

DECLARATION | After three years, Promo-LEX Association reminds the Moldovan and Russian governments about the need to ensure optimal conditions for the activity of human rights defenders in the Transnistrian region

On April 17, 2015, the Transnistrian KGB published a statement announcing the initiation of a criminal investigation against members of Promo-LEX Association and the application of “special investigative measures” against them. Since then, Promo-LEX defenders have been banned free access to the Transnistrian region.

There have been numerous appeals from international organizations and networks that condemned the practice of intimidation and obstruction of the activity of Promo-LEX Association and asked the relevant players to intervene and ensure the optimal conditions for the activity of Promo-LEX Association in the Transnistrian region of the Republic of Moldova. [\[1\]](#)

On January 29, 2016, the case of Promo-LEX Association was discussed in the Parliamentary Assembly of the Council of Europe. [\[2\]](#)

On June 24, 2016, participants in the Conference of International Non-Governmental Organizations within the Council of Europe adopted a series of recommendations ([CONF /](#)

[PLE \(2016\) REC1](#)) on the Protection of Human Rights Defenders in the Transnistrian region of the Republic of Moldova with reference to the Promo-LEX case [\[3\]](#).

[The UN Special Rapporteur](#) on Human Rights Defenders, along with two other Special Rapporteurs, voiced their concern over the alleged criminal proceedings, initiated by *the local KGB* and the application of *special investigative measures* against Promo-LEX members. According to the three UN Rapporteurs, these actions largely hinder the exercise of the right to freedom of expression and the human rights monitoring and protection activities in the region. [\[4\]](#)

The three UN Special Rapporteurs mentioned that “human rights defenders play a key role in promoting human rights, democratic processes, ensuring and maintaining peace and security, including in de facto regions. Residents in territories outside the control of constitutional authorities need minimal safeguards on respect of human dignity and their fundamental rights and freedoms. This can only be achieved under obstacle-free working conditions for human rights organizations that would monitor the situation and develop recommendations for relevant institutions and players.”

The authorities of the Republic of Moldova and the Transnistrian administration have been asked to ensure that Promo-LEX operates in a safe and favorable environment throughout the country. We believe that the constitutional authorities should have a much more active role in concentrating efforts to fulfil their positive obligations and international commitments (including by implementing the *2030 Agenda, undertaken by the Government of Moldova, establishe a clear link between peace, security, justice and sustainable development*). In this context, Promo-LEX has continuously emphasized the need to monitor the situation of human rights in the territory controlled by the de facto Tiraspol regime, to create an effective instrument for the protection of human rights defenders and the need to combat

impunity for the deeds of those, who seriously violate the rights of individuals.

At the same time, taking into account the findings of the European Court of Human Rights on the cases in the Transnistrian region of the Republic of Moldova, the Government of the Russian Federation is required to apply all necessary means to influence the *de facto* administration of the Transnistrian region in order to curb intimidation, attacks and threats against human rights defenders in the Transnistrian region, especially Promo-LEX defenders.

Being severely concerned over the worsening of the environment, in which civil society operates in the Transnistrian region and the absence of a national legal framework, establishing clear safeguards for the protection of human rights defenders, and in the context of the [20th anniversary of the UN Declaration on the Protection of Human Rights Defenders](#) (December 9, 1998), Promo-LEX Association considers it is time for human rights defenders in the Republic of Moldova to benefit from the recognition, support and protection they deserve due to their dedicated activities of promoting democracy and defending the fundamental human rights.

Promo-LEX Association continues its efforts to solve this problem, but without the real support of the constitutional authorities, their efforts do not yield any results. In this context, Promo-LEX Association asks the Government of the Republic of Moldova and the Government of the Russian Federation to:

- Fulfill the international obligations, undertaken following the recommendations of the UN and PACE structures;
- Carry out a thorough investigation of the intimidation of members of the Promo-LEX Association;
- Insist on the inclusion on the agenda of the 5+2 format

meetings the issue of *KGB's* actions against Promo-LEX Association in general, and with respect to the work environment of non-governmental organizations in order to monitor the human rights situation.

[1] a. <https://promolex.md/2428-moldova-hartuirea-judiciara-de-catre-comitetul-de-securitate-din-transnistria-a-asociatiei-promo-lex-organizatie-membra-a-fidh/?lang=ro>

1. <https://promolex.md/2423-organizatiile-societatii-civile-condamna-asa-zisa-urmarire-penala-initiata-impotriva-asociatiei-promo-lex/?lang=ro>
2. <https://promolex.md/2405-hartuirea-judiciara-a-organizatiilor-societatii-civile-in-regiunea-transnistreana-trebuie-oprita/?lang=ro>
3. <https://promolex.md/2409-acuzatii-false-impotriva-organizatiei-pentru-drepturile-omului-promo-lex/?lang=ro>
4. <https://promolex.md/2417-hartuirea-organizatiilor-societatii-civile-s-a-intensificat-in-regiunea-transnistreana-a-republicii-moldova/?lang=ro>
5. <https://promolex.md/2380-human-rights-without-frontiers-international-hrwf-despre-drepturile-omului-in-regiunea-transnistreana-si-cazul-promo-lex/?lang=ro>
6. <https://promolex.md/2411-promo-lex-despre-acuzatiile-comitetului-de-securitate-de-la-tiraspol/?lang=ro>

[2] <https://promolex.md/1637-adunarea-parlamentara-a-consiliului-europei-cere-o-mai-buna-protectie-pentru-aparatorii-drepturilor-omului-si-ong-uri/?lang=ro>

[3] https://promolex.md/wp-content/uploads/2016/08/CONF_PLE_2016_REC1_ro_1468296689ro_.pdf

[4] <https://promolex.md/1908-onu-geneva-cazul-promo-lex-in-vizorul-consiliului-onu-pentru-drepturile-omului/?lang=ro>