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BULLETIN

Political Freedoms and Human Rights at Risk in Transnistria

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In July, Oleg Khorzhan was assassinated. He was a leader of the Transnistrian Communist Party, the only real opposition to the mafia-like structures centred on the Sheriff holding company that has completely captured the rebellious region. To preserve profits in an economy and regime it controls, Sheriff persecutes political opponents and residents who criticise the authoritarian system. Using economic tools, the EU can urge the regime in Tiraspol to respect fundamental freedoms and democratise the region, which would promote stability in this part of Europe.

Transnistria—Between Russia and Moldova. The self-proclaimed Transnistria (PMR), which comprises about 12% of Moldova's territory with about 350,000 people, is a <u>defacto protectorate</u> of Russia. It officially declares support for Moldovan integrity, also in the 2002 Treaty of Friendship and Cooperation, and is a negotiator in the peace process. Indeed, its aim is not to annex or recognise the PMR's showy independence like Abkhazia and South Ossetia, but to reintegrate Moldova on terms that paralyse its European aspirations. The judgments of the European Court of Human Rights confirm Russia's responsibility as the *de facto* patron of Transnistria for its actions.

The PMR's ruling regime is an emanation of the mafia-like company Sheriff, founded by former KGB officers Viktor Gushan and Ilya Kazmaly. It manifests loyalty to Russia, which supports the region with free gas and allowances for pensioners. But in fact, the ruling regime's aim is not to advance Russian political agenda, but to maintain control of the PMR economy, including its profitable "exports"—as of 2022, around 60% of its value went to EU Moldova and Ukraine, and 30% to Russia.

The pro-European authorities in Chşinău, <u>President Maia Sandu and her Party of Action and Solidarity governments</u>, do not seek confrontation with Transnistria. Although they demand the withdrawal of <u>Russian troops</u> from there and reintegration, these leaders fear that this would weaken an already still inefficient state. Their passivity is also fostered

by the indifference of the population—according to last November's Barometrul Opini Publice, only 13% stated that this issue is one of the country's three main problems. Only in 2023, out of fear of Russian attempts to destabilise Moldova, the authorities criminalised separatism, financing and inciting it, conspiring against the state, obtaining information that could harm its sovereignty, independence and integrity. Previously, subversion and espionage were punishable if carried out on behalf of another country. At the same time, however, the government in Chişinău is signalling a restrained application of this law. Presumably, this is due to a desire to maintain good relations with Transnistria, as Moldova depends on the supply of electricity from its power station.

Political Freedoms. The political freedoms guaranteed by the PMR constitution are actually steadily declining. In 2017, Freedom House assessed their level at 10 out of 40 points, but in 2022 it was only 6 (compared to 26-27 in Moldova). This is the result of the authoritarian Sheriff regime taking control of institutions and media, which has gradually eliminated pluralism from political life since 2016. Then, the former security chief of the holding, Vadim Krasnoselsky, became president by winning essentially the last free election. However, to ensure his re-election in 2021, the regime engaged in manipulation by refusing to register counter-candidates, except for one more widely unknown figurehead. In addition, in order to hide the scale of popular

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discontent, it removed the option to vote "against all candidates".

The Renewal party, founded by Sheriff, has taken complete control of the parliament, called the Supreme Council. In the 2020 elections, its candidates won 29 seats, while its anointed, but officially independent partners won the remaining four. In as many as 23 of the 33 single-mandate constituencies, Renewal candidates were the only ones running, as their opponents were too intimidated or refused to register.

In recent years, Transnistria's militia and the KGB have kidnapped political opponents, which, according to journalists' investigations, involved the Moldovan services during the authoritarian governments of <u>Vlad Plahotniuc</u> and <u>Igor Dodon</u>, from areas controlled by the central government. In the PMR, on the other hand, the only real opposition—the Transnistrian Communist Party—was particularly affected by increasing repression. Its activists have been fined or forced to emigrate, while its chairman, Khorzhan, was sentenced to four and a half years in prison in 2018 for allegedly assaulting militia officers.

It is possible that Khorzhan was murdered by the regime—the subordinate prosecutor's office points to a robbery plot—but Moldova, the EU, the U.S., and the OSCE demand a thorough investigation. In 2020, Vadim Ceban, a businessman competing with Sheriff, was also killed in the PMR, and the regime's involvement may be evidenced by the immediate discontinuation of the investigation without determining any perpetrators.

Human Rights. Violations are rampant in the PMR. Freedom House rated respect for human rights in 2017 at 14 out of 60 points and for 2022 at 12 (it rates Moldova at 35 points). According to a U.S. State Department's Bureau of Democracy, Human Rights and Labor report, rule of law there is a facade. Residents of the region are unable to effectively assert their rights in the face of violations by the authorities. Courts are not independent and the militia acts arbitrarily, committing unjustified arrests, degrading treatment and torture. Prisoners are held in inhumane conditions without access to medical assistance. Human rights institutions and activists are not allowed to visit prisons and detention centres. In addition, their activities have been paralysed by the introduction of penalties of up to 10 years in prison for complaining about Transnistria in Moldovan and international institutions.

The regime also persecutes people who have no political ambitions, but who express dissatisfaction with its rule. It punishes criticism on social media or in private conversations with arrest or a heavy fine for "insulting the authorities", "extremism" or "undermining the positive role of Russian peacekeepers". Moreover, in recent years, the militia has kidnaped random Moldovans to be hostages in negotiations with the central authorities. Among others, in 2020, a court in Tiraspol sentenced Adrian Glijin to

13.5 years in prison on trumped-up charges of espionage, and the regime offered to exchange him for a militiaman sentenced to 15 years in prison by a Moldovan court for kidnapping and torture—both were released last April.

The Moldovan authorities are unable to ensure that the rights of people living in the PMR are respected as Moldovan citizens, including international human rights standards. The regime harasses people loyal to the central authorities. In particular, it harasses the eight schools operating in the PMR that are under the authority of the government in Chişinău. These schools teach in Romanian written in the Latin alphabet, while the regime ordered that the language be called Moldovan and that the Cyrillic alphabet be used. The militia intimidates teachers, students and parents, and utilities are cut to school buildings to force abandonment. The harassment also affects the inhabitants of villages, including Roghi, Corjova, and Varniţa, which are ruled by the Chişinău government but over which the PMR usurps control. The militia makes daily life difficult there by posting notices on roads, blocking access to fields, and raiding local

Conclusions and Outlook. The Sheriff mafia-like system, protecting its economic assets, has since 2016 gradually hijacked Transnistria's institutions completely. The local system of power, which previously had elements of political pluralism, has become authoritarian and the elections have become completely facade-like. The regime has stifled viable opposition and persecutes residents who are dissatisfied with its rule.

The authorities in Chişinău do not intervene in the human rights situation in Transnistria except in flagrant cases of citizens loyal to Moldova. The central power is not seeking rapid reintegration. This is because it fears that incorporating a criminalised, authoritarian, and pro-Russian Transnistria into the state and society before EU accession will undermine Moldovan aspirations. It is therefore postponing the issue of reintegration, hoping that Moldova's and Ukraine's membership of the EU will solve the PMR problem by itself.

In the context of Ukraine's ongoing defence, Poland, in its contacts with EU partners, can indicate that it is in the interests of sustainable security in this part of Europe to develop a comprehensive plan for the reintegration of Transnistria, rather than accept Moldova's avoidance of the issue. This should entail not only be the withdrawal of Russian troops from the region but also its inclusion in the democratisation process. The war in Ukraine limits the possibilities of PMR support from Russia, which increases the regime's vulnerability to economic pressure. Therefore, in its dealings with it, EU diplomacy may be bolder in demanding respect for elementary individual rights and political pluralism, signalling, for example, the possibility of de facto restrictions on Transnistria's agreement on the Moldova-EU Free Trade Area (DCFTA), which is lucrative for Sheriff and placing its leadership under personal sanctions.