

# **Rights of recruits and servicemen discussed at International Conference**

The rights of recruits and servicemen in the Eastern Region of Moldova is virtually a taboo issue for the authorities in Chisinau, as civil society has undertaken to ring alarm bells on the illegalities and difficult situations faced by them. Young men are recruited and enrolled forcibly in illegal paramilitary units, and once there, they are humiliated and often subjected to inhuman treatment, without being able to defend their most basic rights. This formed a key part of discussions at the International Conference titled "The Rights of Recruits and Servicemen in Moldova's Eastern Region: A Parallel with other Conflict Areas in the CIS", which took place in Chisinau on September 8.

According to Ion Manole, the director of the Promo-LEX Association, the Republic of Moldova is a unique state. "There are three different kinds of armed forces on its territory: the legitimate armed forces (The National Army), the Russian Army (which is stationed against the will of the Moldovan authorities and at variance with the commitments assumed at the international level by the Russian Federation), and the illegitimate paramilitary forces. This leads to severe violations of human rights of thousands of people living in the region. On one hand, the region's administration has been violating the legal norms and human rights for twenty years now, while the Moldovan authorities have limited themselves to monitoring the situation, thus neglecting their positive duty to protect the rights and interests of the people living in the area. This amounts to discrimination of over 500,000 people by the Moldovan authorities", said Ion Manole.

Attending the event, Brig. Gen. Iurie Dominic, Chief of the

General Staff and Commander of the National Army, emphasized the importance of establishing a dialogue between the armed forces and civil society and the necessity of undertaking joint initiatives to raise awareness and understanding of human rights among both the military and civilians.

The conference participants also spoke about the army reform processes in the CIS countries, the conflict regions of South Ossetia and Abkhazia, and about the status and observance of the rights of military personnel, with information presented by representatives of the Moldovan Ministry of Defense as well as civil society members from Ukraine, Russia, Belarus, Armenia and Tajikistan.

In an attempt to explain the legal status of military forces in the Eastern Region of Moldova, Prof. Valeriu Cuşnir, Habilitated Doctor of History, said that the non-state military formations in the region were formed in contravention of the national and international law. "According to the Constitution of the Moldavian SSR, only the Supreme Soviet, as the highest organ of state power, was authorized to adopt measures within the limits allowed by the Constitution for the state's defense and security. Any other authority, body or person had no legal power in the field of state defense and security, including the authority to set up military units. In other words, the paramilitary formations created on the eastern side of the Nistru are illegal in essence; moreover, they pose an increased social threat to national security", said Valeriu Cuşnir.

Maj. Gen. (res.) Victor Gusleacov said the paramilitary forces in the Transnistrian region were established under the 1992 Ceasefire Agreement between Moldova and Russia. As the document was never ratified by the Moldovan Parliament or by the Russian Duma, as dictated by international norms, it remains illegal, and so is the presence of the paramilitary forces.

Pavel Shmakov, an independent expert based in Khabarovsk, Russia, after visiting one Russian military unit stationed in the Transnistrian region, highlighted the deficiencies in the local norms that are supposed to protect the rights of military personnel. According to him, a very serious issue is that servicemen are unable to get effective remedy for abuses and violations.

Concerning the rights of the military in the Transnistrian region, lawyer Alexandru Zubco of Promo-LEX stated: "The young recruits in the Transnistrian region, who are in fact citizens of Moldova, are forced, on the territory of Moldova, to serve an illegitimate regime by being enrolled into illegal paramilitary units. If they refuse 'enrollment', they are prosecuted, penalized and sentenced to prison. According to unofficial statistics, each year over 400 young men become wanted persons for 'draft evasion'. Conscripts often complain of physical abuse, ill treatment, extortion and other forms of violence in the military units based in the Eastern Region. According to the lawyer, the phenomenon of 'forcible enrollment' essentially amounts to kidnapping.

International experts and civil society members from the countries participating in the Conference highlighted the importance of such an event for consolidating efforts and capacities to promote international standards for the observance of recruits' and conscripts' rights.

The event was attended by representatives from the Moldovan Parliament, the National Army, the Ministry of Internal Affairs, the Prosecutor General's Office, Military Centers and District Military Division, as well as by international experts and civil society members, including from the Transnistrian region.

The conference was held as part of the trans-border cooperation project titled "Transnational Human Rights Network for Conscripts: Empowering Young People under State-Enforced

Discrimination” funded by the European Union through its European Instrument for Democracy and Human Rights (EIDHR). The project is implemented by the London School of Economics and Political Science and the Promo-LEX Association as one of the local project partners.

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