

# Victim of domestic violence found justice at SCJ

Quite often women – victims of domestic violence who are trying to protect themselves are seen as aggressors being forced to fight alone at court trying to prove their innocence. A relevant example of such a situation can serve the case of Liuda Liudei Iachimovschi, victim of domestic violence and the mother of three children risking five years of prison due to ungrounded accusation of her husband-aggressor.

Thus, according to the final Decision of the Supreme Court of Justice as of February 18, 2014, published on April 1, 2014, Mrs. Iachimovschi was acquitted for reason of accusations of her husband on causing medium bodily injuries were declared as false.

16 years of marriage for Liuda Liuda Ichimovschi have been actually 16 years of violence and abuse from the part of her husband. Although they have three common children she has been repeatedly subject to physic aggression and blackmail.

The incident leading to opening of a criminal case against Liuda Iachimovschi took place in October 2011 when she was beaten by her husband, was strangled and lost her conscious causing slight bodily injuries. The victim recovered after the fainting when her husband was hitting her in the face and bit involuntary the top of his little finger. Later Alexander Iachimovschi filed an application to the Ungheni Prosecutor's Office and the criminal case on this fact was opened.

There followed a litigation lasting for two years. The decision of the first instance, the Court of Ungheni region, by which Liuda Iachimovschi was acquitted, was contested by the prosecutor. The Court of Appeal, in its turn has

pronounced the decision condemning the victim of domestic violence. The final instance, the Supreme Court of Justice has maintained the sentence of the Court of Ungheni region by which Liuda Iachimovschi was acquitted.

During the court hearings Alexander Iachimovschi was invoking contradictory statements whenever he was questioned and according to preliminary hearings he actually told three different variants of the same incident. Moreover, the probability of falsifying the medical expert report stating that Alexander Iachimovschi had been caused medium bodily injuries was very high as the further commission expertise proved that initial injuries were not confirmed. Thus the law enforcement authorities are still to pronounce on this fact,

Liuda Iachimovschi was represented at the court by the Promo-LEX. We'd like to remind that the Promo-LEX Association provides legal help for victims of domestic violence free of charge.

For more information please contact: Lilia Poting, Lawyer of Promo-LEX Association, e-mail: [lilia.promolex@gmail.com](mailto:lilia.promolex@gmail.com), Tel: (22) 45-00-24.

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**Today launches the youth recruitment and enrollment campaign in the illegal paramilitary entities of the**

# Transnistrian region

The campaign of recruiting and enrolling young people, aged of 18-27 years, in the illegal paramilitary entities has been launched on April 01, 2014 and will last until August 10, 2014.

Hundreds of young people, citizens of the Republic of Moldova, domiciled in the eastern localities of the country have received a calling-up notice, so as to be enrolled in the illegal paramilitary entities. They will be obliged to do military service and to give oath to a secessionist entity. The number of young people to be enrolled is unknown, however, pursuant to the State Population Register, as on January 1, 2014, in the territory of the left bank of Dniestr River and mun. Bender there were registered 280518 citizens.

Promo-LEX considers that such enrollment into paramilitary structures can be treated as illegal deprivation of freedom, being manifested through detention in the illegal paramilitary entities. Military service in the Transnistrian region is obligatory, whereas any evasion of military service is *punished* with a *fine* in the amount about \$600 US dollars, or with *imprisonment* up to 2 years.

It shall be repeatedly mentioned that the Association Promo-LEX continues offering to young people in the Transnistrian region free legal assistance on any issues related to the military service. If you have any questions or complaints related to violation of the conscripts' rights, please, contact: Tel: 373 (22) 45-00-24; email: [tiras.army@gmail.com](mailto:tiras.army@gmail.com)

Human Rights Program  
Association Promo-LEX

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# **7 April 2009: FIVE Years of Ignorance!**

## **Public Declaration**

Hundreds of people were subjected to torture and ill treatments in police stations during the April 2009 events. In a few days, the 5-year limitation period to punish the perpetrators responsible for the events of April 7, 2009, will expire! The vast majority of victims are still waiting for justice!!!

In all these years, Amnesty International, along with other NGOs in Moldova, sent tens of requests to bodies responsible for punishing the perpetrators. We organized public actions, debates and other activities, and warned of the importance of shedding light on the application of mass torture and ill treatment during arrests and detention in police offices, in the events of April 2009.

**ALL FIVE YEARS, WE DEMANDED TO SHED LIGHT ON THE APRIL 7, 2009, CASE, WE ASKED FOR A CHANCE TO BELIEVE IN JUSTICE AGAIN!**

Remember that, officially, there were 108 complaints of torture or ill treatments as a result of the events of 7 April 2009. However unofficial data showed that over 600 people were tortured during that time. 71 criminal cases were initiated on those complaints. Subsequently, 10 cases were closed, 31 were suspended because those to be put under accusation could not be identified. To date, 14 police officers were convicted in the April 7, 2009, case and received suspended punishments; 22 police officers were acquitted, criminal proceedings on another police officer were stopped. Examination of cases is delayed in trial and appeal courts. The European Court of

Human Rights condemned Moldova in 7 cases with reference to April 7, 2009, and another 40 applications with reference to Article 3 of the ECHR (torture) were rendered admissible and are awaiting examination.

THERE IS NO IRREVOCABLE COURT RULING on the perpetrators of April 7. NOT ONE PERSON is in prison for torture or ill treatments committed in April 2009.

We point to the principle of non-retroactivity of criminal law. If a person is not sanctioned for torturing young people in April 2009 during these five years, then, even if there is evidence to prove their guilt, and that acts of torture were committed during the events of April 2009 or that they did exceed their duties, the offense cannot not be invoked in the courts, and the perpetrators cannot be duly punished.

Today we say with conviction: SORRY – WHAT WAS DONE SO FAR IS NOT ENOUGH!

HERE IS OUR LAST APPEAL – several days are left before the limitation period for the crimes committed on April; 7, 2009, expires! Give us the chance to believe that we live in a RULE OF LAW STATE!

Statement by NGOs that attended the Public Action on 30 March 2014

CRISTINA PERETEATCU, Executive Director, Amnesty International Moldova: “We have reached the end of the movie “April 7, 2009”. It lasted for 5 years, with big promises from the government, while some victims of torture were forced to leave their country in despair. We find that law enforcement people easily juggle the law on torture cases and the lives of victims, and seldom ask themselves if there is still a place for law and justice here. How can we talk about the rule of law when we got to the end of the limitation period, and the perpetrators were punished by payment and suspended convictions? Today, on 30 March, we give the government the

right to reply, to shed light on April 7, because after April 7, 2014, it will not matter that we all had and have rights, as the right against torture is a myth in Moldova!”

CREDO: “If the lessons of the events on 7-8 April 2009 are not learned, the quality of democratic reforms does not cost a thing!”

Promo-LEX: “We find that the prosecution of April 7 cases remains ineffective due to the poor work of prosecutors. The cases litigated by Promo-LEX at the European Court of Human Rights (Calancea, ap. no. 50425/11, Crăciuneac, ap. no. 77407/11, etc.) allege the failure of the State to effectively investigate torture that was committed in April 2009. In those cases, the government has acknowledged the violation, and proposed a friendly settlement of the case. Promo-LEX states that prosecution and other bodies responsible for conducting criminal investigation must strengthen their capacity to investigate crimes of torture, and Parliament should ensure the rapid reform of the Prosecution in accordance with international standards.”

Legal Resources Centre of Moldova: “The evolution of the investigation and examination of cases related to April 2009 shows the true face of the Moldovan justice. The prosecutors delayed or investigated the cases of torture only superficially. The few cases that have reached courts targeted individual police officers and not those who gave orders for abuses, which took place in April 2009. Cases brought to court were protracted by the parties or repeatedly sent for retrial. In about half the cases of torture on the events of April 2009, the respondents were acquitted or judges terminated the cases. In other cases, the penalties imposed by judges were close to the minimum required by law or even milder than those required by law. It seems that not one person went to jail as a result of the torture committed in April 2009. The political factor also bears a great responsibility for the fact that the events of 2009 have not been elucidated. The findings and

recommendations to Parliament Decision no. 159 of 08.07.2009 on the report of the Commission to investigate the causes and consequences of the events after 5 April 2009 remained valid – and largely not implemented. Prosecution and courts should draw lessons from the inadequate examination of cases related to the events of 2009, and politicians must endeavor to elucidate events and present a complete information to the society.”

RCTV MEMORIA: “It is unfortunate that rehabilitation is not a priority for state institutions and donor organizations working in Moldova. It is unfortunate that Moldovan justice system did not have its say in the cases of maltreatment in April 2009, and in other cases of torture. Of 136 survivors of the massacre in April 2009 assisted by RCTV Memoria team, 52 people left Moldova, temporarily or permanently. Some young people do not want to return home, and many of those remaining here are looking for ways to leave the country where they were mistreated and wronged. It is unfortunate to note that impunity persists regardless of the growing awareness of the phenomenon of torture, and survivors were and still are silenced by injustice and discrimination. From the point of view of those whose rights have been and continue to be violated, especially victims of torture, the perception of justice is a disaster.”

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## **Declaration condemning the Russian Federation’s actions**

# **of forced intervention which resulted in the annexation of the Autonomous Republic of Crimea**

## **Declaration**

**condemning the Russian Federation's actions of forced intervention which resulted in the annexation of the Autonomous Republic of Crimea – a part of Ukraine, and taking the necessary security measures for the Republic of Moldova (the Document [here](#))**

We consider that the aggressive act committed by the Russian Federation against Ukraine, which resulted in the annexation of Crimea conforming with the darkest precedents of the past decades, severely damaging the entire international security system, especially the security of those states which have willingly given up their nuclear weapons in return for international guarantees.

The consequences of the violation of Ukraine's territorial integrity leads to serious risks for maintaining peace and stability in Eastern Europe, by undermining the guarantees awarded to Ukraine through the 1994 Budapest Agreement; moreover, trade and investment will be seriously affected in times of a very difficult economic crisis in Europe.

The current reality and these new challenges require prompt actions for ensuring proper security risk management in the region.

In order to avoid the rapid worsening of the situation, we ask to bring the security topic to a new level of dialogue and collaboration within the Eastern Partnership, with the involvement of NATO and USA. The mutual commitment which will

result from this dialogue will strengthen regional security and stability and will consolidate democratic institutions in the Eastern Partnership countries.

Aiming at reducing the risks of escalating challenges, we ask the maximum possible speed in signing the Association Agreements with Republic of Moldova and Georgia, offering these countries and the Ukraine the status of EU candidates and the status of EU members in the foreseeable future. Through common and coherent efforts, our strong wish is to stop those who intend to re-divide Europe into spheres of influence, who deny the right of our populations to independently decide their own fates.

See the full text of [Public Position condemning the Russian Federation's actions of forced intervention which resulted in the annexation of the Autonomous Republic of Crimea – a part of Ukraine, and taking the necessary security measures for the Republic of Moldova](#)

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**Public Position condemning Russian Federation's actions of forced intervention which resulted in the annexation of the Autonomous Republic of**

# Crimea

## Public Position

condemning Russian Federation's actions of forced intervention which resulted in the annexation of the Autonomous Republic of Crimea – a part of Ukraine, and taking the necessary security measures for the Republic of Moldova (the Document [here](#))

***1. Crimea's annexation represents an act of aggression against the territorial integrity of Ukraine that brutally infringes upon norms of international law, the Constitution of Ukraine and of the Russian Federation.***

1.1 The Russian Federation instigated and supported politically, diplomatically and militarily separatist representatives, by means of spying, transfer of military equipment and financial assistance; actions in violation of constitutional norms aimed at seizure by force the authorities and legal institutions of Ukraine, at taking over military objectives, at undermining the institutions responsible for the territorial integrity of Ukraine.

1.2 The Russian Federation and their controlled separatist forces launched a persistent campaign of persecution and displacement of the legal authorities' representatives; undertook systemic infringement of human rights to the security and liberty of the individual, to free movement and freedom from torture, to freedom of expression; undertook arrests and intimidation based on ethnic and ideological motives.

1.3 Pro-Russian separatist forces, assisted by their kindred special agents, imposed de facto separatist power, organized an unconstitutional plebiscite and illegally, under terror, persecuted at gunpoint and threat of military intervention in order to formally justify the violation of territorial

integrity of Ukraine.

1.4 The Russian Federation brutally infringed the provisions of the UN Charter, Helsinki agreements, 1997 basic bilateral treaty, and 1994 multilateral agreement on Ukraine guaranteed sovereignty by invoking false nonexistent motives of humanitarian protection of the Russian speaking-population of Crimea, creating an irresponsible precedent of aggression against the international legal order.

1.5 The Russian Federation incorporated the territory of Ukraine through an unconstitutional presidential decree, infringing the Russian supreme law procedures and norms.

1.6 The Russian Federation had been rejecting, during the whole mentioned period, all efforts taken by the constitutional authorities of Ukraine, by the international community (EU, UN), by Ukraine sovereignty and territorial integrity guarantor States (USA, Great Britain, Germany, France) to address pertinent situations diplomatically as part of bilateral or multilateral proposed negotiated formats, in defiance of the international legal order and practice in such situations.

1.7. The takeover of parts of the territory of a sovereign state as a result of a dominant role of Russian Federation has been known before: Transnistrian region of Republic of Moldova, Georgian regions of Abkhaz and Southern Ossetia – all non-solved conflicts – and therefore representing high risks of territorial separatism and seizure in these regions in the coming future.

***2. The consequences of Ukraine territorial takeover cause existential risks for peace and stability in Eastern Europe, seriously undermine international rules, and affects commercial relations and investments in times of unsettled economic hurdles in Europe.***

2.1. Regional and European security – as a means of

guaranteeing territorial integrity, political stability, bilateral and multilateral relations – are irrecoverably undermined by the unilateral actions of the Russian Federation.

2.2. The objectives of international policies of nuclear non-proliferation are undermined through the creation of a precedent of breaching a multilateral agreement which guaranteed territorial integrity in return for disposing the possession or development of nuclear military capabilities – direct breach of a 1994 multilateral agreement which guarantees Ukraine's sovereignty.

2.3. The regional European security framework built on parity of NATO presence, neutrality zones and Russian Federation itself proves to be inadequate and lacks the real substance of ensured security for countries which hold a neutrality status.

2.4. Reduced and destabilized the region's attractiveness for economic investments and new infrastructure projects, and regional transition emerged unavoidably.

2.5. Creation of a hostile climate, directly threatening and discouraging of the pursuance of models of democratic development aimed at democratic consolidation, peaceful change and increased accountability of the public authorities before their citizens became the target of the imposed Russian model of state functioning.

2.6. Building up circumstances of direct threat by force and intervention by the Russian Federation undermining the prospect of territorial integrity, and the chances for the economic and politic stability of those states from the region which have pursued the path of the European integration.

***3. The concerns and new developing challenges ask for prompt actions to ensure their adequate address***

**With respect to the Republic of Moldova:**

3.1 Moldovan authorities to offer political, diplomatic, technical and financial support and other democratic means in order to support the territorial integrity of Ukraine and its European integration direction path.

3.2 Moldovan authorities to ensure political support to the Ukrainian authorities within the multilateral organizations (OSCE, UN, etc.) in order to ensure the sovereignty, independence and integrity of the neighboring state, and avoid the possibility of being lured by „underground” promises and agreements that the aggressor state may opportunistically offer.

3.3 Moldovan authorities to speed up the implementation of the association plans with the European Union through signing and ratifying the bilateral agreements between the EU and Moldova, strengthening the democratic reform agenda in the implementation process and soliciting EU candidate status and EU member status in the foreseeable future.

3.4. Moldovan authorities to urge security sector reform (army, internal affairs, special services) through increasing the level of officials' professional responsibility, patriotism, interaction and parliamentary-effective oversight over policies in their domain of competence. The wave of dramatic trends which threaten the security of Moldova bring to the public agenda the imperative of intensifying the fight against extremist groups, foreign special services and separatist movements on the sovereign territory of Moldova in partnership with the with Western partners.

3.5. Moldovan authorities to undertake more efforts in protecting the informational space of the country and fight against aggressive propaganda and media intoxication, suspending radio and TV aired emissions aimed at directly harming the territorial integrity, national unity and constitutional order of the Republic of Moldova.

3.6 Moldovan authorities along with the EU, USA and Ukraine to initiate the process of reformatting the negotiation framework in regards to solving the Transnistrian conflict in the eastern part of Moldova, in such a situation where the Russian Federation has compromised its position as one of the guarantors of regional security openly defying the intention of final conflict resolution.

3.7 The ongoing threats of military intervention from the Russian Federation and from its agents in the Eastern region of Moldova requires maximum mobilization and vigilance, including finding extraordinary ways for the guarantee of the national security through tight cooperation with international specialized organizations and through bilateral agreements.

3.8 Political parties, especially the opposition parties – represented and not in the parliament, including political movements – to act with full accountability for the national interest and territorial integrity of the Republic of Moldova in order to consolidate statehood and eliminating the risks of the country's destabilization.

**With respect to Ukraine:**

3.9 European States and Ukraine to recourse to the use of the legal international instruments in order to ensure responsibility of the actors responsible for the Russian military invasion in Ukraine, inclusively through: a) European Court for Human Rights – through interstate mechanisms for human rights infringements, b) Security Council – confirming the territorial integrity of Ukraine by adopting resolutions, c) OSCE – approaching the concerns referring to interior and regional security, d) Council of Europe – discussing the situations and complaints referring to human rights and functioning of democratic institutions.

3.10 EU, US and G7 to expand the support given to the consolidation of democratic institutions and statehood through

deepening the democratic reforms in Ukraine and strengthening institutional capacities of Ukrainian authorities.

3.11 EU, US and G7 to adopt programs and actions with financial, technical, humanitarian and diplomatic characters aimed at supporting citizens and inhabitants from Ukrainian Crimea, and to adopt tools that will discourage the creation and development of unconstitutional institutions on the territory of Crimea.

**With respect to the Eastern Europe region:**

3.12 NATO and the countries from the region to strengthen the regional security order by qualitative deepening of technical and military cooperation in order to consolidate the collective military capacities, and will start indentifying and implementing the advanced regime of regional security ensuring the European Pro-Atlanta option. .

3.13 UE, US and G7 to use political instruments that strengthen stability: a) Signing and ratifying the economic and political association agreements of regions' remaining countries with UE in the short term, b) strengthening partnerships for collective security in Eastern Europe with NATO, c) strengthening multilateral security agreements in Eastern Europe, d) fast launch of functional mechanism of regional security guaranteeing in ad hoc format crisis and threatening conditions.

3.14 UE and G7 to develop systems of infrastructure and alternative energy sources for countries in the region and in the short term for the Republic of Moldova to ensure the full functioning of Iasi-Ungheni pipeline.

3.15 UE to recognize the role of national Platforms and the European Civil Society in setting the external assistance priorities and in contributing to the development of an authentic civil society in the affected region.

**With respect to the Russian Federation we ask:**

3.16 EU, US and G7 to extend and consolidate targeted mechanisms for sanctioning individuals who are directly responsible, and companies with economic interests, including the exclusion of the Russian Federation from global decision-making processes.

3.17 EU, USA and G7 to consider adopting new economic, technological and financial sanctions with direct effects on the interests of the Russian Federation.

3.18 The development of a new mechanism of strategic dialogue between the European Union and Eastern European countries on one side, and Russian Federation on the other side, in order to decrease existing tensions and strive for creating a mechanism for dealing with instabilities and regional territorial integrity.

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## **Three new ECtHR Decisions – the Government shall pay 62.000 euro to another five victims of the events of April 7**

The European Court of Human Rights pronounced a decision in the case of Nedelcu v. R. Moldova file no. [35149/10](#), Grecu v. R. Moldova file no. [32829/08](#) and Tretiacov v. R. Moldova file no. [28171/10](#). Thus, the High Court took the act of amicable settlement under the cases of the parties.

Ion Nedelcu, a victim of police officers, who was arrested and exposed to ill-treatments within the events of April 2009, will receive indemnification in the amount of 15.000 euro. Another victim, Tatiana Grecu, will receive indemnification in the amount of 10.000 euro. With regard to the case Tretyacov v. Moldova, the relevant three applicants will benefit from the following indemnification: Alexei Tretyacov and Andrei Mernii – 13.000 each, Natalia Tretyacova – 8.000 euro and 2000 euro as judicial costs.

It shall be recalled that, in the case of Tretyacov v. Moldova, based on the reference of Parliamentary Lawyer, the applicants were visited by doctors of RCTV “Memoria” and subsequently benefited from certain recovery assistance rendered by the Center.

Under all three cases, the applicants alleged the violation of article 3 of the European Convention on Human Rights, which stipulates ill-treatment by the police, inhuman and degrading prison conditions, lack of medical during the detention period, and inability to effectively investigate their complaints of ill-treatment. Further, they invoked the violation of article 13 of the Convention, as far as the applicants didn't have any effective remedy against the alleged ill-treatments to which they had been exposed.

The applicants were represented in the court, as well, by lawyers and attorneys of the Association Promo-LEX.

For more details, please, contact: Alexandru Postica, Program Director of the Association Promo-LEX, Attorney. tel: (22) 450024, GSM: 069104851, e-mail: alex\_postica@yahoo.co.uk.

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# March 21, The International Day for the Elimination of Racial Discrimination

The United Nations' (UN) International Day for the Elimination of Racial Discrimination is celebrated on 21<sup>st</sup> of March. Racial discrimination is well known within Roma community, due to stereotypes coming from historical events.

The official number of Roma population in Moldova estimates 12 thousand (Census of Moldovan population 2004)[\[1\]](#), whereas the non-official sources count up to 250 thousand people. The difference in those two characters is proven by the absence of identity documents and by the tendency of identity hiding among Roma.

Roma population remains one of the most vulnerable categories of people in Moldova being exposed to a higher risk of marginalization by the state authorities as well as non-state actors. The biggest part of Roma population around the Europe struggle with issues such as poverty, housing and health care problems, discrimination in different areas. Supposed reasons of population vulnerability is the lack of awareness in the realm of state's legislation, that people ignore their rights.

Romani women are discriminated twice: based on the gender and ethnical affiliation. Domestic violence against women and children is an intolerable and illegal phenomenon in a modern democratic society, which cannot be justified in any way, regardless economic situation, customs, traditions, etc. Due to patriarchal features of the traditional Roma community, women and children often suffer from domestic violence. The Law № 45 on combating domestic violence in Moldova[\[2\]](#) was enforced in 2008. In 2010 domestic violence was criminalized and introduced in Criminal Code (art 201/1). However, the

enforcement of the law is still deficient and frequently ignored in cases of Roma families.

Currently Promo-LEX Association is researching the area of effectiveness of the implementation of the Law on combating domestic violence in case of Roma minority in Moldova, in order to find out if there is no discriminatory application of the legislation on behalf of the responsible actors; if Roma victims of domestic violence are aware of this law; also to find out the tendency of domestic violence in Roma communities and the result of combating this issue. The preliminary findings are the following: a romani woman, being a victim of domestic violence, is subject to multiple discrimination, as a woman and as a roma.

The research includes interviews with roma victims of domestic violence, police officers and roma mediators in order to find out their awareness degree about the legislation and problem's actuality. So far, were visited seven localities of Moldova with the highest roma population[\[3\]](#). The roma from these regions are of different subgroups with their dialects and traditions. It is possible to state that the situation in a traditional roma community is different from that of a non-traditional. Particularly, the rate of reporting cases of domestic violence is higher in non-traditional communities. Although, the domestic violence persists in each community, regardless its ethnicity and traditions – the way of coping with this phenomenon is different.

The research is carried out within the framework of the Open Society Human Rights Internship Program. The research will be finalised with elaboration of recommendations for improving the implementation of relevant legislation on domestic violence in Moldova.

Alunica Lepadatu, Intern, Open Society Human Rights Internship Program, Promo-LEX Association

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[1] Census of Moldovan population 2004  
(<http://www.statistica.md/pageview.php?l=ro&idc=295&id=2234> Nr  
7) [2]

<http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=327246>

[3] Chisinau, Orhei, Calarasi, Drochia, Riscani, Otaci,  
Stefan-Voda.

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## **New tensions in the security zone local militia forbids access of Dubasari peasants to the private lands**

Many farmers from different localities of Dubasari district were forbidden to perform spring agricultural works. In the course of this week only, there were reported 3 cases, under which the farmers were notified to stop any agricultural works and to leave subsequently their private property. The local militia warned the workers that their technique would be arrested, if found on their agricultural lands across the road Ribnita-Tiraspol.

Though these people are owners of their lands, they can not freely cultivate them. The representatives of economic agents activating in this region were previously notified to appear before the illegal administration of Dubasari, so as to sign some documents, which would mean their acknowledgment of the loss of ownership titles over those lands and the transfer of such lands into the ownership of illegal administration

instituted in the east of the country. Thus, it was brought to their attention, that solely under those conditions the economic agents and farmers would have the possibility of continuing their agricultural works.

Moreover, the local militia forbids access to the warehouses located to the east from the road Ribnita-Tiraspol, owned by many economic agents from Dorotcaia village, Dubasari district, whose lands are located to the east of the road in proportion of over 90%. Thus, the economic agents can not sell their agricultural products and, therefore, can not pay any wages to their employees who remain without any sources of subsistence.

Though they were assured to have access in spring to their lands, the farmers are still waiting for negotiations with the illegal administration, which exercises control over these lands. It shall be mentioned that the constitutional authorities haven't communicated any information on the evolution of this issue, which is vital for many residents of the zone, and haven't anyhow succeeded in determining the illegal administration to respect the ownership right of land holders.

In this framework, it shall be mentioned that in the beginning of the year 2013, ECtHR communicated to Moldova and the Russian Federation 8 applications, which comprise complaints of 1651 owners of agricultural lands located in Dubasari district, inter alia on the part of 3 agricultural commercial companies. The applicants are residents and dwellers of such localities as Dorotcaia, Parata, Molovata-Noua, Pohrebea and Cocieri located on the left bank of Dniestr River, and they hold land shares in the neighborhood of their villages. On the merit of this case, there have already been sent observations, and ECtHR shall pronounce its opinion thereon in the nearest future.

Notwithstanding this situation, it shall be noted that the

constitutional authorities are inactive in settling the problem of peasants in Dubasari district, whose lands were taken over by the local illegal militia.

In this context, the Association "Promo-LEX" emphasizes the importance of comprehensive fulfillment of positive obligations attributed to the constitutional authorities and notes that over the last 10 years there wasn't outlined any solution with respect to the problem of land access, while the situation occurred in this spring was similar to the situation in 2004, when over one thousand and eight hundreds peasants couldn't access their lands and many companies from Dubasari region became bankrupt. Thus, we appeal the constitutional authorities and the international observers to intensify pressures over the illegal administration of this region, so as to make it respect the ownership right held by thousands of legal agricultural landowners.

**For more details, please, contact:** Ion Manole, Chief Executive Officer of the Association Promo-LEX. Tel: (22) 450024, GSM: 069070800, e-mail: [info@promolex.md](mailto:info@promolex.md)

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## **Promo-LEX Statement in Support of Victims of Gender-Based Violence on International Women's Day**

Each year on 8 March, we mark the International Women's Day. The origin of this celebration lies in the fight for women's rights and equal opportunities. This day is still considered a day of solidarity and promotion of social and economic rights

of women.

Recently, the European Union's Agency for Fundamental Rights (FRA) presented [the largest survey](#) ever conducted on violence against women, and its results are alarming. Thus, approximately 13 million women in the European Union have been subjected to physical violence during the 12 months preceding the survey, which represents 7% of women aged between 18 and 74 years. Half of the women in the EU (53%) avoid, at least sometimes, certain situations or places out of the fear of being physically or sexually abused, and 67% did not report the worst incidents of violence to the police or any other organization/institution.

Moldova is also faced with serious problems regarding the phenomenon of violence against women, and abuses most often occur in the family. Thus, according to the General Police Inspectorate of the Ministry of Interior, in the first nine months of 2013, of the total supervised restraining orders, in over 91% of cases, women and children were the victims, and in 2012 this figure was 97%. The activities promoted by the authorities to prevent and combat domestic violence cannot be denied, but improvements to components of the existing mechanism are needed to prevent and combat the phenomenon.

Promo-LEX takes this opportunity to remind central and local authorities empowered by law to prevent and combat domestic violence that they are responsible for taking all necessary measures to exercise due diligence to prevent, investigate, and punish offenders, and protect victims of violence family.

We also want to draw attention to the problem of domestic violence in Transnistria, where the situation is even more dramatic. If victims of domestic violence can contact constitutional authorities to obtain protection orders, such measures cannot be enforced in the eastern region of Moldova, due to the lack of effective government control over that territory. We use this opportunity to draw the attention of

the central government to the fact that Law No.45 should be applied throughout the country. If this is impossible, central constitutional authorities are obliged to identify solutions to enforce that the rights of victims of domestic violence in the territory.

Note that, as part of the Human Rights Program, Promo-LEX lawyers provide free legal aid to victims of domestic violence from Moldova, including from the Transnistrian region, to those who have been subjected to family violence or continue to suffer today from such actions and their consequences.

Human Rights Program  
Promo-LEX Association

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## **Who bears responsibility for the problems faced by schools from the Transnistrian region of the Republic of Moldova?**

Promo-LEX Association, which continuously monitors the situation of Romanian-language schools in Transnistria, finds out and expresses its concern about the increasingly dramatic situation faced by teachers, students and their parents.

According to the information provided by the director of the gymnasium in the Roghi village, Mrs Nadejda Ghidirimschi, the parents of 13 students enrolled in different classes, which represent 18% of the total number of students, decided (or were forced) to leave the institution, transferring their children to a gymnasium in Dubasari , subordinated to the

Tiraspol administration.

These transfers are the result of the pressure and persecution from regional administration, having as its final objective to liquidate these educational institutions.

We remind that earlier, the "Lucian Blaga" school administration from Tiraspol city was repeatedly contacted and threatened with sanctions for failure to provide data about the institution's employees. Recently, three school employees were illegally deprived of liberty, while the director is subject to an administrative case. A similar situation took place at the "Evrika" Lyceum from Rîbnița city, where the administration of the institution was ordered to submit several accounting documents of the institution..

Subsequently, schools with Latin-script began to be harassed by companies providing services such as supply of electricity, gas, water. Schools administration was threatened that they will be disconnected from such services if they do not register at the separatist authorities. Obviously, the uncertainty in the high schools and the pressures on parents lead to the transferring of children from schools. The most severe actions were applied to "Lucian Blaga" school administration.

We regret the lack of visible and effective efforts from both constitutional authorities and the OSCE, which published a confusing report, uncoordinated with and unaccepted by the Ministry of Education, the schools with Latin-script from the Transnistrian region and civil society organizations. We believe that all responsibility should be assumed by those who recommended illegal and impossible solutions, offering to the illegal administration pretexts to renew its pressures and attacks on parents, students and teachers. Thus, the OSCE Mission to Moldova has the moral obligation to demand from the illegal administration from Tiraspol to guarantee and respect the constitutional and fundamental rights and freedoms of

residents of the Transnistrian region of Moldova.

Promo-LEX Association repeatedly pointed the severe violations of the right to education in the region as well as on the defiance of the European Court of Human Rights' Decision by the Russian Federation and the lack of decisive actions from the government in Chisinau to prevent the negative phenomena faced by these educational institutions.

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