



General Assembly

Distr.: General
20 February 2023

English only

Human Rights Council

Fifty-second session

27 February–31 March 2023

Agenda item 3

**Promotion and protection of all human rights, civil,
political, economic, social and cultural rights,
including the right to development**

Written statement* submitted by International Council of Russian Compatriots (ICRC), a non-governmental organization in special consultative status

The Secretary-General has received the following written statement which is circulated in accordance with Economic and Social Council resolution 1996/31.

[2 February 2023]

* Issued as received, in the language of submission only.



Violations of the Rights of the Residents of the Transnistrian region of the Republic of Moldova Due to Unilateral Actions by the Republic of Moldova

The International Council of Russian Compatriots monitors the unilateral actions of the Republic of Moldova, which have led to a situation that does not allow the residents of the Transnistrian region of the Republic of Moldova to fully exercise their rights and freedoms guaranteed by international law. The fact that Chisinau currently holds unprecedented instruments of control over the contacts of the residents of the Transnistrian region of the Republic of Moldova with the outside world, which it uses to restrict trade, freedom of movement of transport and population, gives particular relevance to the problem.

The key reason is the closure of checkpoints on the border between the Transnistrian region of the Republic of Moldova and Ukraine. The situation is aggravated by the Republic of Moldova's actual refusal to engage in full-fledged communication within the framework of the negotiation process, which previously allowed individual cases of human rights violations to be brought before the parties, mediators, and observers.

Chisinau's actions violate a number of inalienable human rights and freedoms, in particular:

- 1) freedom and equality of all persons without distinction as to political or other opinion, as enshrined in Articles 1 and 2 of the Universal Declaration of Human Rights, Article 2(2) of the International Covenant on Economic, Social and Cultural Rights, Article 2 of the International Covenant on Civil and Political Rights;
- 2) the right to life, liberty and security of person guaranteed by Article 3 of the Universal Declaration of Human Rights;
- 3) the right not to be subjected to arbitrary arrest or detention as set forth in Article 9 of the Universal Declaration of Human Rights and Article 9(3) of the International Covenant on Civil and Political Rights.

There are a of facts of illegal detention, imprisonment, and international search for the residents of the Transnistrian region of the Republic of Moldova.

In January 2020, as a result of a provocation, a former de facto law enforcement officer from the Transnistrian region of the Republic of Moldova Andrei Samony was kidnapped by Moldovan law enforcement structures, charged with a criminal offense and unreasonably sentenced to 15 years in prison. Two years later, in 2022, the Supreme Court of Justice of the Republic of Moldova pointed out that there was no objective evidence of A. Samony's participation in the events that led to the initiation of the criminal case and, therefore, his guilt. However, the resident of the Transnistrian region of the Republic of Moldova is still deprived of his liberty.

On February 1, 2023, this bill was considered at a meeting of the parliamentary commission of the Republic of Moldova and was ready for adoption in its final reading. Effectively, Chisinau creates a legal basis and expands the instruments of criminal prosecution and intimidation of the population of the Transnistrian region of the Republic of Moldova.

Moreover, the law enforcement practice may also affect international structures and organizations functioning in the Transnistrian region of the Republic of Moldova, as well as information and scientific projects. Any international activities and external contacts of the Transnistrian region of the Republic of Moldova could fall under the definition of "conspiracy".

Due to the actions and measures taken by Chisinau, residents of the Transnistrian region of the Republic of Moldova are limited in their ability to travel abroad in personal vehicles with registration plates from the Transnistrian region of the Republic of Moldova.

The imposed ban has affected even the ability of reanimobiles to transport persons in need of emergency medical care to medical centers and to bring them back in cases when the necessary aid cannot be provided in the Transnistrian region of the Republic of Moldova and the Republic of Moldova.

This violates a number of international legal norms (in particular, the right to freedom of movement enshrined in the Universal Declaration of Human Rights), and the negotiation process agreements, i.e. the Protocol Decision on the participation of vehicles from the Transnistrian region of the Republic of Moldova that do not carry out commercial activities in the international road traffic, dated April 24, 2018.

Chisinau breaches the provisions of Article 25 of the Universal Declaration of Human Rights and Article 11 of the International Covenant on Economic, Social and Cultural Rights. Under these provisions, everyone has the right to a standard of living adequate for the health and well-being of an individual and his/her family, including food, clothing, housing, medical care and necessary social services.

Already systematic, the problems of importing medical equipment, products and drugs have worsened by the events in Ukraine after the Ukrainian side closed the border with the Transnistrian region of the Republic of Moldova. After several years of preventing the delivery of medicines into the Transnistrian region of the Republic of Moldova by the Republic of Moldova, the shortage in the pharmacy network has reached 40% and the cost of medicines has increased on average by 30%, while some drugs are not available at all (for example, oncological medicines produced in the Russian Federation). The problem of supplying drugs for the treatment of cancer, diabetes mellitus, hepatitis, tuberculosis is particularly acute.

Chisinau regularly delays and restricts the delivery to the Transnistrian region of the Republic of Moldova of food, industrial and telecommunication equipment, raw materials and fuel. As a result, over the past year the Republic of Moldova detained shipments of meat, fish, poultry, chicken eggs, buckwheat groats and sausages.

The Republic of Moldova blocks delivery of all plant protection agents to the Transnistrian region of the Republic of Moldova, except for those registered in the Republic of Moldova. Agricultural enterprises in the Transnistrian region of the Republic of Moldova need them to improve crop yields and ensure food security. The bureaucratic hurdles and restrictions applied by the Republic of Moldova may disrupt the sowing campaigns and cause serious crop losses due to the interruptions in technological processes and, consequently, bankruptcy of the agrarians.

In fact, the Republic of Moldova violates Article 23 of the Universal Declaration of Human Rights and Article 6 of the International Covenant on Economic, Social and Cultural Rights, which state that everyone has the right to just and favorable conditions of work and to protection against unemployment.

The Republic of Moldova has been imposing the banking blockade to impede the economic activity of economic entities from the Transnistrian region of the Republic of Moldova and individuals for several years already, and this is a violation of Article 23 of the Universal Declaration of Human Rights and Article 6 of the International Covenant on Economic, Social and Cultural Rights.

In particular, correspondent settlements of commercial banks from the Transnistrian region of the Republic of Moldova with foreign banks are blocked, current accounts of the economic agents from the Transnistrian region of the Republic of Moldova are not serviced in the Moldovan banks, nor new accounts are opened. Chisinau refuses to convert into hard currencies the Moldovan lei received by the Transnistrian region of the Republic of Moldova, and has also limited the acquiring of international credit cards on the territory of the Transnistrian region of the Republic of Moldova since 2019.

The Republic of Moldova violates one of the key documents of the Transnistrian settlement - Protocol on Mutual Recognition of Validity on the Territory of the Transnistrian region of the Republic of Moldova and the Republic of Moldova of the Documents Issued by Competent Bodies of the Parties of May 16, 2001, and a number of other agreements that regulate free use of some or other documents issued by one of the parties.

As a result, the residents of the Transnistrian region of the Republic of Moldova face a wide range of problems related to various documents - on education, acts of civil status, documents on guardianship and adoption, etc.

Discriminatory legislation is applied to residents of the Transnistrian region of the Republic of Moldova, restricting graduates of educational institutions from the Transnistrian region of the Republic of Moldova from continuing their studies in the Republic of Moldova and abroad, as well as from finding employment.

Chisinau discriminates against the residents of the Transnistrian region of the Republic of Moldova according to the civil-legal principle. It concerns the refusal to issue documents to individuals holding identity cards from the Transnistrian region of the Republic of Moldova when they apply to the Moldovan Civil Status Acts Registry Office and the Republican Archive of Civil Status Acts Registry Office to obtain archive extracts, copies of records, re-issues of documents. Moldovan authorities also refuse the right to process documents for adoption.

There are cases when medical institutions refused to release the bodies of deceased children to their parents without providing Moldovan documents, requiring that they obtain a Moldovan birth certificate for the deceased.

Moldovan authorities illegally limit the right of persons to choose their citizenship. Under Moldovan law, in order to acquire Moldovan citizenship one must express his/her will to do so, but Chisinau ignores this provision and imperatively grants its citizenship at birth to all persons born on the territory of the Transnistrian region of the Republic of Moldova. This severely limits the rights of minors to choose citizenship, and persons who have already acquired Russian and Ukrainian citizenship face difficulties in obtaining consular services. The procedure for renunciation of Moldovan citizenship is significantly complicated and does not apply to citizens residing in the Transnistrian region of the Republic of Moldova.
