

Moldova is the only European state with two separate social protection systems

Analysis by Alexandru Zubko of the series "20 years of the start of the war. When should we expect peace?", for Info-Prim Neo

The Republic of Moldova is probably the only European state on whose territory there are two separate and different social protection systems – a legal one and illegal one, instituted in breach of the Moldovan legislation. Moldova is probably the only European state that allows discriminating against its people residing in the Transnistrian region, in relation to its other citizens living on the right side of the Nistru River, as regards the access to social assistance and protection services.

Formally, the social assistance in the Transnistrian region seems to be a perfect one. Numerous local documents provide generous concessions and exemptions for practically all the social sections and categories. They include the provision of drugs, dental and orthopedic prostheses, tickets to rehabilitation institutions, annual leave, dwellings, preferential bank loans, installation of telephone posts, tax concessions, exemptions from paying the whole sum for natural gas, electric power, drinking water, heat and other public utilities, concessions for trips by public units of transport, depending on the category.

This is possible owing to the substantial economic support offered by Russia with a view to motivating the locals to accept the existent regime in continuation.

There is no marked difference in the quota of payments

There is no marked difference as regards the quota of salaries, allowances and other social benefits paid from the social funds of the constitutional authorities and from those of the unconstitutional regional administration. There are more noticeable differences in the aim, size or character of the social payments.

For example, the retirement age in Transnistria is 55 years for women and 60 years for men (women with three children – 52 years, while with five children – 50 years). In the rest of the country's territory, the retirement age is 57 years for women and 62 years for men. The size of the pension is almost the same, but the pensioners in Transnistria receive a bonus of about US\$15 and benefit from concessions, including when purchasing food products from the Sheriff stores and social medicines.

CNAS illegally refuses to pay benefits to the entitled Transnistrians

According to the local statistics, about 200,000 persons of the about 555,000 are socially insured in the Transnistrian region. Most of them are citizens of Moldova who enjoy all the rights, including to social assistance and protection.

The National Social Insurance House (CNAS) illegally refuse to pay social benefits to the entitled persons from Transnistria, arguing they receive money from the social assistance bodies of the region. The CNAS says the region has another social protection system and the local bodies are not open for cooperation. The House does not possess information about the social condition of the people in the region, and did not budget money for socially insuring the Transnistrian beneficiaries. Thus, this state institution flouts the law and treats the people in a differentiated way.

The discrimination in paying pensions diminishes the Transnistrian population's trust in the constitutional bodies

of Moldova. The non-payment of pensions and other allowances envisioned by the Moldovan legislation to the Transnistrians for the reason that they live on a territory that is not controlled by the constitutional authorities and/or receive a pension from the unrecognized funds is a serious violation of the human rights. In such a situation, the constitutional authorities may be held accountable for discriminating against its citizens on territory-related grounds.

The interpretations can be different, but the law is law and nobody has the right to interpret it or violate it. Unfortunately, few people in Moldova understand these fundamental details for any state and legal system. The legislation of Moldova does not envision the possibility of depriving the citizens of the right to benefit from pensions/allowances because they receive a pension or allowance from the unrecognized funds. The normative documents say nothing about 'Transnistrian pension'.

The 'Transnistrian' payments are unofficial and special

We consider that the 'Transnistrian' payments are: unofficial allowances because they are not paid from the state budget, and uncommon allowances as they are paid by institutions/persons that perform social insurance duties in the region from unrecognized funds.

In such a situation, any beneficiary from the Eastern region has the right to these payments and to the allowances guaranteed by the Republic of Moldova. As they are not regulated by legislation, these payments can be regarded as special and cannot serve as legal reason for refusing to socially insure the persons living in the region.

Moreover, the citizens' depriving of pensions and allowances for children for the reason that they receive similar allowances from illegal and unrecognized bodies is against the law and the national security and represents a violation of

the human rights.

This situation has one more negative effect. The Transnistrians' trust in the constitutional authorities decreases. As Russia provides the 135 863 pensioners from Transnistria with pensions, the population's attitude and loyalty towards these two countries is different.

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