

We await the conclusions and recommendations of the UN Committee for Human Rights before the review of the Country Report on human rights in Moldova

GENEVA On 18-19 October 2016, the UN Committee for Human Rights (CCPR) examined in its 118th session the third periodic report of the Republic of Moldova on the implementation of the [International Covenant on Civil and Political Rights](#).

The committee consists of 18 international experts who act on their own behalf and do not represent their states of origin (*a list of the current members of the CCPR is available [here](#)*).

Following established procedures, representatives of civil society in the Republic of Moldova have submitted alternative reports.

This year four reports were sent, each prepared by different organizations (*all reports are available in English [here](#)*). On September 19, 2016 (before the beginning of debate on the Republic of Moldova's periodic report), the Promo-LEX Association presented the UN Committee for Human Rights with its alternative report, which focused on the implementation of the Covenant in the Transnistrian region of the Republic of Moldova (*details about Promo-LEX's conclusions and recommendations can be found in the Report, available [here](#) or [here](#)*).

Promo-LEX presented the Committee with the relevant information and with its views, including the report

“Observance of human rights in the Transnistrian region of the Republic of Moldova 2015 Retrospect” (available [here](#)), which called the UN Committee’s attention to **the urgent need to add the following subjects to the agenda of existing negotiations (1+1 and 5+2): the monitoring, promotion, and defense of human rights;** and the objective evaluation of the success of the National Action Plan on Human Rights (PNADO) on the subject of the promotion and defense of human rights in the Transnistrian region.

From the first day of interactive debate on October 18, 2016 (*which can be seen [here](#)*), the members of the UN Committee have given particular attention both to the implementation of the Covenant in the Transnistrian region of the Republic of Moldova and to the need to add human rights in the Region and the implementation of PNADO to the negotiating agenda.

One of the Committee members, Mrs. Ivana JELIC (Montenegro) stated during that session (*at 1:07:30 [here](#)*) that there is a discrepancy between the obligation of the State to guarantee respect for human rights (according to the Covenant) and the reality that the Transnistrian region is still outside the de facto control of the Republic of Moldova. Therefore, the expert posed two questions to the Moldovan delegation: **first, what actions has Moldova taken since 2013; and, what has the Government done to ensure that human rights are protected by the final results of the political negotiation process (in the 1+1 and 5+2 forums).**

The Chief of the Delegation from the Republic of Moldova, Deputy Minister of Justice Mr. Eduardo SERBENCO (*a list of delegates is available [here](#)*), declared that the European High Court in Strasbourg has placed responsibility for human rights in the Transnistrian region on the Russian Federation as well as on the Republic of Moldova because the Transnistrian region is a creation of the Russian Federation. The positive obligation has been divided between the Russian Federation and the Republic of Moldova (*the declaration can be seen [here](#) at*

02:20:30).

In reply to the declaration of Deputy Minister of Justice Mr. Eduard SERBENCO, Mr. Yuval SHANY (Israel), one of the members of the Committee, noted that the above-mentioned interactive dialog (*on October 18-19 2016*) emphasized the responsibility of the Republic of Moldova and not that of the Russian Federation ([here](#) at 02:48:00 and the Deputy Minister's reply at 02:53:18). When it was subject to review by the UN Committee, the Russian Federation was questioned about areas under its de facto control and its level of influence in those areas.

In addition, we appreciate that the delegation from the Republic of Moldova has shown a desire to continue the constructive dialog with human rights activists from the Transnistrian region and to cooperate fully with international bodies. To this end, **Ambassador Tudor Ulianoschi** (the Permanent Representative of the Republic of Moldova at the UN Office in Geneva) has extended (see [here](#) at 02:11:40) *an open invitation to the Special Rapporteurs*, encouraging them to visit the Republic of Moldova, including the Transnistrian region. The delegation from the Republic of Moldova has also reiterated the need to create a separate working group about adding human rights issues to the agenda of political negotiations, but work on that topic has been blocked by the Transnistrian authorities.

On November 4 2016, the Committee will make public its conclusions and recommendations about improvements in the observance of civil and political rights in the Republic of Moldova, in accordance with the [International Covenant on Civil and Political Rights](#).

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