

REPUBLIC OF MOLDOVA'S 2ND UNIVERSAL PERIODIC REVIEW (UPR) 2016

HUMAN RIGHTS IN THE TRANSNISTRIAN REGION OF THE REPUBLIC OF MOLDOVA

After the first cycle of the UPR, Moldova agreed to promote human rights in the Transnistrian region and conduct dialog with the breakaway region to end the situation endangering citizens' fundamental rights and freedoms (*Romania and Democratic Republic of the Congo*).



EMERGING ISSUES

INEFFICIENT LEGISLATIVE AND POLICY MEASURES

DESCRIPTION

The Moldovan government included the Transnistrian situation in the National Human Rights Action Plan (NHRAP) for 2011-2014 in a separate section dedicated to the region entitled „Promotion and protection of human rights in Transnistrian region of the Republic of Moldova”.

With exception of the establishment of a territorial office of the Ombudsman's Office in Varnita (security area), no other essential measures were taken that ensure the observance of human rights in the Transnistrian region.

Since 2011 all Moldovan governments adopted work programs that included the country reunification and settlement to the conflict. However, there is no strategy to achieve these objectives and assess progress in this regard. The status of the dialog with the de facto administration of the Transnistrian region and the impact of the agreed decisions are also not clear. This ambiguity is accompanied by the fact that the constitutional and law enforcement authorities confine themselves to presenting political arguments and ignoring their positive obligations toward the victims of abuses committed by the de facto administration of Transnistria.

Authorities did not pass any specific regulation pertaining to the situation in the region that would protect the victims of human rights violations (right to propriety, right to education, freedom of movement and other civil rights) effectively.

RECOMMENDATION

Perform an objective assessment of the level of implementation of the NHRAP's human rights promotion and protection activities planned for Transnistria and present it to the public.

Develop and coordinate public policies on the intervention of the state institutions to protect human rights and freedoms in the Transnistrian region.

SUGGESTED QUESTIONS

- What are the mechanisms of human rights protection in the region?
- What are the government's activities that promote human rights in Transnistria?
- How does the Government monitor human rights in the breakaway region?

This information was prepared by Association "Promo-LEX" in coalition with International Federation for Human Rights (FIDH), on the basis of its joint NGO Submission, and includes updated data as of May 2016. Please access the NGO Submission at the following link: www.promolex.md. Contact details: e-mail: upr@promolex.md, Contact person: Alexandru Postica, Human Rights Program Director.

LACK OF PROTECTION MECHANISM FOR INTERNALLY DISPLACED PERSONS

DESCRIPTION

The Republic of Moldova does not have a special law for the protection of internally displaced persons. Such a law is necessary to determine the legal status of forcibly displaced persons persecuted in Transnistria.

Without such a mechanism, the Moldovan Government cannot honor its obligations on the protection of the victims of human rights violations in Transnistria.

RECOMMENDATION

Develop and adopt a regulatory act that ensures protection for internally displaced persons, which will include the rehabilitation of victims of human rights violations in Transnistria.

SUGGESTED QUESTIONS

- Does Moldova have any legal document that protects victims of abuse and human rights violations in Transnistria?

TORTURE, INHUMAN AND DEGRADING TREATMENT IN PENITENTIARY FACILITIES IN TRANSNISTRIA

DESCRIPTION

In Transnistria there are three prisons (two in Tiraspol and one in Hlinaia) for men, one for women, and one for juveniles. Currently detained are 1743 men, 115 women, and 17 minors. Until March 2016, 646 people have been released in connection with local amnesty or pardon.

Beneficiaries of Promo-LEX Association mentioned that they had to stay in inhuman conditions (small spaces, cold concrete rooms, lack of ventilation and fresh air, lack of toilets, insufficient light, overcrowding, poor nutrition, rusty water, moisture and mold, lack of medicines, inadequate medical care, etc.) for long periods. The de facto administration refuses to improve the conditions.

The treatment of inmates suffering from tuberculosis is the largest problem. One specialized physician is assigned to treat tuberculosis in all detention facilities in the region. Aside from the overloaded schedule, he lacks the necessary medical equipment. Programs of tuberculosis prevention and deterrence were launched in the region, but these measures are insufficient, with an increasing number of people suffering from acute tuberculosis.

Several victims have complained about the poor quality of healthcare in prisons, their prolonged treatments, the use of expired drugs, and lack of necessary medical equipment. At present, it is impossible to take blood samples for tests in medical wards in prisons, and advanced tuberculosis and HIV/AIDS are not treated.

People with disabilities are held under the same conditions as other detainees, and they receive no special conditions or adjustments provided by human rights standards. Similarly, health care is poor and in some cases, completely absent.

RECOMMENDATION

Invite the Working Group on Arbitrary Detention and the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment as soon as possible to visit Moldova for an independent and impartial assessment of the situation in Transnistria.