

# **Statement by INTERIGHTS (London) and Promo-LEX (Chisinau)**

**after the hearings at the Grand Chamber of the European Court of Human Rights, the case of Catan and Ors v Moldova and Russia.**

On 25 January 2012 the Grand Chamber of the European Court of Human Rights heard the case of Catan and Ors 27 v Moldova and Russia, Caldare and Ors 42 v Moldova and Russia, Cercavschi and Ors 98 v Moldova and Russia.

The applicants are citizens of the Republic of Moldova and inhabitants of the Transnistrian region, part of the sovereign territory of the Republic of Moldova but currently under the de facto control of Russian Federation-backed separatists. The cases were logged before Court in 2004 and 2006 by parents, teachers and pupils from Ribnita, Tighina (Bender) and Grigoriopol from Transnistrian region of Republic of Moldova and concerns violations of the rights to education, private life and freedom from discrimination.

In 1992 control of the eastern part of Moldova was taken by violence and military support from outside.

The self-proclaimed administration initiated the adoption of a "law" which sought to prohibit the use of Latin alphabet for Romanian language (defined as Moldovan) from all public fields of life in the region. Thus, the Cyrillic alphabet was imposed on the region's educational institutions, pupils and parents were forced to accept this linguistic anomaly, a combination of spoken and written language, which is not widely used even in the region.

The applicants in this case, were forced to accept the education of their children against their own beliefs or to

resist to many and various pressures from illegal administration in the region.

They have insisted that their institutions remain under the jurisdiction and educational programs of constitutional authorities, the teaching being conducted in Romanian language in its natural form, with Latin script. As a result they were subject to an orchestrated liquidation policy through the siege and blockade of Latin-script schools, intimidation and prosecution, detention and „criminal investigation” of teachers, and threats and harassment of pupils and parents.

The case is a blatant example of discrimination on grounds of language and ethnicity against ethnic Moldovans in the Transnistrian region. This is part of a broader policy of marginalization and discrimination against this ethnic group in the Transnistrian region, started in Soviet times. Attempts to liquidate these educational institutions have been classified by the OSCE as “linguistic cleansing”.

Helen Duffy and Padraig Hughes from INTERIGHTS said: “The European Court of Human Rights has on a number of occasions highlighted the need to avoid any vacuum in the system of human rights protection. Yet, in this case neither Moldova, the sovereign state, nor the Russian Federation, which exercises de facto control of the illegal administration, accepts that they have human rights obligations to the population of Transnistrian region. The applicants today urged the court to ensure that there can be no black hole in the territory of the Council of Europe.”

Representatives of the defense, lawyers from Promo-LEX Association were accompanied by one of the 167 applicants, Tamara Turcanu, a teacher of Lyceum Alexandru cel Bun from Tighina (Bender) and parent who struggled for years to ensure her children’s rights were respected. Mrs. Turcanu said with joy that: “finally our sufferings has the attention of the international community. I hope that European judges will understand our problems. I hope the governments of Russia and

Moldova will finally make maximum efforts to prevent this kind of action. We do not want anything else than respect for our fundamental rights, so that our children enjoy free access to education and to enjoy their rights at home, in order to come back after graduating from faculties”.

Ion Manole and Alexandru Postica from Promo-LEX Association, representatives of the victims added: “Solving this case, in favor of the applicants, it is very important for the society and the region’s population, because it would provide some guarantees for many categories of people in this territory of the Republic of Moldova. Violations underlying this case began in 1992, reached its peak in 2002-2004, and continue to the present day. It is important for the Court to confront directly the actions of the illegal administration within the territory of Moldova and condemn the respondent states. Otherwise the applicants will continue to have no efficient and reliable remedy in the face of serious violations of their rights, and in the space of Council of Europe will be a territory where people remain totally devoid of legal remedies. An area dominated by the phenomenon of impunity and lack of responsibilities”.

First public hearing was held on 9 June 2009, the case was declared partly admissible 15 June 2010. On 14 December 2010 the Chamber to which the case had been allocated relinquished jurisdiction in favor of the Grand Chamber which held the hearing of 25 of January 2012.

Government of the Republic of Moldova was represented by V. Grosu, Deputy Minister of Justice, assisted by L. Apostol.

Government of the Republic of Moldova was represented by G. Matyushkin, Governmental Agent of Russia, assisted by O. Sirotkina, I. Korieva, A. Dzutseva, N. Fomin, M. Molodtsova, V. Utkina, and A. Makhnev.

The applicants were represented by A. Postica, I. Manole, and

P. Postica, lawyers from Promo-LEX Association, who were assisted by P. Hughes and H. Duffy, lawyers from [INTERIGHTS](#).

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