 14⁷². In cases involving

71 Parliament of the Republic of Moldova, Law No. 137 of 29 July 2016 on the rehabilitation of victims of crime, *Official Gazette of the Republic of Moldova* Nos. 293–305, Art. 618, 9 September 2016, https://www.legis.md/cautare/getResults?doc_id=110484&lang=ro

72 Promo-LEX Association, 'Victims of illegal detention in the Transnistrian region on the agenda of the Coordinating Council of the National Referral Mechanism for Victims of Crime', 17 April 2026, <https://promolex.md/victimele-detentiei-ilegale-din-Transnistrian-region-pe-agenda-consiliului-coordonator-al-mecanismului-national-de-referire-a-victimelor-infractiunilor/>

abductions, unlawful detention, torture or inhuman treatment, which are frequently suspended or left unresolved, this condition creates a major bottleneck. The bottleneck does not affect only victims in the Transnistrian region. The Council of Europe's June 2024 report on Law No. 137/2016 noted that, although the provisions on financial compensation came into force on 1 January 2018, no claim for compensation had been filed by the time the analysis was completed⁷³. The explanation lies in the complexity of the mechanism: the victim must go through the criminal proceedings and then prove that it is impossible to enforce the part of the judgment relating to compensation.

If the compensation mechanism does not work even for victims of crimes committed in the territory controlled by the constitutional authorities, it is even less likely to work for victims of abuses in the Transnistrian region. In these cases, the investigation of the facts, the identification of the perpetrators, the administration of evidence and the completion of the criminal proceedings are hampered by the lack of effective control over the territory. Compensation thus depends on the success of the criminal investigation, and the failure to gather evidence can prevent the damages from being proven.

The second obstacle concerns *psychological counselling*. For people released from unlawful detention or subjected to inhuman treatment, psychological support is an immediate need. However, Law No. 137/2016 makes access conditional on formal requirements that may exclude or delay support for vulnerable individuals. The Council of Europe report shows that Articles 8–10 link psychological counselling to participation in criminal proceedings and the legality of residence, and that documentary formalities restrict access for victims who have not yet reported the offence or are not involved in criminal proceedings. For victims in the Transnistrian region, these conditions are disproportionately restrictive. Some individuals do not possess Moldovan identity documents, are unfamiliar with the procedures or the Romanian language, cannot immediately report the offence to the criminal investigation authorities, lack financial resources, shelter or a support network, and may suffer from physical or psychological after-effects that limit their ability to assert their rights.

The third obstacle concerns *legal assistance*. For victims in the Transnistrian region, this is necessary not only in criminal proceedings but also for clarifying their status, obtaining documents, accessing social and medical services, documenting harm, filing complaints and communicating with the authorities. However, Law No. 137/2016 is primarily structured around the victim of a crime in relation to criminal proceedings, and the explicit inclusion of this category would not automatically guarantee legal support for related needs.

Law No. 137/2016 provides a starting point, but not a comprehensive solution. It may cover certain services for individuals already involved in criminal proceedings, but it does not sufficiently address immediate needs: functional recognition, information, initial assessment, guidance, medical and psychological support, temporary accommodation, language assistance, documentation and socio-economic integration. These are the minimum conditions for the victim to be able to effectively engage with the state.

The seemingly simple solution of 'adding' this category to Law No. 137/2016 without a broader analysis must be avoided. The same limitation was highlighted in the Promo-LEX press release regarding the meeting of the MNRV Coordinating Council on 16 April 2026. Such an amendment could give the impression that the problem has been resolved, although access to services remains contingent, depending on the case, on the conclusion of criminal proceedings, referral to the prosecution service, legal residence status or the existence of ongoing criminal proceedings, whilst immediate needs such as guidance through the system, language assistance, identity documents, accommodation, specialist medical care or psychological support are not covered.

⁷³ Christa Pelikan and Arina Țurcan-Dontu, *Analysis Report on Law No. 137/2016 on the Rehabilitation of Victims of Crime in the Republic of Moldova*, Council of Europe Project "Strengthening the Human Rights-Based Criminal Justice System in the Republic of Moldova", June 2024, <https://rm.coe.int/raport-de-analiza-a-legii-nr-137-cu-privire-la-reabilitarea-victimelor/1680b1c8e0>

By letter No. 13/2373 of 30 April 2026, the Ministry of Labour and Social Protection (MMPS) confirmed the main findings: the lack of information programmes and adequate support services, the absence of cases in which financial compensation had been awarded, the “discouraging” nature of the compensation procedure, and the non-compliance of Law No. 137/2016 with international standards. On this basis, the Ministry proposed the establishment of a working group to review Law No. 137/2016 and the regulatory framework related to the transposition of Directive 2012/29/EU⁷⁴. This opening may create an initial space for discussion. The subject requires a broader platform, at Government or Parliament level, with the participation of institutions responsible for reintegration, justice, health, social protection, finance, law enforcement bodies, civil society, and experts.

This conclusion is also supported by the Republic of Moldova’s European path. In the 2024 Report on the Republic of Moldova, the European Commission noted, in Chapter 23, that although the legislative and institutional framework for fundamental rights is largely in place, the legislative framework does not yet provide for a specific assistance mechanism for residents of the Transnistrian region exposed to human rights violations⁷⁵. The same finding was reiterated in the European Commission’s 2025 Report, which again notes the lack of a specific assistance mechanism for residents of the Transnistrian region exposed to human rights violations⁷⁶.

The repetition of this finding in two consecutive reports shows that the issue can no longer be treated as an isolated matter, but as a public policy gap relevant to Chapter 23 – the judiciary and fundamental rights.

Consequently, Law No. 137/2016 may be one component of the future institutional response, but not the complete solution. At least three options should be discussed within an inter-institutional framework:

- a. amending the law to introduce genuine adjustments concerning access to services, eligibility, and the decoupling of certain forms of support from the completion of criminal proceedings;
- b. developing a separate framework for victims of unlawful detention and other abuses committed by the illegal bodies of the Tiraspol regime; or
- c. a hybrid solution, in which Law No. 137/2016 covers certain services, while a separate mechanism addresses the specific needs of this category of victims.

Each option has advantages and risks. Extending Law No. 137/2016 would utilise an existing regulatory framework, but could place victims in the region within a mechanism that does not function effectively even for current beneficiaries. A separate framework would allow for a tailored approach, but would require political decision-making, resources and coordination. A hybrid solution can only be realistic if it is based on a clear mapping of needs, responsibilities and implementation stages.

The question is not merely whether victims in the Transnistrian region should be included in Law No. 137/2016, but which mechanism can translate the recognition of their status into an effective right of access to services. In its current form, the law is too narrow for the needs of this group and dependent on the criminal justice process for situations where investigating and concluding cases is structurally difficult.

⁷⁴ Ministry of Labour and Social Protection of the Republic of Moldova, reply no. 13/2373 to the Promo-LEX Association, 30 April 2026. See the list of requests for access to information and institutional replies, annexed to this document.

⁷⁵ European Commission, *Republic of Moldova 2024 Report*, SWD(2024) 698 final, Brussels, 30 October 2024, <https://www.eeas.europa.eu/sites/default/files/documents/2024/Moldova%20Report%202024.pdf>

⁷⁶ European Commission, *Republic of Moldova 2025 Report*, SWD(2025) 758 final, Brussels, 4 November 2025, https://enlargement.ec.europa.eu/document/download/23fa6af0-89b3-4532-a3d9-d1638727d14c_en?filename=moldova-report-2025.pdf

Chapter 5.

Reflection agenda for the constitutional authorities

The above analysis does not lead to a set of regulatory solutions and does not replace the decision of the constitutional authorities. It does, however, show that issues of justice, accountability and victim protection relating to the Transnistrian region are not yet integrated into a coherent institutional process. Reintegration is treated as a strategic objective, but without a public policy framework that explicitly includes the justice dimension; the current coordination architecture remains limited; institutions respond predominantly on a sectoral basis; The Prosecutor General's Office acknowledges real difficulties, but lacks sufficient systematic tools; and victims of abuses by the Tiraspol regime do not have a clear pathway for functional recognition, information, referral and support.

In these circumstances, the final chapter does not simply reiterate the findings set out previously, but transforms them into an agenda for institutional reflection. The steps below are formulated as general directions for reflection and action for the constitutional authorities of the Republic of Moldova. Under the current framework, overall policy coordination falls to the Government, through the Deputy Prime Minister for Reintegration. At a technical level, however, each area involves several specialised institutions, including the BPR, PG, MJ, CSM, CSP, MAI, the Ministry of Health, MMPS, SIS and other relevant authorities. For this very reason, these areas cannot be managed effectively without a clear mechanism for inter-institutional coordination.

This document does not assign specific tasks to institutions. As this is an exploratory exercise, such an allocation must be made by the Government, together with the competent authorities. In some cases, the lead institution follows naturally from the nature of the measure. For example, the implementation of the Prosecutor's Office Strategic Development Programme is primarily the responsibility of the General Prosecutor's Office. In other cases, the first step is to identify the coordinating institution and the participating institutions. This would, in itself, serve as a practical test of the capacity of the current coordination framework.

Steps to follow: from findings to an institutional planning process

- 1. Initiating a functional assessment of the institutional architecture for reintegration.** *A first step could be to assess how the current institutional architecture can support the handling of justice and victim protection issues in the context of reintegration. The assessment should not start from a pre-determined institutional solution, but from functional questions: who identifies recurring legal issues, who centralises them, who convenes the relevant institutions, who coordinates inter-institutional analysis, who formulates legislative or administrative options, and who monitors implementation. Within this framework, the institutional architecture is not treated as a separate subject of research, but as a necessary tool to ensure that issues of justice, victims' rights and accountability do not remain scattered across institutions.*

2. **Reactivating and operationalising the Governmental Commission for the Reintegration of the Country as a political level for inter-ministerial coordination.** Before creating new mechanisms, the possibility of utilising existing structures should be analysed. *The Governmental Commission for the Reintegration of the Country* could function as a higher political level where issues raised by the BPR, ministries, law enforcement bodies, justice sector institutions or civil society are discussed interministerially and transformed into clear tasks, deadlines and responsibilities. For this role to be substantive, rather than merely formal, it would be necessary to consider operational measures: convening the Commission on a regular basis, establishing an annual work agenda, and formalising secretariat procedures.
3. **Establishing or activating an inter-institutional platform for justice and victims' rights in the context of reintegration.** It is necessary to examine the feasibility of a formalised working platform that would bring together, depending on the topics discussed, the BPR, the Ministry of Justice, the General Prosecutor's Office, the Ministry of Internal Affairs, the Superior Council of Magistracy, the Superior Council of Prosecutors, the State Investigation Service, the Ministry of Labour and Social Protection, the Ministry of Health, the National Health Insurance Company, Parliament, civil society and independent experts. To the extent that the topics under consideration require it, *the platform could also involve other relevant institutions or professions within the justice sector, including the legal profession, notaries, bailiffs, probation services or the prison service.* The role of such a platform would not be to replace the competences of institutions, but to create a space in which structural problems can be analysed together and transformed into public policy options.
4. **An inter-institutional inventory of systemic legal problems generated by the functioning of the Tiraspol regime.** It would be useful to initiate, under the coordination of the Government, through the Deputy Prime Minister for Reintegration and the BPR, a joint exercise to identify the main recurring legal problems that already exist or could intensify in a potential reintegration process. The Ministry of Justice should be involved as a key technical actor for the legal dimension, alongside the General Prosecutor's Office, the Superior Council of Magistracy, the Superior Council of Prosecutors, the Ministry of Internal Affairs, the State Security Service, the authorities responsible for victim protection and other relevant institutions. The inventory should not be limited to criminal cases and investigative difficulties. It should also include the treatment of documents and pseudo-judgments issued by unlawful bodies, the effects of *de facto* detentions, the risk of the statute of limitations, the vetting of individuals who were active in illegal bodies, the support needs of victims, as well as other issues identified during the inter-institutional analysis process.
5. **Transforming the inventory of legal issues into an inter-institutional work agenda.** Once the already visible or recurring legal issues have been identified, the next step should be to transform them into an inter-institutional work agenda. Issues relating to the region do not appear in a single place, but are scattered across criminal cases, court practice, institutional responses, the work of prosecutors, the experiences of victims, and civil society documentation. The aim would not merely be to list these issues, but to group them by working themes, determine the competent institutions, identify missing data, necessary methodological clarifications, potential administrative solutions and legislative proposals that should be analysed.
6. **Leveraging the Prosecutor's Office Strategic Development Programme 2026–2030 as an immediate institutional window of opportunity.** The process of drafting the Prosecutor's Office Strategic Development Programme offers a concrete opportunity to integrate the Transnistrian dimension into the planning of a key institution. This approach does not replace the need for a cross-sectoral public policy on justice and reintegration, but it can allow for the inclusion of actions regarding the tracking of cases with a Transnistrian element, the analysis of recurring bottlenecks, the development of methodological guidelines, the strengthening of analytical capacity, and cooperation with other institutions. Making the most of this opportunity

is important precisely because the development of a broader cross-sectoral policy requires time, coordination and political decision-making.

- 7. Developing an internal methodology for recording and analysing criminal cases related to the Transnistrian region and including this information in the Prosecutor General's annual report.** The General Prosecutor's Office could consider developing an internal methodology for identifying, collecting and analysing criminal cases with a Transnistrian element. Such a tool would not entail the immediate resolution of cases or direct access to the region, but would allow for an understanding of the types of cases, the most frequently invoked articles, the grounds for suspension, persistent obstacles, the affected prosecutor's offices and the necessary institutional measures. The resulting data could be clearly reflected in the Prosecutor's Office reports and forwarded, as appropriate, to the Ministry of Justice, the BPR, the Government, Parliament or other authorities, as a basis for public policy.
- 8. Developing methodological guidelines for investigating cases involving unlawful bodies in the Transnistrian region.** The General Prosecutor's Office could consider developing methodological recommendations or guidelines on investigating cases involving representatives of unlawful bodies or the effects of the Tiraspol regime's operations. Without such guidelines, prosecutors resolve systemic issues on an individual basis, which can lead to inconsistent practices and a loss of the institution's capacity to learn from similar cases. The aim of these guidelines would not be the mechanical standardisation of solutions, but rather the provision of a common framework for addressing recurring difficulties: the handling of evidence, the impossibility of executing procedural acts, the risk of evasion, the suspension of cases, the protection of victims and inter-institutional communication.
- 9. Developing the concept of a minimum information, guidance and referral mechanism for victims.** Regardless of future regulatory solutions, victims of abuses committed by illegal Transnistrian bodies need a basic guidance pathway. A first step could be to develop a concept for a mechanism that includes a clear point of contact, information in Romanian and Russian, a practical guide to existing services, a helpline or dedicated communication channel, and a referral procedure to medical, psychological, social and legal services. The meeting of the MNRV Coordinating Council on 16 April 2026 and the letter from the MMPS dated 30 April 2026 provide a starting point, but the discussion must be linked to a broader government platform, involving the institutions responsible for reintegration, justice, health, social protection and law enforcement.
- 10. Establishing a consultative framework for external expertise on the justice system as part of the reintegration process.** The issues under consideration cannot be resolved solely through closed institutional dialogue between authorities. A useful step would be to establish a regular consultative forum bringing together representatives of constitutional authorities, academia, civil society, the legal profession, organisations documenting abuses and, where appropriate, international partners. Such a forum would not replace the authorities' decision-making, but would provide expertise, critical validation and a space in which sensitive issues could be discussed before they become institutional emergencies.
- 11. Systematic use of international experience, including that of Ukraine.** The experience of other states should not be adopted mechanically, but can be used to frame the questions that the Republic of Moldova needs to examine. A useful step would be to carry out comparative thematic analyses in specific areas: documenting abuses, investigating incidents, the status of persons unlawfully deprived of their liberty, the treatment of documents issued by unrecognised bodies, victim support, vetting, amnesty, lustration, or preparing institutions for post-reintegration scenarios. The value of such a comparison lies in identifying questions, risks and options that can be adapted to the Moldovan context, not in importing ready-made solutions.

Annexes

Annex 1. *Institutional dialogue with the Bureau for Reintegration Policies: requests for access to information and institutional responses*

Bureau for Reintegration Policies

Promo-LEX requests for access to information (Law No. 148/2023) and the institution's responses — the justice dimension

PROMO-LEX REQUEST No. 232 of 1 December 2025

INSTITUTION'S RESPONSE No. 23-78-12617 of 10 December 2025

Request structured by thematic blocks (institutional mechanisms and reintegration policies; strategic documents; referrals from the PG/CSM; administrative control mechanism). Set out below are the questions relevant to the justice dimension.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
1	Is there a strategy, framework concept, roadmaps or sectoral plans on health, education, justice, social protection, the economy and security, dedicated to reintegration?	Reference is made only to Parliament Decision No. 269/2025 (the "Cohesion between the two banks" section) and Government Decision No. 311/2025 (the annual reintegration programme). No distinct strategy, framework concept or sectoral plan on justice is named.
2	Have inter-institutional working groups been established for the drafting of these sectoral documents?	No working groups dedicated to the justice sector for reintegration are indicated.
11-12	In the past 5 years, has the BPR been notified by the Prosecutor General's Office, the CSM or other authorities regarding the risk of absconding in the region and the difficulties in applying non-custodial preventive measures?	"It has not been notified (informed) (...) regarding the matters listed in your request."
13	Has the BPR taken part in discussions on an administrative control mechanism along the administrative boundary line (crossing points)?	"It has not taken part in discussions on aspects of the administrative control mechanism at the crossing points to/from the Transnistrian region."

PROMO-LEX REQUEST
No. 246 of 3 December 2025

INSTITUTION'S RESPONSE
No. 23-78-12454 of 8 December 2025

Request dedicated exclusively to the institutional architecture (the cabinet of the Deputy Prime Minister for Reintegration). The content of the response is analysed in Chapter II.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
	Questions concerning the cabinet of the Deputy Prime Minister for Reintegration (advisers, positions, responsibilities).	Technical-administrative content — analysed in Chapter II

PROMO-LEX REQUEST
No. 314 of 3 April 2026

INSTITUTION'S RESPONSE
No. 23-78-4298 of 15 April 2026

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
15 (Block VI)	Steps taken by the BPR in connection with specific cases of unlawful deprivation of liberty, torture and inhuman treatment in the region?	"The Bureau is not empowered by law to establish, confirm or refute the guilt of individuals"; the sole monitoring instrument invoked is "the prism of the rulings handed down by the competent courts".
16–18	Coordination of any steps in the justice segment — requests to or from the MJ, PG, CSM, CSP; thematic working groups; consultations?	"We have neither received nor sent requests pertaining to the field of justice, nor have we initiated the creation of such working groups."
19–20	The transition of schools in the region to teaching in Romanian?	"The initiative was launched" — it was to be reiterated at the meeting of the political representatives of 16 April 2026, "in coordination with the Ministry of Education and Research". (A positive element on a different sectoral dimension.)
—	Questions concerning: the Government's State Secretary for Reintegration; amendment of Government Decision 657/2009 and of Law 98/2012; European integration vs. reintegration; the governmental Commission; the architecture of the BPR and the focal points; the guilt of individuals.	Analysed in Chapter II.

Annex 2. *Institutional dialogue with the Ministry of Justice:
request for access to information and institutional response*

Ministry of Justice

Promo-LEX request for access to information (Law No. 148/2023) and the institution's response

PROMO-LEX REQUEST

No. 295 of 24 February 2026

INSTITUTION'S RESPONSE

Ref. No. 305 of 10 March 2026

Request with ten numbered questions, covering the period 2024–2025: documents preparing the justice sector for a possible reintegration scenario; a dedicated subdivision; planning for 2026–2027; consultations with the Deputy Prime Minister for Reintegration / the BPR.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
1	Documents preparing the justice sector for a possible reintegration scenario — analyses, concept notes, reports, studies, draft scenarios, roadmaps, action plans?	No.
2	Working groups, meetings, consultations or commissions (with the State Chancellery / the BPR, CSM, CSP, PG, MIA, NAP, PSA) on matters within the MJ's competence relevant to reintegration?	No.
3	Specific topics that might have been discussed (the treatment of documents originating from the region; the status of persons unlawfully deprived of their liberty; transitional justice models)?	No.
4	A subdivision responsible or a designated focal point for monitoring and coordinating, within the MJ, the matters within its competence relevant to reintegration?	No.
5	(If the answer to question 4 is negative) How are requests or correspondence concerning matters relating to the Transnistrian region allocated?	"There is no distinct subdivision (...). Such requests are allocated to the competent subdivisions of the ministry, according to the subject matter and field of activity."
6	A sectoral strategic document of the MJ on justice in reintegration (at ministry level)?	No.
7	Planning for 2026–2027 to initiate such a strategic document?	No.
8	Documents monitoring and systematising the legal and institutional issues that may arise in the justice sector under a possible reintegration scenario?	No.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
9	Official requests to other authorities (the State Chancellery / the BPR, CSM, CSP, PG, MIA, ANP, ASP) to collect data or to systematise legal issues?	No.
10	A formalised, permanent platform for periodic consultations with the Deputy Prime Minister for Reintegration and/or the BPR on this dimension?	No.

Annex 3. *Institutional dialogue with the Superior Council of Magistracy: request for access to information and institutional response*

Superior Council of Magistracy

Promo-LEX request for access to information (Law No. 148/2023) and the institution's response

PROMO-LEX REQUEST

No. 243 of 1 December 2025

INSTITUTION'S RESPONSE

No. 2639m/c of 18 December 2025

Request with four questions covering the past 3 years: the risk of absconding in the region; referrals to other authorities; discussions/working groups on justice in reintegration; participation in platforms.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
1	Has the CSM examined/discussed, at institutional level, the issue of the risk of absconding into the Transnistrian region by persons under criminal investigation, as a systemic phenomenon?	No. The CSM's powers are "exclusively in the field of judicial administration, of an organisational and functional nature and serving as a guarantee of the independence of the judiciary" (Art. 4 of Law No. 947/1996), with no competence "in the matter of the activity of the criminal investigation bodies, of the application or execution of preventive measures, or in the management of the operational risks associated with the absconding of persons under criminal investigation".
2	Referrals, proposals or recommendations to the BPR, the State Chancellery, the MJ or other central authorities on this issue?	No.
3	Has the CSM initiated/organised discussions, analyses, meetings or working groups on justice topics related to reintegration — the status of judicial acts issued by the illegal structures, the status of persons deprived of liberty by these structures, transitional justice mechanisms?	"Over the past three years, the CSM has neither initiated nor organised discussions, analyses, meetings or working groups dedicated to justice topics related to the reintegration of the Transnistrian region (...). The matters referred to fall outside the scope of the CSM's powers, being within the competence of the central authorities, the criminal investigation bodies, the courts in specific cases, and the institutions responsible for reintegration policies."
4	Participation of CSM representatives in national or international platforms, events or working groups addressing justice in uncontrolled territories, the treatment of acts of the illegal structures, the protection of persons deprived of liberty, or transitional justice models?	No dedicated platform is named.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
—	Incidental acknowledgements (provided for information, without being included in the point-by-point answers to the questions):	• CSM members “take part periodically in meetings with the judges of the courts operating in the Căușeni, Rezina and Soroca courts, which handle cases that have a bearing on the topic indicated”. • “In discussions with development partners, this subject is presented as a challenge for the entire judicial system.” • “The CSM will continue to monitor any systemic implications relating to the organisation of the courts, but it cannot intervene in the substantive aspects of judicial activity or of the law-enforcement bodies.”

Annex 4. *Institutional dialogue with the Security and Intelligence Service: requests for access to information and institutional responses*

Security and Intelligence Service

Promo-LEX requests for access to information (Law No. 148/2023) and the institution's responses

PROMO-LEX REQUEST

No. 296 of 27 February 2026

INSTITUTION'S RESPONSE

No. 12-H-196/26 of 18 March 2026

The first response — a complete refusal. The SIS invokes, in general terms, state secrecy and states that the information requested (in the initial formulation, without an express separation of the unclassified information) cannot be disclosed. Promo-LEX repeated the request.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
I–II	Questions concerning aggregate records of persons who held positions in the unconstitutional structures; documents on institutional preparation for reintegration; the issuing of opinions on draft normative acts; vetting criteria for public office; recipients of SIS information; plans and fields of activity.	A complete refusal, with no point-by-point answer to the 11 questions — invoking, in general terms, state secrecy and Arts. 11–12 of Law No. 136/2023 on the SIS.

PROMO-LEX REQUEST

Repeat request No. 310 of 25 March 2026

INSTITUTION'S RESPONSE

No. 12-H-321/26 of 7 April 2026

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
I	Is there any record (even an aggregate, non-operational one, without personal data) of the persons who held positions in the unconstitutional structures in the region (law enforcement, justice, administration, the penitentiary system)?	"The SIS does not hold non-operational records" regarding such persons. There are no aggregate statistics by category of position that could be disclosed publicly.
II	In the past 3 years, has any draft normative act concerning a possible reintegration scenario been transmitted to the SIS for an opinion?	No. During this period, no ministry or central authority initiated a normative act on this subject that reached the SIS for a security opinion.
III	When a person is vetted for a public office (including positions with special status), is the fact that they previously worked in an unconstitutional structure in the region treated as a distinct, relevant element for the opinion?	The framework applied is the general one — Law No. 271/2008 (the vetting of holders of and candidates for public office) and Law No. 245/2008 (on state secrecy). Prior activity in an unconstitutional structure is not provided for, as such, as a distinct vetting criterion in any normative act in force.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
IV	Has the SIS drawn up/approved any written document (internal or transmitted to other authorities) addressing institutional preparation for a possible reintegration scenario (planning, scenarios, risk assessments, organisational proposals)?	“Information about the Service’s plans — even as to their existence or non-existence — the subject of those plans, the areas of interest for the SIS’s investigative activity, and institutional preparation (...) constitute information whose disclosure is liable to harm the interests and security of the Republic of Moldova.” The wording “even as to their existence or non-existence” means that the Service neither confirms nor denies whether such documents exist.

Annex 5. *Institutional dialogue with the Superior Council of Prosecutors:
request for access to information and institutional response*

Superior Council of Prosecutors

Promo-LEX request for access to information (Law No. 148/2023) and the institution's response

PROMO-LEX REQUEST

No. 244 of 1 December 2025

INSTITUTION'S RESPONSE

No. 5/7-04d/2025-2840 of 5 December 2025

Four questions addressed to the CSP — set out explicitly below. The Council's response — a complete disclaimer of competence, with no point-by-point answers to the questions.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
1	Has the CSP examined/discussed, at institutional level, over the past 3 years, the issue of the risk of absconding into the Transnistrian region by persons under criminal investigation — as a systemic phenomenon, beyond individual cases?	No point-by-point answer — see the consolidated response below.
2	In the past 3 years, has the CSP submitted referrals, proposals or recommendations to the Bureau for reintegration policies, the State Chancellery, the Ministry of Justice or other central authorities on this issue?	No point-by-point answer — see the consolidated response below.
3	In the past 3 years, has the CSP initiated/organised discussions, analyses, meetings or working groups dedicated to justice in the context of a possible reintegration — the status of judicial acts issued by the illegal structures; the status of persons deprived of liberty by these structures; mechanisms for the re-examination of cases and for the reparation of harm; other elements of transitional justice?	No point-by-point answer — see the consolidated response below.
4	In the past 3 years, have CSP representatives taken part in national or international platforms, events or working groups addressing justice in uncontrolled territories, the treatment of acts of the illegal structures, the protection of persons deprived of liberty, or transitional justice models?	No point-by-point answer — see the consolidated response below.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
consolidated	The CSP's response to all four questions — a complete disclaimer of competence:	A complete disclaimer of competence. The CSP — “the self-governing body of prosecutors, with powers in the field of prosecutors' careers (selection, promotion, evaluation, disciplinary sanctioning, etc.) and the safeguarding of their independence” (Law No. 3/2016, Art. 70; Law No. 8/2008). “It has no legal competence regarding the management of criminal cases, nor, accordingly, in the analysis and administration of the criminal case files to which you refer.” The request is redirected in its entirety to the Prosecutor General's Office: “We consider that it is precisely this institution that is in a position to provide you with a response to your request.”
—	The opening formula — the only statement that is not a pure disclaimer:	“To the extent that, in the future, the CSP is approached on matters falling within its legal competence, we reaffirm our openness to constructive dialogue.”

Annex 6. *Institutional dialogue with the General Prosecutor's Office:
requests for access to information and institutional responses*

General Prosecutor's Office

Promo-LEX requests for access to information (Law No. 148/2023) and the institution's responses

PROMO-LEX REQUEST

No. 244 of 1 December 2025

INSTITUTION'S RESPONSE

No. 13-25d/25-1883 of 22 December 2025

The same four questions as those addressed to the CSM and the CSP — put here to the PG as well. The questions are reproduced as worded in the request.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
1	In the past 3 years, has the PG analysed/discussed/addressed, at institutional or inter-institutional level, the problem of the risk of persons absconding into the Transnistrian region (a risk constantly invoked by prosecutors and judges when applying preventive measures)?	The region is described as “a zone of impunity, in which persons involved in offences can evade criminal prosecution by taking refuge in this territory”. It results in “the non-enforcement of court rulings, arrest warrants and summonses issued on the right bank”.
2	In the past 3 years, has the PG addressed written referrals/proposals/recommendations to the Bureau for Reintegration Policies, the State Chancellery, the Ministry of Justice or other central authorities concerning the risk of absconding in the region or the difficulties in enforcing preventive measures in the absence of an administrative control mechanism?	The response does not list any formal referrals or proposals addressed to the reintegration-policy authorities during this period.
3	In the past 3 years, has the PG initiated/organised discussions, analyses, meetings or working groups dedicated to justice issues in the context of a possible reintegration — including: the status of judicial acts issued by the illegal structures; the status of persons deprived of liberty by the Tiraspol structures; mechanisms for the re-examination of cases and for the reparation of harm; other elements of transitional justice?	The response does not indicate the initiation or organisation, at institutional level, of any dedicated discussions, analyses, meetings or working groups.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
4	In the past 3 years, have PG representatives taken part in conferences, round tables, or national or international working groups addressing: justice in the context of the reintegration of territories under unconstitutional control; the treatment of acts of the illegal structures; the protection of persons deprived of liberty in regions not effectively controlled by the state; transitional justice models (including comparative experiences — e.g. Ukraine)?	The response does not name any platforms, events or working groups dedicated to this subject.

PROMO-LEX REQUEST No. 292 of 18 February 2026	INSTITUTION'S RESPONSE No. 13-25d/26-322 of 6 March 2026
--	--

The request contains 22 questions grouped by the applicant into six thematic blocks (I–VI). The responses are reproduced, as far as possible, through direct quotations from the response of the Prosecutor General's Office (within quotation marks "..."). Where the PG grouped its response across several questions (e.g. 1–8, 13–14, 15–20), this grouping by the PG is indicated explicitly.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
I (questions 1–8)	THE FLOW OF CRIMINAL CASES (2023–2025) — data on complaints/ notifications (Arts. 262–263 CPC), cases initiated (Arts. 164, 166, 166/1, 339, 340/1, 351 CC and other articles), discontinued/dismissed, suspended (including on grounds of absconding to the left bank of the Dniester), resumed, sent to trial and concluded with a conviction — broken down by each territorial prosecutor's office and by year.	The PG responds globally to questions 1–8, quoted directly: "The Prosecutor General's Office does not keep special statistical records of the information requested. By way of recommendation, I suggest that you address the Ministry of Internal Affairs, which, under Law No. 216/2003 (...), is the holder of the information system in question."
II.1 (question 9)	Methodological recommendations/ instructions/guidelines drawn up, approved or transmitted by the PG to the territorial prosecutor's offices or the criminal investigation bodies for the effective investigation of cases concerning the acts of the illegitimate structures on the left bank of the Dniester.	Quoted directly from the response: "The Prosecutor General's Office has not drawn up or approved any methodological recommendations, instructions, guidelines or other internal documents on the effective investigation of offences committed by representatives of the illegitimate structures on the left bank of the Dniester."

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
II.2 (question 10)	Inter-institutional consultations (MAI, BPR, MJ, other authorities) initiated/organised by the PG on improving the efficiency of the investigation of this category of cases (2023–2025).	Quoted directly from the response: “(…) in the period 2023–2025 the Prosecutor General’s Office did not initiate or organise inter-institutional consultations (…).” The response also includes an institutional finding by the PG, quoted below: “The need to develop specialised methodological instruments, in this context, would be a direct reflection of the state’s positive obligation to ensure an effective response to offences and to counter the phenomenon of impunity, which undermines confidence in the rule of law.”
II.3 (question 11)	Periodic reports/institutional analyses/internal summaries by the PG on the systemic difficulties in investigating cases related to the region.	Quoted directly from the response: “The Prosecutor General’s Office does not produce periodic reports or institutional analyses / internal summaries on the systemic difficulties (…).”
III.1 (question 12)	The AIS “Criminal Investigation: E-Case File” — distinct fields/ labels/criteria that would allow the identification and extraction of cases by the criterion “left bank of the Dniester”/“Transnistrian region”; the manner in which a case’s connection to the region is reflected in the current records.	Quoted directly from the response (a technical finding): “At present, the AIS ‘Criminal Investigation: E-Case File’ does not have distinct fields or labels dedicated exclusively to marking criminal cases by criteria such as ‘left bank of the Dniester’, ‘Transnistrian region’ or other similar references. The data entered into the System reflect the procedural information and the procedural acts issued in the case, in accordance with the structure established by the Regulation.” Quoted directly from the response: “The development and integration into the AIS ‘Criminal Investigation: E-Case File’ of additional fields for the categories mentioned in the request, although it would expand the database, raises efficiency concerns, since it may lead to overloading the information system by duplicating information across interconnected information systems and to a disproportionate allocation of administrative, human and material resources to the detriment of the stated purpose.”
III.2 (questions 13–14)	Data from the AIS “Criminal Investigation: E-Case File” on the criminal cases in which the involvement of representatives of the illegitimate structures on the left bank of the Dniester was alleged/established — broken down by CC articles, years and territorial prosecutor’s offices; possible methods of extraction.	The PG’s response redirects these questions to the MIA, quoted directly: “By way of recommendation, I suggest that you address the Ministry of Internal Affairs, which, under Law No. 216/2003 (...), is the holder of the information system (…).”

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
IV–VI (questions 15–20)	IV. THE RISK OF ABSCONDING INTO THE TRANSNISTRIAN REGION — data collected/centralised, internal notes/summaries/analyses 2023–2025, inter-institutional consultations with the MIA, BPR and others on reducing this risk. V. JUSTICE IN THE CONTEXT OF REINTEGRATION — meetings/ consultations/working groups on justice issues under a possible reintegration scenario; draft notes/ official correspondence addressed to the relevant institutions. VI. SPECIALISED STRUCTURES/ MECHANISMS — a specialised subdivision, a designated official or a formalised internal mechanism for this category of cases; initiatives/ proposals 2020–2025 to establish such a structure.	The PG responds globally to questions 15–20, quoted directly: “The Prosecutor General’s Office does not collect data on the situations to which you refer (...) it has not taken part in inter-institutional consultations (...) no specialised subdivision has been established (...). In the period 2020–2025 no projects or mechanisms were drawn up (...)”.

PROMO-LEX REQUEST
No. 319 of 6 April 2026

INSTITUTION’S RESPONSE
No. 13-25d/26-656 of 27 April 2026

Request dedicated to cases in which persons “convicted” and unlawfully deprived of their liberty in the region are subsequently subject to criminal proceedings by the constitutional authorities for the same act. Reference to the judgment of the Căușeni Court, Ștefan Vodă seat, of 26 December 2025, and the decision of the Criminal Panel of the Centru Court of Appeal of 25 February 2026. The questions are reproduced as worded in the request.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
1	Does the PG hold data, records or the ability to identify the criminal cases in which persons “convicted” and “punished” unlawfully by the Transnistrian structures are subsequently investigated and/or tried by the constitutional authorities of the Republic of Moldova for the same act (if so — the number per year; if not — express confirmation that such situations are not recorded distinctly, are not collected statistically, or cannot be identified in the record-keeping systems)?	The response does not present disaggregated data or distinct records for this category. Such situations are not recorded separately and cannot be identified in the available record-keeping systems.
2	Has the PG analysed, at institutional level, the issue of these situations — including from the perspective of the effects of unlawful detention already served in fact, of the legal classification and of any difficulties in criminal-procedural practice (if so — notes / summaries / analyses / other documents; if not — express confirmation of their non-existence)?	There is no systematised analysis of this issue within the Prosecutor’s Office.

#	QUESTION / SUBJECT	RESPONSE / OBSERVATIONS
	Has the PG informed / notified / addressed steps to the Deputy Prime Minister for Reintegration, the Bureau for Reintegration Policies, the Ministry of Justice, the Superior Council of Magistracy or other competent authorities regarding this issue, including with a view to identifying legal, institutional or practical solutions (beyond individual case files)?	"The management of platforms for inter-institutional consultations does not fall within the direct competence of the Prosecutor's Office." The response does not list any formal steps addressed to the authorities mentioned on this issue.
4	Has the PG initiated, or does it intend to propose, the establishment of an inter-institutional working mechanism, including in the form of a Working Group, with the participation of the competent authorities, with a view to analysing these situations and developing a clear institutional and/or normative approach for managing them?	The PG does not indicate any initiative of its own regarding the establishment of such a mechanism, but it sets out four directions as possible starting points for a future joint inter-institutional reflection: (i) identifying the gaps in the normative framework; (ii) clarifying and delimiting institutional competences; (iii) methodological instructions for this category of cases; (iv) the contribution of academia and the expertise of other states.
—	Cumulative analysis of the three PG responses:	The Prosecutor's Office sets out an honest diagnosis ("zone of impunity", non-enforcement, practical difficulties) and systematically acknowledges what does not exist within its own architecture (a dedicated subdivision, separate statistics, methodological instructions, systematised analysis on ne bis in idem). Read together, the responses point to a problem that does not fall entirely within the PG's competence — and for which, under the current architecture, a formal institutional recipient is lacking.

Annex 7. List of requests for access to information and institutional responses

ANNEX. List of the requests for access to information submitted

The annex presents the 11 requests for access to information submitted under Law No. 148/2023 on access to information of public interest, addressed to 6 state institutions in the period December 2025 – April 2026, as part of the documentation of the subjects addressed in the White Paper. For each request, the recipient institution, the number and date, the subject, the approximate number of questions/thematic blocks and the status of the institutional response are indicated.

Summary by institution

Code	Institution	Requests submitted	Total questions (approx.)
BPR	Bureau for reintegration policies	3	34
MJ	Ministry of Justice	1	12
CSM	Superior Council of Magistracy	1	5
CSP	Superior Council of Prosecutors	1	5
PG	General Prosecutor's Office	3	54
SIS	Security and Intelligence Service	2	16

Total: 11 requests submitted to 6 state institutions.

Details — list of requests

#	Institution	Request no. and date	Subject of the request	Questions / Response status
1	Bureau for reintegration policies	No. 232 / 01.12.2025	Institutional mechanisms and reintegration policies: the inter-ministerial architecture, strategic documents, the prevention of abductions and of absconding risks.	14 questions (3 thematic blocks)
2	Bureau for reintegration policies	No. 246 / 03.12.2025	The institutional architecture responsible for reintegration (a follow-up/clarification request).	Clarification request

3	Bureau for reintegration policies	No. 315 / 03.04.2026	Inter-institutional interaction and public policies in the field of reintegration (the State Secretary for Reintegration, the governmental Commission, sectoral focal points, justice, education).	20 questions
4	Ministry of Justice	No. 295 / 24.02.2026	Justice in the context of a possible reintegration of the Transnistrian region — institutional preparation, normative framework, capacities, strategic planning (2024–2025).	12 questions
5	Superior Council of Magistracy	No. 243 / 01.12.2025	Institutional mechanisms and reintegration policies — the perspective of the judiciary (independence, capacities, risks, preparation).	5 questions
6	Superior Council of Prosecutors	No. 244 / 01.12.2025	Institutional mechanisms and reintegration policies — the perspective of the prosecution bodies.	5 questions
7	General Prosecutor's Office	No. 244 / 01.12.2025	Institutional mechanisms and reintegration policies — the exercise of the powers of the Prosecutor General's Office (a joint request with the CSP).	5 questions
8	General Prosecutor's Office	No. 292 / 18.02.2026	The exercise and direction of criminal investigation into acts involving representatives of the illegitimate structures on the left bank of the Dniester (2023–2025).	22 questions

9	General Prosecutor's Office	No. 319 / 06.04.2026	The institutional approach to situations in which persons are investigated/convicted in parallel by the Tiraspol structures and by the criminal proceedings of the constitutional authorities for the same act.	<i>27 questions</i>
10	Security and Intelligence Service	No. 296 / 27.02.2026	Institutional preparation for a possible reintegration scenario for the Transnistrian region — analyses, planning, capacities, risks (2023–2026).	<i>16 questions Response received (after repetition)</i>
11	Security and Intelligence Service	No. 296 / 27.02.2026 (repeated)	Repetition of the previous request, following the failure to respond within the statutory time limit.	<i>Repetition</i>

Note: the number of questions is approximate, calculated on the basis of the thematic blocks and the numbered questions in each request; a single question may comprise several sub-questions or information requirements.

