

DECLARATION: The Republic of Moldova and the Russian Federation are to be taken to the European Court of Human Rights in connection with torture and illegal deprivation of liberty in the Transnistrian region

On 15 March 2010, the European Court of Human Rights (ECHR) decided to examine, as a priority, the case of Iurie Matcenco vs. Moldova and Russia (case nr. 10094/10), submitted to the Court on the 19th of the previous month by Promo-LEX in collaboration with lawyers Alexandru Postică and Doina Ioana Străisteanu.

The governments of the defendant countries were given until 12 May 2010 to explain how it was possible that Iurie Matcenco was subjected to torture, illegal deprivation of liberty, and even a 'mock execution', acted out by MGB agents. The plaintiff Matcenco was also denied medical assistance during a hunger strike which he maintained for 44 days.

The Matcenco case is the first to be brought to the ECHR since the case of Ilașcu and others vs. Moldova and Russia (ruled upon on 24 June 2004) to highlight severe human rights violations in the Transnistrian region of Moldova. Promo-LEX has on numerous occasions criticised the governments of the Republic of Moldova and Russian Federation for ignoring the complaints of the population on the left bank of the Nistru, even in cases of murder, rape, torture, and illegal

condemnation and deprivation of liberty.

Doina Ioana Străisteanu, an international expert in human rights, stated that, "Transnistria has become a black hole on the 'map' of the European Council. Serious human rights violations are being committed in private (unofficial) places of detention, where those tortured are held without medical assistance and food. Human rights know no borders and the difficulty of resolving the conflict in the region does not excuse the impunity with which the separatist regime has turned Transnistria into a gulag".

Lawyer and Executive Director of Promo-LEX, Alexandru Postică, declared, "If the Moldovan and Russian authorities will not willingly seek a way of ensuring respect for human rights in the Transnistrian region, then we will oblige them to do so through the mechanism of the European Court. Those living on the left bank of the Nistru have the right to effective protection on the part of the defendant states. It is the obligation of both states to act in the defence of fundamental rights and liberties in this region, and to help ensure respect for the European Convention.

Ion Manole, President of Promo-LEX, said that, "Many people have been, and many still are, in the same situation as Iurie Matcenco. Yet they no longer seek help from the constitutional authorities, owing to the latter's lack of credibility. For around 18 years the organs of law in Moldova have ignored the constitutional rights of people located in the territory controlled by the Tiraspol administration, and have denied any responsibility for the state of affairs in this region. Russian and Moldova, as parties directly involved in the 1992 war, are not demonstrating a genuine willingness to identify and create an efficient mechanism for protecting human rights in Transnistria. The mechanism created in 1992 remains merely formal for the authorities, and ineffective for the inhabitants' rights. The current peacekeeping format needs to be changed by replacing soldiers with civilian observers from

countries not involved in the 1992 war”.

The Promo-LEX Association added that this is among the first cases to be accepted for priority examination by the Court that have been submitted on behalf of plaintiffs living in the Transnistrian region, under the de facto control of unrecognised authorities.

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