



THE HUMAN RIGHTS CENTER OF MOLDOVA

R E P O R T

ON HUMAN RIGHTS OBSERVANCE

IN THE REPUBLIC OF MOLDOVA IN 2000

CHISINAU, 2001

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Preamble

In conformity with the Law on Parliamentary Advocates, this Report is an ample information submitted to the Parliament of the Republic of Moldova concerning the observance of human rights in this country during the previous year (2000).

It identifies the domains in which the citizens rights and liberties have been most severely violated, the reasons of these violations, the measures undertaken by Parliamentary Advocates for reinstating petitioners in their rights, for perfecting the national legislation and for bringing it in line with international juridical acts, for legal training of the population.

In their activity the Parliamentary Advocates have proceeded from the provisions of the Constitution, the Law on Parliamentary Advocates, the provisions of other national laws, as well as the international juridical instruments the Republic of Moldova is a party to, the latter being applied in line with Article 4 of the Constitution and Article 10(2) of the Law on Parliamentary Advocates.

For a more detailed reflection of the situation, the Report contains statistical data provided by a number of republican ministries and departments, institutions, NGOs, that, to a certain extent, have to do with issues concerning the rights and duties of the individual.

The real state of affairs demonstrates that the problem of ensuring and protecting human rights is of paramount importance for the Republic of Moldova. Basically, the economical, social and cultural rights are mostly violated and this is due to the very complicated financial situation of this state.

Despite the measures taken to speed up reforms and to ensure the economical, food, health, personal, public etc. security, the Republic of Moldova continues to be faced with a series of problems. The country's economy is in an acute crisis demonstrated by the continuous decline of production and labor productivity in all branches of the economy, by the great gap between demand and supply, by chronic lack of internal and external investments, by the strong negative impact upon the technical production potential.

The financial system is characterized by permanent deficiencies. Real income of the population is in continuous decline. The rate of inflation keeps soaring.

Consumer prices keep going up mainly due to the increase of tariffs for energy resources.

The financial crisis has strongly hit the national currency, the result being a more than two-fold depreciation in the last years.

The number of wage-earners is diminishing. In the economy of the Republic, this indicator is proportional to the production volume reduction.

As a result of large-scale redundancies due to enterprises privatization and down-sizing of their activity as well as bankruptcy of some companies, the rate of unemployment keeps increasing.

The decline of GDP has generated substantial social costs and the latter continue to grow. The negative consequences are felt by all the population of the country. However, this is telling most widely and painfully on the disfavored layers - pensioners, disabled, large families, children.

Though the Parliament has adopted a number of laws, others still being under consideration, and the Government has elaborated many normative acts envisaging social protection for various categories of socially-vulnerable citizens, there is still a substantial gap between the announced intentions and the real life, this being confirmed by the multitude of appeals addressed to the Center for Human Rights.

Against the positive background of some measures of legislative, administrative or other nature, the health of the population continues to deteriorate. The lasting economic crisis has substantially decreased the living standards, thus increasing social insecurity, stress, future uncertainty, spreading of social diseases. One can notice a high mortality rate, especially in the rural areas, in conditions of reduced natality.

The health of children and teen-agers is in continuous deterioration, especially of those up to 14. Insufficiency of budget resources has a negative impact on the functioning of state cultural institutions. On the one hand, access to cultural services has gone down; on the other hand, changes have occurred on the market of cultural values consumption depending on the social position of various population groups. As a result, parallel with the reduction of the access to cultural goods and given the degradation of cultural

objectives, one can evidently observe the decrease of the role of culture in the life of the community. This, beyond doubt, generates a multitude of problems directly related to the problems of promoting and protecting the rights and liberties of the individual.

The lasting economical crisis along with the penetration of corruption in state structures inevitably lead to the violation of many civil and political rights whose realization does not require financial support. To a great extent, this is also due to the fact that both the citizens and especially the officials from local and public authorities are not familiar with the rights and liberties stipulated for in the Constitution, in other normative acts, in the international conventions and treaties which the Republic of Moldova adheres to. The juridical nihilism is also predominating.

The Human Rights Center has elaborated and is consistently applying in practice a strategy for educating the community in the field of human beings rights. In 2000, over 80 training workshops were organized, most of them being held on-site. Beneficiaries of these workshops were policemen, penitentiary supervisors, lyceum teachers, public officials, NGO leaders, etc.

At the same time, the Center has published a series of leaflets, brochures, guidebooks and other literature on the issue and has distributed it free of charge among the population.

The Report contains an essential characteristics of human rights observance in the Republic of Moldova. It analyses the citizens' appeals made to the Human Rights Center, especially in the light of the most vulnerable social strata; describes the activity of **Parliamentary Advocates** on reinstating petitioners in their constitutional rights and liberties, on improving the national legislation and bringing it in line with the international juridical acts which our state is a party to, on legal training of the population in human rights through various methods and forms.

It is worth mentioning that the activity of the Center has been permanently supported by the Parliament, the President, the Government of the Republic of Moldova, as well as by many ministries and departments, local public administration bodies, various NGOs, mass-media both from the capital and on-site.

UNDP and The Human Rights Center

In line with the project of the United Nations Development Program “The Support of Democratic Initiatives in the Area of Human Rights in the Republic of Moldova”, this organization has continued offering its assistance to provide for the functioning of the Human Rights Center in the year of 2000 as well.

The above mentioned project has defined some priority tasks:

- providing practical and methodological assistance by international experts;
- training and enhancing the professional level of the Center's personnel;
- organization of workshops, conferences and training courses for various categories of citizens: public officials, police and penitentiary staff, teachers, NGO's leaders, journalists etc;
- large scale information of the population about the existence and activity of the Center, maximum possible familiarization of the people with human rights and liberties stipulated for in the national and international legislation, by means of mass-media as well as by publishing of booklets, leaflets, brochures, guidebooks, other literature on the issue.

All activities of the project have been channeled towards consolidating the capacity of this institution, the creation of its sustainable potential which includes two basic directions:

- work within the Center to achieve a high level of its performance;
- work outside the Center to build up its credibility within the public sector and the civil society, as well as the work on familiarizing the entire society with human rights principles and standards.

The First Direction contains the assistance of international experts in various problems of the Center's activity, utilization of all available possibilities for training the staff in human rights both in this country and abroad. The Center's employees have had 4-5 training courses on various issues of human rights. They have also had the possibility to study English, computer skills and working with Internet.

Nineteen employees have attended special training courses outside Moldova. Also abroad, twelve employees have had the opportunity to participate in various workshops, conferences on human rights issues.

The technical equipment procured on the Project's account allows the employees to work much more efficiently, to attain higher efficacy and to be more consecutive in their activities. The national legislation base has been fed into the computer and it is permanently up-dated. We have also introduced a computerized system of registration and record of petitions.

The Second Direction, which is of no less importance, concerns the legal training of the population in human rights. Being financially supported by UNDP, the Center has elaborated and implemented a vast Community Education Program with several target groups: lawyers, public officials, police and penitentiary workers, teachers, NGO representatives, other categories of the population. Most of training sessions have been conducted on-site. Actually, this has been the clear and definite concept of the Center, which has proceeded from the experience accumulated during the previous years and has proved to be very useful and highly appreciated by participants.

Owing to the financial and other assistance from UNDP, the Center has managed to define its vision, activity concept, it being clearly and consequently reflected in various strategic actions, implementation projects, annual plans of activity of each service and of the institution on the whole. In this process, accumulating the necessary know-how, it has become possible to find adequate ways of cooperation among the Center's subdivisions, thus making an efficient contribution to a better organization of this institution's activity, to the timely solution of arising problems.

The assessments of international experts that have had frequent and long-term visits to our Center (Peter Hosking from the Office of High Commissaioner for Human Rights, Geneva; Margaret Anne Cooc, Human Rights Commission, Australia; Mariana Neacshu, National Agency for Protection of Children's Rights, Romania; Frank Steketee, representative of the European Council, France; Ralph Crashaw, expert at the Human Rights Center, Great Britain, and others), assessments made by participants of training sessions organized by the Center, and those of petitioners, come to the following: being a young institution, in a short time the Center managed to manifest itself through its

activity in the society, to gain authority and credibility among the population, to become a consistent protector of human rights and liberties in the Republic of Moldova.

Favorable assessment of the Center's activity has also been made by the representatives of the Dutch Embassy in Kiev during their visit to Chişinău. They were very interested in the state of affairs at our institution since their country is the co-sponsor of the project for setting up and asserting the Center.

The authority and credibility of the Ombudsmen institution as well as its asserting in the society, have been put at the basis of the decision for continuing the UNDP project for the Center in 2001 too.

The Parliamentary Advocates (Ombudsmen) along with other employees of the Center have been constantly cooperating with deputies, Parliamentary Commissions, the Government, the Office of Republic of Moldova's President, and with other bodies of rights protection.

In implementing the Community Education Program, the Center has been actively and efficiently supported by the Ministry of Internal Affairs, the Department of Penitentiary Institutions, the Personnel Policy Office of the State Chancellery, by local public administrative bodies from all districts and Territorial Administrative Unit (TAU) Gagauzia. We also appreciate the excellent work of trainers consisting of specialists of the Human Rights Center, of SIEDO, the Center of Documentation and Information in the field of Children's rights, the Association for Human Resources Management, the Information and Documentation Center of the European Council in Moldova, the "Save the Children" organization in Moldova, the Center for Investigation and Information on problems related to women, etc.

Within the UNDP Project, we have also published several leaflets, guidebooks, brochures and other special literature. This has also been done for human rights promotion and has been intended first and foremost for groups of citizens less informed but more affected by violation of their rights and liberties: children, disabled, detainees, old people, women, etc.

Enjoying the support of UNDP in Moldova, we have held and will hold in 2001 competitions on issues of human rights for school-children, students and journalists.

The staff of our institution highly appreciates the substantial, consistent and professional assistance rendered by UNDP.

CHAPTER I

Analysis of appeals submitted to the Human Rights Center of Moldova

During the year of 2000, the Moldavian Center for Human Rights received 1005 complaints signed by 3264 citizens. 4036 persons were given audience. On the whole, the assistance of Parliamentary Advocates was asked for by 7300, persons which is approximately 600 persons above the figure for 1999.

Analysis of appeals by time

Statistical data demonstrate that it is in the cold period of the year that most of the written complaints come to the Center, while in the other months their number remains approximately constant. Audience is sought mostly when the weather begins to warm (March-April), followed by an insignificant reduction (May-June) and remaining almost constant in the other months.

Table 1

Months	Complaints	%	Signatories	%	Audience	%	Incl.on-site
January	107	10.6	193	6.9	199	4.9	0
February	121	12.0	654	20.0	436	10.8	72
March	103	10.3	388	11.9	578	14.3	149
April	71	7.0	203	6.2	525	13.0	297
May	94	9.3	128	3.1	371	9.2	214
June	77	7.7	206	6.3	377	9.3	122
July	71	7.1	355	10.9	196	4.9	0
August	80	7.1	519	15.9	203	5.0	0
September	57	5.1	158	4.8	491	12.2	208
October	66	6.6	172	5.3	279	6.9	153
November	65	6.5	95	2.1	205	5.0	5
December	93	9.2	193	5.1	176	4.4	0
Total	1005	100.0	3264	100	4036	100	1220

Table 2

Dynamics of complaints submitted to the Center by months

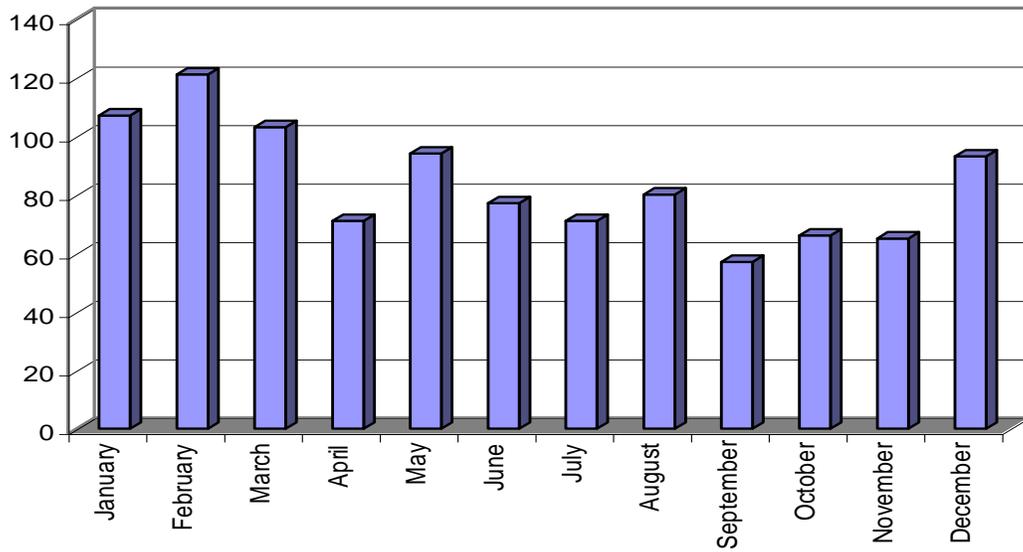
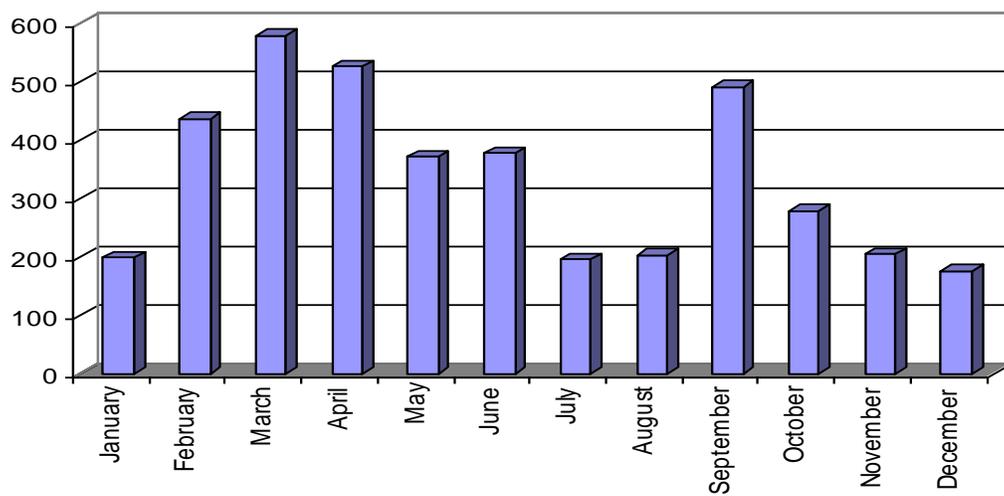


Table 3

Dynamics of appeals given audience by months



Geography of complaints

Like in the previous years, most of the appeals come from the Chişinău district (over 61% of petition are from about 63 % of signatories, and nearly 57% of persons heard in audience). This is due to the access to the Center for the inhabitants of the municipality and for neighboring settlements. The lower number of appeals from remote settlements is due to lack of money necessary for travelling, buying of envelopes and stamps.

The absolutely low number of appeals from the east region of Moldova is due to citizens disbelief in the possibility to solve their problems in Chişinău since the laws of the Republic of Moldova are not in force on this territory. Another reason is the fear of the inhabitants of this region to be persecuted by Transdnistria authorities. Also very small is the number of appeals (11 petitions) from citizens of TAU Gagauzia, though they have much more problems here than in other districts. This has been proved by the audience given by Parliamentary Advocates in this region.

Table 4

Districts	Com plain ts 2000	%	Com plain ts 1999	%	Signat ories 2000	%	Signat ories 1999	%	Audi ence 2000	%	Audi ence 1999	%
Chişinău	614	62.0	990	72.4	2087	64.0	3487	74.9	2345	58.1	1489	72.7
Lăpuşna	19	1.9	17	1.2	302	9.3	206	4.4	48	1.2	87	4.3
Edineţ	67	6.7	65	4.7	170	5.2	167	3.6	172	4.3	47	2.3
Tighina	30	2.9	20	1.4	34	1.0	27	0.6	58	1.4	19	0.9
Bălţi	95	9.4	88	6.4	216	6.7	115	2.5	303	7.5	65	3.1
Orhei	30	2.1	45	3.3	111	3.4	129	2.7	233	5.8	89	4.3
Cahul	34	3.4	53	3.9	102	3.1	76	1.7	114	2.1	22	1.1
Ungheni	36	3.6	23	1.7	108	3.3	64	1.4	189	4.7	45	2.2
Soroca	53	5.2	47	3.4	107	3.3	345	7.4	221	5.5	102	4.9
External	5	0.5	0	0.0	5	0.2	0	0.0	7	0.2	0	0
TAUG	11	1.1	20	1.5	11	0.3	38	0.8	309	7.7	84	4.1
East Ter.	9	0.9	0	0.0	9	0.3	0	0	20	0.5	0	0
Taraclia	2	0.2	0	0.0	2	0.1	0	0	17	0.4	0	0
Total	1005	100	1368	100	3264	100	4654	100	4036	100	2049	100

Table 5

Complaints from districts

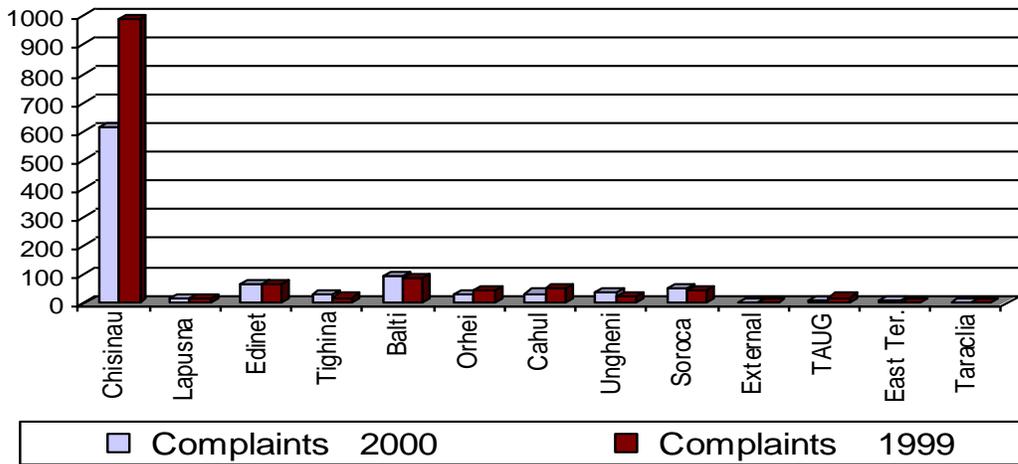
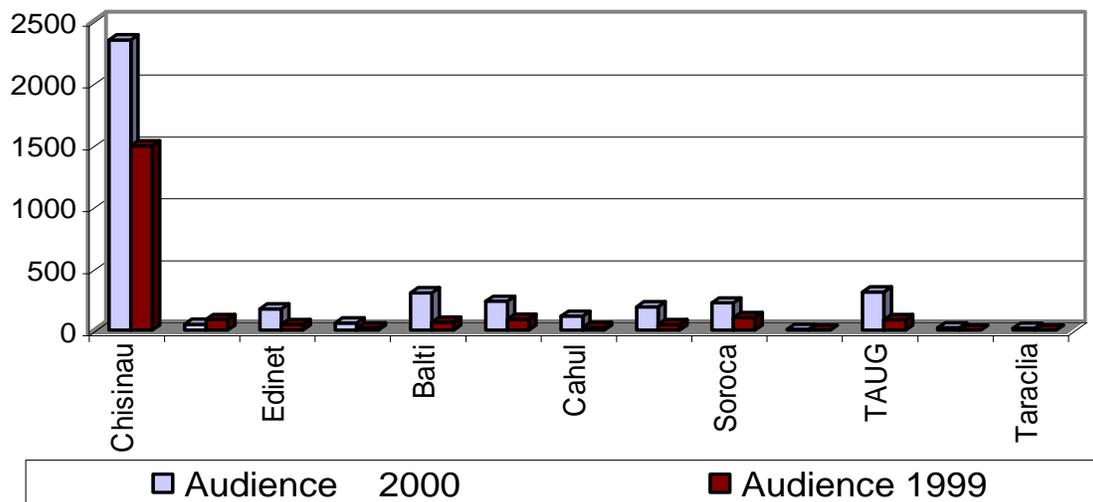


Table 6

Appeals given audience in districts



Audiences given on-site

Knowing the situation and taking this into account, a number of measures were planned and realized last year which brought the activity of the Center closer to rural settlements. On-site, the Parliamentary Advocates and the Center's lawyers had meetings with labor collectives from various enterprises, with representatives of local public authorities and have familiarized themselves with the activity of various state institutions like schools for mentally and physically disabled children, asylums for old and sick people, military units, prisons, etc.

Trips outside the capital have brought the activity of the Center as much as possible closer to inhabitants of remote settlements and allowed us to identify and study the problems the population, labor collectives and state institutions are faced with; to present the Center, to inform the citizens about the destination and prerogatives of Parliamentary Advocates.

During the year, working groups headed by the director of the Center Mr. Alexei Potângă, the Parliamentary Advocate Mr. Mihail Sidorov and other employees of the Center repeatedly visited the Cahul district where they gave audience to citizens at the Prefecture and district Council, in the town of Cantemir, the villages Baurci Moldoveni, Crihana Veche and other settlements. They also visited and did similar work at the military unit, the penitentiary institution Nr. 5, the auxiliary boarding school of Cahul etc.

In the TAU Gagauzia, the employees of the Center gave audience to 163 persons, visited the carabinieri unit from Ciadâr-Lunga, had a meeting with the labor collective of dressmakers of the Joint-Stock Company "Scop" from this settlement. The identified problems were stated in a note addressed to the Bașcan of TAUG for him to take the necessary measures.

While in Bălți, besides giving audience to local citizens, the collaborators of the Center familiarized themselves with the activity of the auxiliary boarding school for mentally ill children, and the asylum for disabled old people. At mayoralities of villages Reușel, Pârlița, Corlățeni and Sângerei they organized the presentation of the Center to local public administration officials, answered to the latter's questions providing the

necessary explanation. The employees of visited mayoralities underlined the importance of such meetings as well as the necessity to render them further assistance as regards the solution of available problems. Many citizens touched the issues concerning the violation of private property rights (the refusal to give them the land shares and the assets shares, the unfounded diminishing of these shares, deprivation of shares, forcing the shareholders to change the place of their land shares etc.) of rights to personal security, to labor, to free access to legal bodies, to personal dignity etc.

The results of on-site visits were discussed with leaders of local public authorities for timely solution of problems related to their competence. More complicated problems were reflected in notes and petitions addressed to mayoralty leaders, district councils and prefectures. Certain suggestions were made to ministries and departments.

Besides the above said, the employees of the Center visited the districts of Edineț, Soroca, Ungheni, Orhei, Tighina, Taraclia, Chișinău and Lăpușna - 11 all in all. The number of persons heard in audience reached 1220.

It is the smaller number of written and verbal appeals from more remote districts as well as the impressive amount of people heard in audience on-site that once again demonstrates the need to set up branches of the Center in districts. With account of the accumulated experience, of the multitude of suggestions made by citizens and by local leaders, and also in line with article 40 (2) of the Law on Parliamentary advocates, the director of the Center has proposed the Parliament to set up branches in the south (Cahul), in the north (Balți) and in TAU Gagauzia (Comrat). The proposal was accepted by the Parliament and the necessary sum was included in the Budget for 2001. Given the financial support of UNDP and of other donors, the branches will be provided with technical equipment and will start functioning.

The Regulations regarding the activity of these branches has already been elaborated. The working plan of the Center for 2001 foresees measures for training the newly employed. Other measures are also being undertaken so that in the earliest possible the employees of these branches should accumulate the necessary experience, and involve themselves actively and competently in the solution of problems related to protection of rights and liberties of citizens from the above mentioned regions.

Classification of appeals by citizens categories

Who appeals to Parliamentary Advocates for help? By categories of the population, the appeals made to the Center in 2000 can be classified as follows: 2411 employed people, 1669 pensioners, 1350 landowners, 732 disengaged, 554 detainees, 409 invalids, 87 unemployed etc.

Table 7

Categories	Com plain ts 2000	%	Com plain ts 1999	%	Signat ories 2000	%	Signat ories 1999	%	Audie nce 2000	%	Audie nce 1999	%
Invalids	126	12.5	167	12.2	137	4.2	253	5.44	272	6.74	72	3.514
Pensioners	214	21.3	350	25.6	548	16.8	1871	40.2	1121	27.8	724	35.3
Employed	206	20.5	366	26.8	1274	39	1374	39.5	1137	28.2	617	30.11
Disengaged	85	8.46	109	7.97	165	5.06	120	2.58	587	14.5	213	10.4
Unemployed	19	1.89	73	5.34	19	0.58	75	1.61	68	1.68	57	2.78
Detainees	176	17.5	207	15.1	177	5.42	453	9.73	377	9.34	129	6.30
Rehabilitated	20	1.99	50	3.65	27	0.83	187	4.02	6	0.15	92	4.49
Owners	154	15.3	41	3	912	27.9	315	6.77	438	10.9	141	6.88
Students	5	0.5	5	0.37	5	0.15	6	0.13	30	0.74	4	0.20
Total	1005	100	1368	100	3264	100	4654	100	4036	100	2049	100

Table 8

Categories of citizens heard in audience

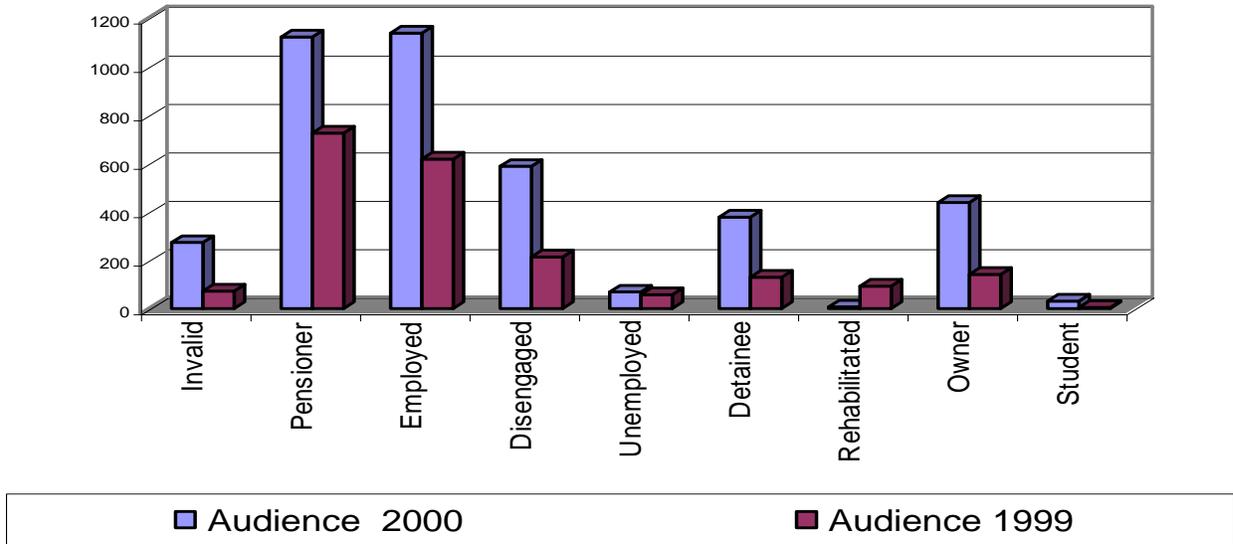


Table 9

Complaints made according to signatories categories

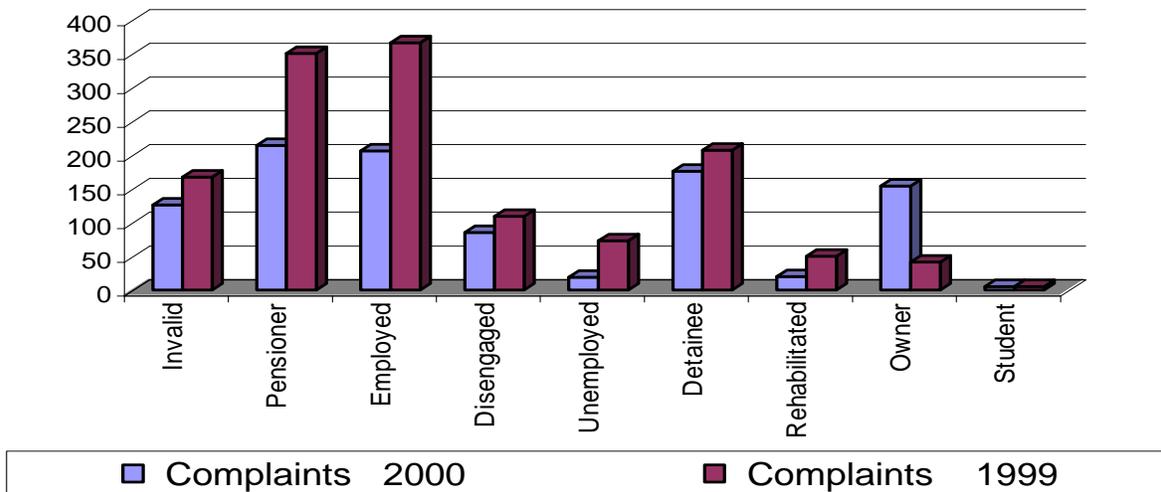


Table 10**Classification of appeals by violated rights**

Violated rights	Com plain ts 2000	%	Com plain ts 1999	%	Signa tories 2000	%	Signa tories 1999	%	Audie nces 2000	%	Audie nces 1999	%
Social guarantees	146	14.5	318	23.2	808	24.8	874	18.8	1033	25.6	419	20.4
Private property	166	16.5	0	0	618	18.9	0	0	1027	25.4	0	0
Free access to information	25	2.5	42	3.1	32	1	53	1.1	79	2.0	26	1.3
Right to labor	62	6.2	90	6.6	663	20.3	645	13.9	423	10.5	373	18.2
Other	129	12.8	0	0	292	8.9	0	0.0	100	2.5	0	0
Free access to justice	271	27.0	315	23.0	369	11.3	1201	25.8	668	16.6	608	29.7
Right to complain	17	1.7	20	1.5	27	0.8	28	0.6	45	1.1	4	0.2
Personal security	39	3.9	48	3.5	88	2.7	94	2.0	222	5.5	41	2
Personal dignity	63	6.3	63	4.6	63	1.9	352	7.6	120	3.0	53	2.6
Family protection	31	3.1	6	0.4	36	1.1	26	0.6	52	1.3	16	0.8
Right to meetings	1	0.1	0	0.0	1	0.03	0	0.0	0	0.0	0	0
Health protection	10	0.1	11	0.8	11	0.34	18	0.4	13	0.3	0	0
Intimate life	22	2.2	0	0.0	128	3.1	0	0.0	156	3.9	0	0
Right to education	7	0.7	0	0.0	101	3.1	0	0.0	13	0.3	0	0
Free movement	9	0.9	13	1.0	9	0.3	58	1.2	76	1.9	21	1.0
Freedom of parties	1	0.1	0	0.0	9	0.3	0	0.0	0	0.0	0	0
Right to administration	4	0.4	0	0.0	7	0.2	0	0.0	6	0.1	0	0
Right to associations	2	0.2	0	0.0	2	0.06	0	0.0	2	0.0	0	0
Healthy environment	0	0			0	0	0	0.0	1	0.0	0	0
Total	1005	99	1368	100	3264	100	4654	100	4036	100	2049	100

Table 11

Complaints made according to violated rights

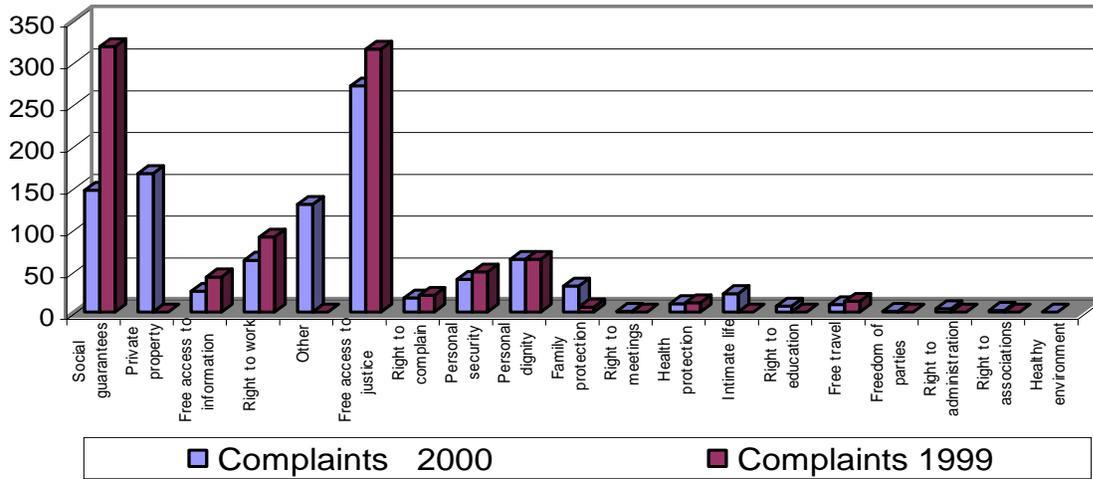
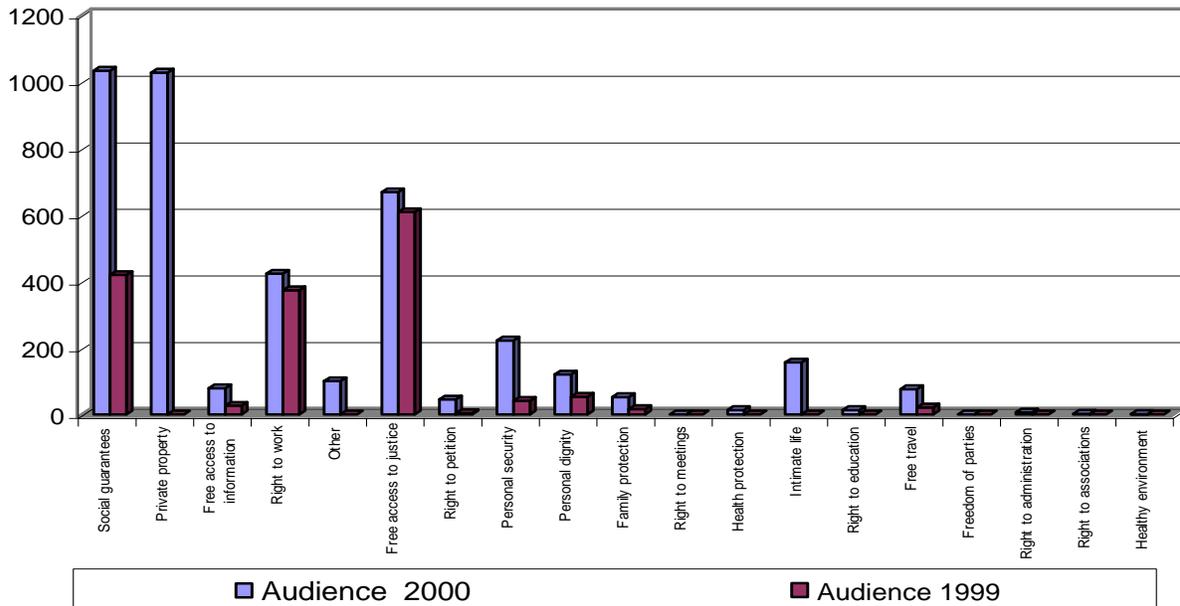


Table 12

Audience given to complaints according to violated rights



CHAPTER II

Activity concerning the reinstatement of citizens in their rights

What problems generate the appeals to Parliamentary Advocates?

As it follows from the above tables, the most frequent reasons for appealing to the Center in 2000 were related to violation of the right to social guarantee, to private property, to labor, to free access to justice, to personal security, to intimate life and personal dignity, to education, to free access to information, to free movement etc.

It should be mentioned that many citizens appeal to the Center with problems that are beyond the competence of Parliamentary Advocates. However, in view of the real state of affairs and trying to provide extra-judiciary assistance, our lawyers take the most serious complaints for consideration thus contributing to a competent solution of the raised issues.

For instance, Ion and Sofia C.-husband and wife from Chişinău, made a complaint to the Center concerning the non-compliance of the insurance Company "ASITO" with the contract requirements to pay the pension to this couple. The employees of the Center (that are rather few to be able to substitute for office lawyers in cases of legislation violation) nevertheless decided to demonstrate the petitioners that they themselves are capable of protecting their own rights by signing an application suing this Company to a law-court in the interest of applicants.

Being aware of the judicial instances' practice of repelling such citizens' appeals, the lawyer of the Center participated in the court sittings as observer and made this case public in mass-media, emphasizing the citizens possibility to defend themselves their interests in court, especially given the pensioners exemption from the state tax.

Proceeding from the need to comply with the contract's provisions, the Supreme Court of Justice issued a decision that changed the previous judicial procedure, thus sustaining the applicants claim and compelling "ASITO" to honor the provisions of the contracts.

In result of these actions, late in 2000 the above mentioned couple sent a letter to the Center in which they expressed their gratitude for the assistance rendered personally to them and to other 150 people that have really regained their pensions from "ASITO".

This is not the only case of obtaining a positive result on having investigated the citizens appeals even in cases when the complaints are not in the competence of Parliamentary Advocates. Out of 1005 such written complaints submitted to the Center, 292, or 29,1%, were accepted for consideration since human rights violations can be identified only as a result of investigations.

On considering those 292 complaints, human rights violation proved to have occurred in 109 cases, the other 183 were repelled and the applicants were informed about that in line with Article 28 (3) from the Law on Parliamentary Advocates.

In general, 323 petitions (32,35%) whose solution is in the competence of other institutions, were sent to the latter for consideration. Following the modification of the Law on Parliamentary Advocates in June 2000, such actions were undertaken only with applicants' consent. The remaining 369 complaints (36,7%) were restituted to applicants and the latter were informed on the ways of solving the conflicts, ways that were mainly in the competence of judicial instances. Other 19 complaints were turned down from the very beginning due to their anonymity or expiration of the time foreseen by law for making appeals.

The right to assistance and social protection

According to Art. 47 of the Constitution, the State is obliged to undertake measures for every human being to have a decent living standard that will provide his/ her personal health and well-being and of his-her family, including food, clothes, shelter, medical care as well as necessary social services. The citizens have the right to be ensured in case of unemployment, illness, disability, widowhood or in other cases of loosing the means for subsistence in result of circumstances that are independent of their will. This is stipulated for in Art. 25 of the Universal Human Rights Declaration and in other international standards.

In its activity, the Center is guided by the fact that the social policy embraces all domains of human development: living conditions, labor relationships, social protection, provision of social services, social equity, health, education etc.

As it is shown by the real state of affairs, a number of problems have appeared in the Republic of Moldova during its transition to the market economy, problems that impede the realization of objectives set forth by the social policy.

The lasting economical crisis also generates a social crisis which manifests itself through various negative phenomena, like: decrease of real income of the population, lack of labor market and insufficient utilization of labor reserves, poverty growing, inability of the state to promote a sustainable social policy etc.

Guaranteeing is very important especially in the transition period, when thousands of people have found themselves in critical financial situations, especially the socially-vulnerable strata of the society whose number has greatly increased lately. Thus, of the written and verbal appeals received by the Center during the year of 2000, in 1987 cases the applicants sought assistance for solving the problems related to provision of social guarantees.

The current social assistance is a set of activities envisaging provision of cash or material allowances, subventions, tax exemptions for certain categories of people as well as provision of care in social institutions for under aged, disabled adults, patients with chronic diseases and the elderly.

As it was demonstrated by the visits made during 2000 to state institutions like boarding schools for orphans or children with physical and mental deficiencies from village Crihana Veche (district Cahul), village Visoca (district Soroca), Bălți, village Badragi (district Edineț), the asylum for elderly in Bălți and the similar institution from village Bădiceni (district Soroca) etc; the situation in which the people are taken care of here is far from decent.

As a rule, the institutions for children are situated in old and nonrepaired buildings. The furniture is old and insufficient, there is a lack of necessary clothes and footwear that are quickly worn out. Children's food often lacks meat, fish, dairy products, vegetables due to non-allocation of necessary money. The provision of medicine is insufficient, the latter being supplied from rare humanitarian aid.

Despite these drawbacks that characteristic of our current life, the children's institutions ensure the realization of elementary training and educational programs for their contingent.

The situation of institutions for adults is all the more critical, while the situation of the boarding house for adults from Badiceni can be characterized as totally disastrous. At the time of the visit, the buildings put in operation in 1985 were in the state of destruction. Due to lack of dormitories, of beds, blankets, bedclothes, the patients are forced to sleep by two without bedding. The kitchen doesn't meet even the minimum requirements. There is a chronic lack of necessary clothes, soap, detergents and disinfectants. 323 patients are hosted here. The financial needs planned to be not less than 3 lei per day per capita, constituted 350400 lei in 1999. However, the allocated sum was only 8597 lei. As for the year of 2000, no resources for covering expenditures were envisaged.

Social assistance should be provided to those persons or families that are temporarily or constantly in a situation of social risk mainly caused by family abandonment, death of parents, lack of shelter, physical or mental disablement, chronic diseases, too many children in families who necessitate effective maintenance but actually lack necessary resources, families with only one parent, alcohol or drug consumption, consequences of natural and ecological devastation.

As it follows from the information received by the Center, the phenomenon of poverty affects first and foremost the disfavored strata of the population, like pensioners, disabled, unemployed, families with many children, incomplete families.

Most of the population has become poor in the last years when the number of families maintained by low paid workers or unemployed has increased considerably. Likewise, the increase of poverty is also due to low pensions and salaries, to increase of prices for food-stuffs and consumer goods, for provided services for energy and thermal resources, for natural gas etc.

On analyzing the problems approached by petitioners, a series of actions stipulated for by the Law on Parliamentary Advocates have been undertaken which have permitted to reinstate in their rights many persons that are under the jurisdiction of the Republic of Moldova.

Thus, citizen T. from Chişinău has appealed to the Center for Human Rights in connection with the impossibility to get the arrears to his/her sister's pension, who died as a solitary person.

On examining the complaint, it has been established that the Law on Social Guarantee pensions foresaw a restricted number of persons (the living husband, parents and children of the defunct Art. 37, p.1) who were allowed to get the pension arrears of the departed beneficiary. With due regard for the proposal of the Center, the Parliament extended the number of persons that can benefit from this possibility, modifying Art. 37 of the above Law to be read as follows: **"the pension not paid because of the social insurance body that establishes or pays the pension, in case when the person who have the right to get it are absent, in line with p.1, the pensions is integrally paid to the person who proves the bearing of expenses connected with the death of the defunct"**.

Compensation of persons who have suffered in result of labor accidents is another problem often approached by petitioners, which is also a subject of concern for the Center.

The carried out investigations have led to the conclusion that because of enterprises which are under liquidation, some citizens had been deprived of the right to compensation for the damage of their health following a labor accident, professional disease or loss of the bread-winner.

According to Art.28 of the Law on Bankruptcy and of the Law on Capitalization of Periodical Payments, enterprises under liquidation are obliged to transfer sums of money to the Social Fund that shall be later on paid to people who have the right to get such payments. Many enterprises, however, especially the agricultural ones, have not been able to make these transfers.

To reinstate this category of people in their rights, the Center, based on Art. 29 of the Law on Parliamentary Advocates, has made necessary proposals to the Ministry of Labor, Social Protection and Family, and to the Government.

By Art. 22 of the Budget Law of state social guarantees for the year of 2000, the corresponding category of people has been reinstated in the right to social protection and assistance by the following provision: **"in case the enterprise under liquidation does**

not have financial means or agricultural products, these payments shall be made by the lawful successor of the said enterprise or from the state budget".

After adoption of the Law on state social guaranteed pensions, there followed an increase of the appeals concerning the problem of lack of possibility to get the pension by age in more favorable conditions for people who had worked in hard and harmful conditions in conformity with the lists approved by the Governmental Decision Nr.822 from 15.12.1992 and abrogated by the corresponding law.

The Center has made suggestions to the Parliamentary Commission for Social Protection, Health and Family, seeking the reinstating in their rights of the people who met the provisions of the previous legislation.

By changes made in p.1, Art. 41 of the Law on the State Social Guaranteed Pensions, **the people who have activated in harmful and very hard conditions shall have their pension age reduced: for men-from 55 years and 9 months to 50 years and 9 months; for women-from 50 years and 9 months to 45 years and 9 months.**

The petitions as well as daily audience of citizens at the Center reflect the real situation of our society demonstrating that **the constitutional right to a decent life** is not integrally respected mainly due to lowering of population's living standards.

The Republic of Moldova is amongst the countries with the lowest salaries; the average monthly salary is only 250 lei. The lowest salary revenues are of the people engaged in agriculture, these being the predominant number of agricultural producers and the principal suppliers of food stuffs for the society. This remuneration covers only 1/4 of the minimum consumption basket estimated for the year of 2000. The miserable salaries have had a negative impact both on living standards and on people's life. Another important factor that substantially affects the living standards of the population are the long-term delays in paying salaries and in making social transfers.

Extremely big is the gap in remunerating the activity of various categories of workers. In 2000, the maximum monthly levels of remuneration were in financial structures (2262,5 lei), in the electric energy, water and gas system this level constituted 715,5 lei.

Below the republican average were the salaries of people engaged in agriculture and forestry (216 lei), health protection and social assistance (219,9 lei) and education (243 lei).

In spite of the fact that the amount of arrears of economic and social agents for labor remuneration as of 01.10.2000 reduced till 484,8 ml. lei, and the number of people affected by non on-time payment of salaries decreased from 57% to 49%, the debts continue to be rather substantial.

The biggest debts related to payment of pensions and allowances are in the following districts:

Bălți-20, 3 ml. lei; Edineț-16, 1 ml. lei; Orhei-14, 4 ml. lei.

Inflation rate in comparison with December, 1999 was 14,7%.

Naturally, this situation leads to the violation of the right to *normal nutrition*. Food stuffs are scarce (both in assortment and quantity) and are not accessible (at prices meeting the purchasing power of consumers' income) to most of the population.

Malnutrition leads to increased morbidity and mortality, to spreading of social diseases, to the decrease of nation's vitality potential.

In 2000, 36,9 thousand children were born in the Republic that was 1,6 thousand less than in 1999. The death toll for the same period was 41,2 thousand people. Though mortality remained practically at the same level in both years, the number of deceased newly born exceeded the figure for 1999 by 4,3 thousand. Thus the natural increase in population has a negative balance.

The number of marriages keeps decreasing (23,5 thousand in 1999, and 21,6 thousand in 2000), this happening against the background of growing number of divorces (8,9 thousand in 1999, and 9,7 thousand in 2000).

This situation has contributed to the substantial growth of the number of appeals to the Center. In spite of the fact that most of the approached problems are more in the competence of the Government, of Central and local public administrative bodies, we tried to involve ourselves in the protection of the rights of the people who, for certain reasons, are not able to protect themselves. Our actions have speeded up the payment of pensions and allowances as well as the repairing of houses at the expense of local mayoralties, etc.

Thus, in her complaint the inhabitant of village Chirileni (district Bălți) **Z.** writes that she is the mother of 10 children, 6 of them being pupils. She doesn't have money to procure food stuffs, clothes to be able to send her children to school since she gets a

salary of only about 100 lei. Moreover, the chairman of COOP "Concurența", where she has been working for 5 years, does not pay her the allowances and nominal compensations for her children. The Prefect of Bălți, Mr. P. Lupacescu who, at the suggestion of the Center had arranged the examination of the complaint, informed us that the applicant had received 2393 lei of those 5279 lei calculated, and the remaining sum would be paid later on.

Mrs. V. from Chișinău wrote that she was not receiving the social allowance for her children disabled from childhood. After the Center's appeals to the Ministry of Labor, Social Protection and Family, it was decided that the applicant would receive a state social allowance for the child with I category disablement in the monthly amount of 65 lei (100% of the minimum pension by age).

In their appeals, the applicants also write about the violation of **the right to medical assistance**, the right stipulated for in Art. 36 of the Constitution of the Republic of Moldova. That is, the state guarantees the minimum free of charge medical assistance.

Any investigated subject source demonstrates that the health indices of the population keep decreasing. Thus, the average life length is now 66 years- the shortest in Europe. Mortality rate standardized for all ages is at an average of 50% higher than in Europe's developed countries. Death rate amongst infants and mothers' mortality are three times higher in comparison with the average European one.

Pregnant women, mothers and their children do not have adequate and rational nutrition. A substantial number of disabled children have reduced possibilities for obtaining health care. There is no observance of the provisions of the Health Protection Law concerning the supply of free of charge medical assistance as well as of social and medical guarantees to some categories of the population etc.

The substantial amount of received appeals once again brings to light the very difficult problem of minimum free of charge medical assistance necessary for maintaining the health in a normal state. The introduction of the system of medical services for payment has substantially reduced the possibility of the people to benefit from these services. The diagnostic means are not accessible for the majority of people either. In this way, many people don't manage to exercise their right to a correct and timely establishment of the disability degree.

The downsizing of the number of patients has led to the reduction of the amount of state medical institutions. This is also confirmed by the appeals of some collectives from medicinal institutions that were made redundant due to decrease of patients number and the declaration of these institution unprofitable. The answers of the Ministry of Health to the Center's appeals come to ascertaining the difficult situation from the health-care system, meanwhile standing for the continuation of the policy of radical reforms in this system including the introduction of the system of compulsory medical insurance. The allocation of 7-8 USA dollars per capita cannot improve the situation existing in our medicine.

The process of reforming the health-care system is characterized by serious deviations from the legislation which make the professional activity of medical workers rather difficult.

Thus, the Parliamentary Advocates have received the complaint of a group of medical workers from the hospital of Criuleni concerning the violation of the right to labor remuneration through nonpayment of the current salary and of salary arrears for 1999, and of allowances for business trips made in 1998.

In the note of the Parliamentary Advocate sent to the administration of the hospital, it is mentioned that the described facts are a violation of provisions of Art.43 from the Constitution, and of Art.23 from the Universal Human Rights Declaration, of Articles 6 and 7 from the International Pact on Economical, Social and Cultural rights, as well as other international treaties Moldova is a party to. The administration of the hospital was proposed to undertake measures for immediate reinstating of the medical staff in their rights.

The reply received by the Center from the director of the Criuleni sector hospital said that during December 2000 salary arrears had been paid for January – April 1999 in the amount of 162,7 thousand lei. The money for May – June in the amount of 136,2 thousand lei, and the business trips allowances for 1998 in the amount of 21,3 thousand lei shall be paid as soon as the General Direction for Public Health of Chişinău district transfers the required sum.

The Center for Human Rights received the complaint sent by the labor collective of an institution activating in first aid medicine which indicated that in the process of

realization of the National Program for development of urgent medical assistance in the Republic of Moldova, this institution had been deprived of the status of primary medicine that envisages special activity and remuneration prerogatives. Following the appeal to the Ministry of Public Health and a more profound consideration of the problem through the creation of a special commission to deal with it, it was discovered that the actions of this institution's administration had been inadequate and unfit for the provisions of the program. Thus, the prerogatives that resulted from the previous status were re-established.

One of the basic rights, without which nobody can live a normal life, is the right to shelter. According to the new national housing policy, every citizen has the right to choose the most suitable way of solving his/her housing problems. To realize this national policy, the state has to provide free of charge shelter to socially vulnerable strata, to up-date and create new financial-crediting and fiscal systems in the sphere of house construction, to provide collateral and mortgage credits.

Privatization of urban living space has given the possibility to turn the citizen into owners, for many families the apartment being the only significant property. Nevertheless, the imperfect system of privatization has generated many difficulties and considerable problems in realizing this right. In many cases, not all the family members were included in the document of ownership, some apartments were privatized to the detriment of children's right to living space. Meanwhile, many people become illegal owners of several apartments.

Following the liquidation of enterprises, a number of families have remained without shelter. Every third family of urban inhabitants is included in the line for improving the living conditions, while every tenth family was included in this line more than 10 years ago.

Socially vulnerable strata like orphans who had been under state care until coming of age, or people who had been under repression and later rehabilitated (when the restitution of property is impossible), people who returned from places of detention and other vulnerable persons, practically don't have any chance to assure themselves with living space.

Thus G. the inhabitant of village Dobruja, has informed in his complaint to the Center that he became a first category invalid for the rest of his life in result of the wounds and contusion during the military actions aimed at re-establishing the integrity of the state which occurred in 1992. He, his wife and two small children live in one room of 12m². For 8 years since the end of the military conflict, the local public authorities have been refusing to include him in the list for improving the living conditions or to give him a plot of land for constructing a house.

The Center sent a note to the General Mayoralty of Chişinău arguing that the said applicant had the right for immediate provision of living space according to item 13 of the Government's decision n.520 of 05.08.92 on the principal measures for social protection of people that participated in the military actions for protection of the integrity and independence of the Republic of Moldova, and providing the necessary assistance to citizens and families affected by the military conflict. It was emphasized that in Article 11 of the said decision, the Government asks the local public authorities to distribute, upon request, plots of land and materials necessary for private construction. Proceeding from Art. 27 of the Law on Parliamentary Advocates, the Center demanded the reinstating of the applicant and his family in their rights. The General Mayor of Chişinău, Mr. Serafim Urechean, signed a reply to the Center which sounds as follows: "The applicant has been proposed to submit the corresponding papers at Botanica's Prefecture for elaboration of the appropriate decisions."

The current housing fund is in a difficult technical and sanitary condition and continues to deteriorate. Living conditions are unsatisfactory, the level of commodities is reduced. Meanwhile, the applications to get plots of land for construction of private houses that do not necessitate state allocations are groundlessly turned down.

Thus, T. and A., inhabitants of Chişinău, have time and again appealed to the General Mayoralty of Chişinău for permission to re-build the old house they had been living in. Only after the interference of the Parliamentary Advocate the General Mayoralty has granted the applicants the proper authorizations.

The urban population spends about 50% of family income for paying the bills referring to apartments maintenance and utilities. Most residents have incomes less than the sum calculated for covering the said expenses. The employees of the Center are often

asked the question: "How can we survive if our family income is three times less than the bills for renting and utilities?" However one should not forget the payments for heating, electric energy, telephone which is so necessary for pensioners, disabled, solitary people as well as expenditures for food stuffs and clothes.

For example, citizen R., living in Botanica (Chişinău), telephoned the Center asking: "How can I live if I have a monthly pension of 90 lei while only for heating consumed in December I received a bill of 270 lei?"

Desperate complaints come to the Center from almost all settlements of the Republic.

Due to non-availability of a mechanism for separate disconnection of the apartments inhabited by families unable to pay the bills, entire blocks of flats are cut off from the thermal network, the hot water and natural gas supply.

Aged people face similar problems in maintaining their apartments and in providing the minimum level of comfort. Other disfavored groups, like invalids or young families, are worth mentioning too.

Another characteristic feature is the overpopulation of many apartments. For instance, 12% of Chişinău's apartments are inhabited by 2 or more families, the average number of people per one room being 1,6.

From the appeals in care of the Center there, follows the problem of forceful evacuation from illegally occupied apartments and provision of other living space according to judicial decisions. It is because of lack of reserve living space that people have been waiting for a long time for judicial decisions to be enforced. Only in Chişinău there are about 3000 such people. Some cases have turned into family dramas as it the case of family S. that has remained without shelter since their house had been demolished in connection with the necessity of planned reconstruction of the city. In spite of the fact that there are court decisions that oblige the Mayoralty of Chişinău to provide shelter to this family, the latter hasn't had where to live during the last 8 years.

A similar situation is characteristic for family C. They have veterans of the Afghanistan war and participants in the Transdnistria conflict and had been waiting for improvement of their living conditions for many years, but when they tried to enter the offered apartment it appeared that it had already been illegally taken by others. Though the court has sustained the claim of this family, the latter cannot establish themselves in

the apartment that is their legal property. The Center has interfered and is keeping this problem under its supervision.

The right to education

The Right to Education in the Republic of Moldova is provided through general and compulsory training, lyceum, vocational, higher as well as other forms of training, and refresher courses (Art. 35 of the Constitution).

General education is free of charge while the higher one is mostly for payment though a limited number of places are still financed from the budget. It is clear that when the majority of the population is unable to provide its minimum existence, the number of unpaid places in higher education institutions is insufficient. This is to the detriment of many children who would desire to obtain higher education but are not able to do it due to difficult financial situation of their families, even if they have high capabilities and the best results in secondary (general) education. Mostly disfavored are the children from rural areas who, because of their parents miserable salaries, have no access to higher education.

This is one of the most serious obstacles in realizing the right to education declared by Republic of Moldova's Constitution and the international acts Moldova has adhered to.

There are 37 private and 15 state institutions of higher learning. 2/3 of the 80,000 students study at state higher learning institutions. Of them 2/3 have their training in Romanian and 1/3 in Russian.

In many higher learning institutions, the training program (curriculum) is poorly performed. One can notice an increase in the number of specialists with higher education that cannot be provided with jobs due to lack of job vacancies on Moldova's labor market. Likewise, the number of unqualified specialists is growing.

Meanwhile, a paradoxical situation has developed: about 6.000 didactic positions were made redundant in the Republic's educational institutions in the year of 2000 due to non-payment of salaries. In spite of the fact that the salary in education is very low (236 lei), it is not paid on time, in some districts the delay amounts to 12-17 months.

Currently the Republic lacks 2,5 thousand teachers. However, the young people avoid engaging themselves in education because of miserable remuneration. Thousands of young specialist have flooded the labor market refusing to activate in the domain they were trained for.

Due to scarce financing from the state, the secondary (general) and pre-school education have found themselves in a deplorable situation. In many rural areas, schools and kindergartens are closed, thus limiting the access to pre-school and general education. The technical and material basis is practically below any level and doesn't meet the requirements of our time. Because of low salaries and delays in their payment, the teachers leave their working places and go abroad in search of sufficient remuneration.

The educational institutions are in a difficult technical and sanitary condition. They are not heated in the cold time of the year and no capital repairing is made. In some schools, there is no medical staff whose presence in educational institutions is obligatory. The said problems are reflected in teacher's appeals to the Center and during audiences. However, the recommendations of Parliamentary Advocates addressed to central and local public authorities mainly remain unfulfilled.

The right to labor

Labor is the principal source of existence in any society. The observance of this right is strongly violated in the republic of Moldova through lack of labor market, low salaries and their delayed payment.

As of 01.10.2000, the unemployment rate was 107,4% and the number of non-employed people constituted 33881. The population engaged in labor amounts to 1568 thousand, this constituting 43 % of the total population of 3636,5 thousand people.

During the year of 2000, over 1000 persons appealed to the Center in connection with the violation of their right to labor, a right that is foreseen both by Art.43 of the Constitution and Art 6 of the International Pact on Economical, Social and Cultural Rights which establishes the obligations of signatory and adherent states.

Item 1 from Art.43 of the Constitution stipulates that everyone has the right to labor, to free choice of labor, to satisfactory and just working conditions, as well as to protection from unemployment.

Having investigated the petitions and on establishing the made violations, acts of Parliamentary Advocates reaction were sent to corresponding instances for reinstating the rights in this domain.

Thus, the Center received a collective petition of a group of workers from the municipal first aid hospital concerning the violation of their rights to labor manifested through non-payment of salary in the amount stipulated by the legislation in force.

The results of this petition's investigation showed that the complaints were true and a note was sent to the direction of this hospital.

In result of undertaken measures, the staff of this institution had their salary recalculated and paid for all period of delay.

Another example.

A group of workers from "Termocomenergo" addressed the Center with an appeal saying that while making the staff redundant due to liquidation of this enterprise, they didn't receive their salaries and other payments.

To reinstate the applicants in their right, the administration of the said enterprise was handed in a note with the proposal to undertake immediate measures for solving the problems.

In his reply, the General Direction of the Association informed the Center that the employees of the central apparatus of this enterprise and the workers of the Chişinău base had been remunerated by receiving all necessary payments.

Shortly after, the General Director of the Association and the Vice-minister of Environment and Territory Improvement were dismissed as a result of the violations made in the process of liquidation of the "Termocomenergo" Joint-Stock Company.

The Center examined the disputed issue of Mr. S. with the International Business School that was not paying him the holiday pay for the time worked at this institution. To substantiate his requirements, S. presented the conclusion of the Parliamentary Commission for Social Protection, Health and Family concerning the right to annual holiday and, in case of dismissal, to material compensation for the non-used holiday. The

Conclusion of the Commission is based on the provisions of the national legislation and of the international one, the latter having priority in case it was not in agreement with the national one. Since the General Office of Public Prosecutor ignored his appeals, the Center suggested it to solve the problems in conformity with the legislation in force.

The General Office of Public Prosecutor has forwarded an appeal to the Supreme Court of Justice concerning the judicial decisions in regard to the civil case of S. towards the International Business School.

By exercising the prerogatives of the Parliamentary Advocate as mediator, and in line with Art.23 of the Law on Parliamentary Advocates, reinstated in their rights were the employees of budgetary institutions subordinated to the Ministry of Labor, Social Protection and Family. These employees complained in their appeals about non-payment of bonuses, holiday pays and long delays of salaries.

The illegal actions of the administration and incompetent management of allocated money are often subject-matters of complaints addressed by employees of budgetary and private institutions. They complain about unfair payment, privileged remuneration of some employees, delays in arrears payment without giving any reasons.

The carried out investigations showed violations of petitioners rights and, on the basis of Art.27 of the Law on Parliamentary Advocates, notes were drawn up containing proposals to undertake measures for immediate reinstating in their rights of the persons whose rights had been violated.

Lack of jobs in the country leads to increased illegal migration of labor force. The official figures concerning the number of people that have gone abroad to earn for their living is between 600 and 800 thousand. However, these figure have not been verified and could be much higher because in most cases this migration id illegal.

The Government of the Republic of Moldova is trying to conclude bilateral agreements with economically developed states to obtain official access to their labor market. Should this happen, the people employed overseas could benefit from social, medical and other protection thus creating real conditions for downsizing illegal migration of labor force.

Currently, only 11 juridical and physical persons have the license for part-time employment of our citizens outside the Republic.

A special service has been created within the Ministry of internal Affairs Its aim is to fight against the illicit traffic of people and crimes committed by foreigners in the Republic of Moldova. The Central Bureau Interpol-Chișinău verifies the legality of foreign entrepreneurs activities concerning the provision of jobs for migrant workers.

One of the phenomena resulting from the above described situation is also the traffic with human beings that has acquired large proportions lately simultaneously with the fall of the former socialist camp, especially of the former USSR. This traffic includes children, women, men and is one of the most painful and dangerous aspects of labor force exodus.

Unemployment and poverty have a special impact on women. Within the programs for stabilization and restructuring of the economy, many women are made redundant. They are also faced with difficulties and obstacles in integrating themselves in the new labor market where preference is given to men.

As of 01/10/2000, out of the overall number of registered unemployed (33881 people), women constituted 19746, i.e. 58,2 % (the data were supplied by the Ministry of Labor, Social Protection and Family).

According to data of OSCE, only in 1997 about 175 thousand women and girls were involved in the human beings traffic.

The people practicing this "business" promise our women big salaries; they obtain visas for them, take them abroad and, after depriving them of their documents, sell them as slaves to owners of clandestine dens and casinos. In conformity with the data supplied by the Morals and Manners Police, hundreds of mothers have made appeals in the last years connected with the disappearance of girls that went to work abroad.

According to public polls conducted by competent institutions, 70% of those interviewed in the lyceums and schools of the Republic consider prostitution as a profitable and respectable job. In our opinion, as well as in the opinion of many people interested in this problem, this is the most serious phenomenon that prejudices the public moral health thus endangering the future of this nation.

The European Council and the OSCE have made a series of recommendations that have been included in the Regional Action Plan for fighting against the human beings traffic in the south east of Europe. This Program was adopted at the international seminar

held in Athens from June 29 to July 1, 2000. The Program includes cooperation between governmental and non-governmental institutions, both at national and international levels.

The check-points (the places for crossing the state border) are equipped with automated control system "Control-D", which will improve the efficiency of border crossing supervisions and will contribute to fighting the human beings traffic.

However this problem continues to be very acute. Therefore, it is necessary to consolidate the forces of the civil society for informing the population about the consequences of this traffic and of illegal migration.

The Central for Human Rights has created a Council for cooperation with NGOs. The purpose of this Council is to generalize the problems, to elaborate opinions and to promote them at state institutions, as well as to continuously inform the society about the danger related to human beings traffic.

The right to property

Property protection is stipulated in Art. 17 of the Universal Declaration of Human Rights: "**Any person has the right to property, both alone and in association with others. Nobody shall be arbitrarily deprived of his/her property**".

The standard concerning property has been incorporated in 2 of the most important instruments of the United Nations Organization - the International Pact on the Civil and Political Rights and the International Pact on Economical, Social and Cultural Rights.

The national legislation and, first and foremost, the Constitution of the Republic of Moldova (Art. 46) stipulates that the right to private property are guaranteed.

However, these rights are not everywhere and completely observed. Here is an example of the most frequent violations: excessive administrative difficulties on land registration; relocation of farms for project implementation without adequate compensation. It goes without saying that property protection contributes to economical security and can significantly stimulate the economic growth.

Contrary to provisions of Art. 46 of the Constitution, the state is currently unable to ensure the restitution of the money, put on bank accounts by thousands of people. It is the old people that are mostly suffering in this case. Because, having miserable pensions and

being deprived of the possibility to get the sums from their accounts, they starve, cannot procure medicine, are not able to foot the bills etc.

The Law on rehabilitation of Political Repression Victims has been simplified to absurdity. Initially it guaranteed the reinstating of rehabilitated persons both in their political, social and civil rights as well as in their patrimonial rights.

Thus, if on the basis of the previous legislation, each family had the right to get a compensation for the house and nationalized or confiscated property in the sum of 7 thousand roubles, then, after 1992, this compensation is only of 300 lei, i.e. one third of the monthly minimum consumption basket per capita. In spite of the decision of the Constitutional Court which, satisfying the appeal of the Parliamentary Advocate, recognized as non-constitutional the changes made to the detriment of repression victims, the Government hasn't taken the measures necessary for allocating the money to pay fair compensations.

Similar injustice is also characteristic for the land legislation. Petitioners more and more insistently raise the problems of the right to inherit the land of repressed and later on rehabilitated, owners invoking the contradictions in the provisions of the Constitution, the provisions of civil rights on heritage, as well as the regulations of international juridical acts the Republic of Moldova is a party to.

Free access to justice

Being one of the constitutional human rights, free access to justice is also the guarantor of all other rights and liberties. It is this role that constitutes its specificity and essential value. That is why Art. 20 of the Constitution stipulates that human rights and liberties are ensured through free access to justice.

During 2000, 368 persons addressed the Center with problems related to free access to justice. 668 persons were given audience, of which 98 received on-site audience. This, according to the geography of appeals, is on the first place as regards the classification by subject matters.

The main problems raised by applicants are:

The right to access to justice itself, manifested through:

- **lack of knowledge concerning the way of appealing to judiciary instances, of the procedure and means of their rights protection at the national level, as well as of international mechanisms for human rights protection;**
- **lack of confidence on the part of petitioners in solving their problems in court;**
- **lack of money in case of patrimonial disputed issues and the impossibility to cover the expenses related to court procedures;**
- **delays in examining criminal and civil cases;**
- **non-execution of court decisions related to civil cases.**

In the field of ignorance of national and international mechanisms for human rights protection, besides the answers of Parliamentary Advocates in which the petitioners received the necessary explanation (beginning with explanation of juridical procedures rights and finishing with the conditions for the appealing to the European Court for Human Rights), the Center's employees went to do on-site work giving audience in all districts of the Republic as well as in penitentiary institutions, except the eastern regions of the Republic.

Due to the impossibility to cover the expenditures related to court procedures and the provisions of the law on "state tax" (Art.4), according to which the Parliamentary Advocates are exempted from paying the state tax in judiciary instances, it was possible for the Center to support 6 petitioners with applications for inviting to court so as to protect their constitutional rights and liberties.

Violation of judicial procedures both in civil and criminal cases.

Judging by the investigated complaints, the most frequent violations of judicial procedures are related to the incorrect appreciation of proofs by the judicial instance.

Here is a case examined by Parliamentary Advocates that provides an eloquent elucidation of this fact. The organization of invalids addressed with the appeal to sue in court in the interest of two invalids who had been denied the right to living space by forceful evacuation. Without appreciating the proofs and arguments of the invalids organization, the judiciary instance evacuated the accused without providing them alternative living space. Having examined the arguments of the representative of invalids organization and the follow-up complaint, the Parliamentary Advocates considered that the judiciary instance hadn't appreciated the proofs correctly and addressed an appeal to

the Tribunal which was completely taken into account and, as a result, the invalids were restituted in their rights.

In criminal cases it was proved that the **right to defense** of the accused had been violated. When the latter don't have financial sources to pay for the lawyer's services on contract basis, they are provided with defenders from the office.

However, such defenders are usually young specialists or lawyers who, though having great experience in the domain, do not fulfil their service duties properly since they are not remunerated on time and in the proper amount, thus depriving the accused of other judicial procedures rights which they are usually ignorant of.

Another problem resulting from Parliamentary Advocates investigation is **the delay of examination of cases in the court**, especially of the criminal ones. According to the information supplied by the Ministry of Justice, the judicial instances of the Republic examine the criminal cases more than 12 months in case the preventive measures in the form of arrest are applied. On the other hand, "**the reasonable term**" established by law lasts for years.

A note has been sent to the Ministry of Justice with the request to take measures for repairing the situation.

Many complaints concern the problem of **disagreement with decisions or verdicts pronounced in judiciary instances**. However they are outside the activity of Parliamentary Advocates because when the decision or verdict takes effect, according to the legislation on proceedings, only the General Prosecutor and his deputies can launch a protest in the Supreme Court to cancel such decision or verdict. In view of these considerations, the applicants are explained the provisions of the law or, with their consent, the complaints are sent to competent instances. According to the information presented by the General Office of Public Prosecutor, out of 791 complaints concerning the illegality of court decisions taken in respect to criminal cases, 193 complaints were accepted, and of 1819 petitions taken in respect to civil cases, 379 complaints were accepted.

Yet, the most painful problem faced by citizens is connected with **evading the court decisions' execution**.

In separate cases, the problems are solved owing to the interference of Parliamentary Advocates with notes addressed to the Ministry of Justice.

However, when there are definite decisions which the applicants obtain after some months of waiting on the court stairs, but which are not executed, certain doubt appears as to the efficiency of the norms of decisions execution. This fact damages the general image of a lawful state and in particular, the role of the state as constitutional guarantor of citizen's access to justice.

The right of everyone to defense is guaranteed by Art. 26 of the Constitution, by Art. 6 of the European Convention for Protection of Human Rights and Fundamental Liberties and by other international instruments the Republic of Moldova is a party to. Regretfully, these guarantees are not respected completely. Though the law foresees the right of each detainee to have meetings with his defender or after the first interrogation, without limitation of their number and length, one can see that these provisions are often violated. More than that, in their appeals in care of the Center the detainees complain that they are refused the right to get in touch with their relatives by phone so as to inform them about their place of detention.

Also deprived of defense are many victims of various crimes. Formally, they have a series of guarantees which, however, are not respected. Meanwhile, the law does not foresee the compulsory right of the victim to have a lawyer, as well as the right to be protected from the threats of the accused. Thus it is necessary to up-date the law regarding the forceful bringing of the victim to court.

The Parliamentary Advocates continue to study these and other problems to interfere, when needed, with concrete legislative proposals.

Personal dignity and security

In the present conditions, human rights protection is more evidently becoming one of the dominants of society's progress, whose basis are the general human interests. Progress is impossible without due provision of human rights and liberties, including **the right to dignity and personal security**.

Most of such complaints received by the Center for Human Rights pertain to the problem of protecting **the personal integrity, personal liberty and security**.

63 complaints have been received in connection with the problem of personal dignity, especially concerning **the conditions of detention in penitentiary institutions**. Also, in result of in-office as well as on-site audience of people on issues related to personal dignity, we had 120 applicants, of which 82 were given on-site audience. The majority of applicants were under investigation or sentenced to detention.

As for the problem of personal security, especially **the excess of power or of service duties** by police workers and those of penitentiary institutions, **torturing (maltreatment)** of persons under investigation and of the sentenced ones, **searching, illegal detaining or arresting**, we have received 87 appeals and have given audience to 222 persons, including 159 on-site.

On the first plane is the excess of power or of service duties manifested by police or penitentiary workers in the form of abusive usage **of physical violence or tortures**.

According to the Convention against torture and other penalties or brutal, inhuman and humiliating treatment, the Republic of Moldova is a party to, all acts of torture or inhuman behavior had to be qualified in the internal legislation as crimes.

The Convention also envisages that the punishment measure for torture should reflect the character of “heinous crime” Art. 101 (1) of the Criminal Code foresees directly the crime of torture, which is in line with international norms.

However, since it is a relatively new kind of crime, the legal bodies haven’t had in their practice similar criminal cases, and the criminal actions with qualitative signs of torture are qualified as excess of power or of service duties.

In some cases, facts of excess of power on the part of police workers were confirmed. At the request of Parliamentary Advocates, the bodies of the office of public prosecutor have instituted proceedings related to criminal cases on the basis of Art.185 of Republic of Moldova’s Criminal Code. According to data from the General office of Public Prosecutor, the total number of such proceedings, instituted in the year of 2000 against police workers on the basis of the said Article, was 79.

In about 15% of complaints in care of the Center, the convicts affirm that measures of psychical and physical pressure were applied to them. However, despite the convicts

explanations and witnesses testimonies, the persons to blame were not always punished through disciplinary measures or had court proceedings instituted against them.

During 1998-2000 there was only a single registered case of inhuman, humiliating behavior towards the convicts on the part of penitentiary workers. Thus, on November 24, 1999 the collaborator of institution OSC 29/9 from Pruncul, junior lieutenant of justice C., by excess of force, maltreated convict S. causing physical injuries. As a result of service investigation, it was proved that provisions of Art. 99 of the Code of serving one's sentence had been grossly violated. For these actions, by order of the Ministry of Justice Nr.4 of January 10, 2000, the said junior lieutenant was dismissed from the penitentiary system.

It should be mentioned that the Center for Human Rights is working systematically to eradicate the cases of inhuman behavior towards convicts. Practically, the Center has organized seminars for all the staff of the penitentiary system at which the issue about the ways of behaving with convicts was discussed and this activity is still continued.

Many people addressed the Center in connection with the problem of illegal detention or arrest. Below are two examples of how the Center deals with such cases.

Lawyer Dlujanschi made an appeal to Parliamentary Advocates in the interest of a person who affirms about having been detained by a police inspector of Chişinău without the corresponding sanction. In result of investigations, it was proved that there had been a warrant for arrest issued by the judiciary instance, but the person had been kept in detention for more than 3 days after expiration of the warrant. The Parliamentary Advocate appealed to the deputy chief of Police Inspection Mr. Maiduc and the illegally detained citizen was released from custody while the police worker guilty of this case was subjected to severe punishment.

Mrs. S. made a complaint to the Center complaining about having been denied the possibility to see he son in detention. Using Art. 24 p.(f) from the Law on Parliamentary Advocates, the convict was visited in the isolation ward and explanations were sought from the penal investigator. In result, it was proved that the decision to deny the meetings between the convict and his mother had been groundless and an agreement was reached with the chief of Institution OSC 29/3 to allow such meetings.

Some facts made public by petitioners concerning the **violation of detention conditions**, especially in prisons and investigation isolation wards, proved to be partially true.

It should be mentioned that the year of 2000 is mainly characterized by the same violations of convicts rights that were identified in 1999.

- **Unsatisfactory material provision and living conditions;**
- **Incompatibility of convicts alimentation with established standards;**
- **Lack of medical preparations necessary for the treatment of the special contingent.**

From the information supplied by the Department of Penitentiary Institutions, it has been established that being a budgetary institution, according to minimum calculation, it needs 47 ml. Lei per year. However, in the year of 2000 the budget of 11 ml. Lei was adopted, i.e. 24% from the necessary minimum including the per day nourishment of a convict in the sum of 3,5 lei. For hygiene means were distributed 159 thousand lei per year, which is far from sufficient. In result of this situation, the Department of Penitentiary Institutions and the Penitentiary Institutions from the Republic could not procure the necessary quantity of food-stuffs, hygiene means and medicine.

Year after year, there grows the number of convicts affected by infectious diseases like pulmonary tuberculosis (970 persons), HIV (129 persons) etc. The percentage of morbidity is also on the rise. Due to lack of medicine, these diseases are not cured and they lead to continuous contamination of other convicts and when the latter are released from custody, they contaminate the society.

The Center received the complaint of Mr. V. in the interest of her son, convict D. From the petition and submitted materials, it was established that D. was being detained in institution OSC 2918 and his health was in a grave situation, the diagnosis being: infiltrate pulmonary tuberculosis in the phase of destruction with dissemination. Moreover, the administration of the penitentiary delays the examination of the convict by the medical commission for establishing the gravity of his health.

Later on, the petitioner confirmed the written facts, also mentioning that the medicine she was sending for treatment was retained by penitentiary workers.

The Parliamentary Advocate sent an appeal to the Ministry of Justice drawing their attention to the violation of the norms of the Code for execution of penal punishments.

The arguments of the petitioners and the appeal of the Parliamentary Advocate were examined by the medical service of the Department of penitentiary institutions within the Ministry of Justice which studied the personal case, the medical documents, talked to the doctors in charge of the case and established that the health of convict D. was in great danger.

In conformity with the order of the Ministry of Justice, Nr. 230 of 29/10/96 “About the order of presenting the convicts for release from custody due to problems of health”, and following of the decision of the court of town Bender, on 23.05.2000 the convict was released from custody due to severe illness.

A violation of the **right to information** was identified in penitentiary institution OSC 2915. Thus, the Center for Human Rights received many complaints from the convicts of this institution whose authors affirmed that the administration of the said institution refused to give them the copies of verdicts and other documents necessary for appealing to the European Court for Human Rights, thus also violating their free access to justice.

This fact was confirmed during the visit to this institution and the audience given to the detainee.

Taking into account the violation of constitutional rights such as free access to justice and the right to information, contact was established with the head of the special section of the penitentiary. As a result of the reached agreement, the modality of issuing such documents to convicts was coordinated and the problem was solved positively.

Another problem that occurred during the year concerns **the right of detainees to education**. Thus, the Center received a collective complaint from a group of detainees of Reformatory Nr.6 in town Soroca who attend the evening school Nr.2 on the territory of the colony.

The problem touched in the petition is connected with the closing down of the said school.

Following the note of the Parliamentary Advocate, the Vice-Minister of Justice-Chief of the Penitentiary Institutions Department, informed us that the evening school was

closed down by order Nr. 54 from 06/06/2000 issued by the District General Board of Directors for Education, Youth and Sport of Soroca municipality.

It is worth mentioning that in conformity with Art.2, p.1(e) from the Law on the Penitentiary System, as well as Art. 89, p.2 (c) of the Code for Execution of Penal sanctions, the state is obliged to grant the convicts the possibility to get secondary general and professional education, as well as spiritual and cultural-esthetic education.

Proceeding from the above said, the Parliamentary Advocate addressed the Deputy Prime-Minister, Mrs. L. Guțu with the request to find the possibility for a positive solution of identified problems.

Following the examination of this appeal, the Ministry of Education and Science cancelled the orders of the district General Board of Directors for Education, Youth and Sport of Soroca "On the closing down of the evening general secondary school". In this way, over 200 people were reinstated in the constitutional right to education.

Some considerations concerning the observance of children's rights in the Republic of Moldova

The problem of ensuring and observing the children's rights is a subject-matter of permanent interest for the Parliamentary Advocates. In one way or another, issues related to the violation of these rights, especially of the economical, social and cultural ones, are approached in most of the complaints received by the Center and in audiences given on-site.

Having ratified the United Nations Convention on Children's Rights, the Republic of Moldova has assumed the responsibility to protect the children (all persons under 18, according to the Convention on Children's Rights) against any kind of discrimination, to provide them with good social security and with conditions for an intellectual and physical development as complete as possible. The national standards concerning children's rights are stipulated in the Constitution by the Law on Children's Rights (1994).

Measures for realization of these standards are envisaged in the State Program on ensuring the children's rights adopted by the Government in 1995.

Nevertheless, children's rights are often violated in the Republic of Moldova. Every third family with small children is affected by poverty. Owing to this situation, about 40% of small children (up to 14 years) are forced to involve themselves in various activities to earn for their living, this being done to the detriment of school attending. Nearly 70 % of families don't have money to pay for schooling and for school accessories. As a result of that, every 10th child quits school for various periods of time.

Sub-nutrition is a very characteristic phenomenon for children: about 1/5 of them cannot have their small breakfast, while 1/10 have nothing to eat at supper. The situation is becoming all the more deplorable due to low quality of alimentation. In addition, more than half of the total number of children suffer from reduced immunity. This problem is especially acute in rural areas where medical assistance is insignificant.

Children's health is reflected by high indices of infant mortality, though the last years have registered a slight decrease of these indices.

According to UNICEF Moldova data, the infants mortality rate has decreased from 21,2 per 1000 inhabitants in 1995, up to 18.2 per 1000 inhabitants in 1999, while the mortality rate of infants between 0-5 years-from 27.3/ 1000 in 1995 to 23.6/1000 in 1999.

A growing problem is that of HIV-AIDS as well as of sexually transmissible diseases.

HIV-AIDS initially affected the consumers of intravenous drugs. Currently, however, this disease is spreading heterosexually among teenagers and youngsters. So far 1110 HIV-carriers have been identified (24 per 100,000 inhabitants), 27 of which have developed the AIDS. Children and youngsters of 15-19 years old constitute 15,4 % of all HIV cases. A substantial increase of diseases resulting from sexual intercourse has been registered in the last ten years-from 7,1 cases per 100,000 inhabitants in 1989 to 200,1/ 100,000 in 1999. However, the data of investigation concerning medical supervision of pregnant women showed 308 cases per 100,000 inhabitants which means that the real figures could be much higher. According to the Reproductive Health Study carried out in 1997, approximately 58 % of teen-ager girls are sexually active. If we take into consideration that only 12,8 % of them have used the condom during their first sexual

experience (Reproductive Health Study, 1997), one can make the conclusion that there are real prerequisites for a rapid increase of HIV infection.

The quality of elementary education has decreased substantially due to deterioration of the economical situation and permanent inadequate financing. There are no official data concerning the access to education of the poorest children. According to an investigation of the World Bank, over 15 % of the poorest children do not go to school. This figure is supposed to be on the rise due to impossibility of many families to pay the taxes and the costs of manuals, accessories, children's clothes etc.

Pre-school education has been affected even worse than other levels of education. In the last five years, the number of kindergartens has reduced by 1/3. In 1996, 43 % of children between 1-6 years old attended pre-school institutions, while nowadays this figure constitutes 33 %.

The analysis performed by the Center for Human Rights and by some NGOs, like the Center for Information and Documentation on the Children's Rights in Moldova, demonstrate that, to a great extent, children continue to be treated by adults as simple beneficiaries of rights and of charity and assistance action. The public opinion, the local and central administrative bodies haven't mastered as yet a new vision concerning children's rights which envisages not only the provision of some rights for children, but also the latter's involvement in the formulation and realization of these rights. The children's opinions are important and their voice should be heard during discussions concerning their protection as well as the application and protection of their rights.

The phenomenon of home (family) violence whose victims are especially children, is acquiring impressive proportions. The most widely practiced forms of children's punishment are: verbal aggression, beating, blows, isolation by temporary locking up, depriving of shelter and food for a while. Abusive relations practiced in families have dramatic consequences for the child's behavior generating aggressiveness, absenteeism, fury, family abandonment etc.

The state of human rights protection in the eastern region of the Republic of Moldova

As it is well known, the structures of the self-proclaimed transdnestrian moldavian republic were set up by anti-constitutional measures, non-democratic and violent, their application having caused losses of human lives, by massive violation of fundamental human rights. On this territory, the Constitution and legislation of the Republic of Moldova have been ignored for over 8 years. The idea of creating an independent state is promoted here in the form of state ideology and with means typical for a totalitarian regime.

The inhabitants of this territory are forced to accept the citizenship of this self-proclaimed republic. Those inhabitants who have accepted the citizenship of the Republic of Moldova are deprived of the right to vote and to be elected - stipulated by Art.41 of Republic of Moldova's Constitution. No political party in opposition to the self-proclaimed structures is allowed to activate on the left bank of the Dniester, this being a violation of the freedom of parties and other social and political organizations envisaged by Art. 41 of the Constitution. These are evident violations of human rights.

The majority of the few persons from the left bank of the Dniester who addressed to the Center have touched the problems related to their low living standards, low salaries, the desire to emigrate to other countries for permanent living. However, other problems are related to their disagreement with the decisions taken by judiciary instances from this territory. Having consulted the interested persons, the employees of the Center had the really objective possibility to explain that the activity of transdnestrian authorities is contrary to the provisions of the Constitution. Nevertheless, it is impossible to undertake any real measures. The only useful explanation was limited to the fact that the non-constitutional judiciary decisions could be attacked in the European Court for Human Rights.

Thus, F.- an inhabitant of town Râbnița has sent a complaint to the Center related to the fact that he had been stopped by workers of the local traffic police that drew up a protocol and by court decisions deprived him of the driver's license. Since he remained

without sources of existence not being able to work, the applicant attacked the court decision but his appeal was repelled. He was forced to appeal to the European Court for Human Rights. However, before the said Court examined his case, he and his family found themselves in a desperate situation. Not having any job, he was forced to sell his car that had helped him to maintain his family. The money he had received from this transaction was quickly spent and currently the family is threatened to be sent out of their apartment due to non-payment of rent and utilities.

Even more tragic is the situation of family H. from town Slobozia. After the military conflict of 1992, the members of this family began to be persecuted by local authorities and representatives of military formations, thus being forced to leave their place of inhabitation. Also their car, which helped them make both ends meet, was stolen. Since the militia hadn't taken any measures to detain the thieves, the head of the family himself traced them. The latter, with militia's silent support, captured and beat him violently. Then they put him in the car trunk and carried to the Dniester bank and warned that if he didn't leave Transdnistria, he and the other members of his family would be killed.

Republic of Moldova's authorities do not control and do not exercise any influence upon Transdnistria. That is why, when ratifying the European Convention for Protection of Human Rights and of Fundamental Liberties, the Parliament of the Republic of Moldova made a remark specifying that it would be impossible to ensure the observance of Convention's provision's **"because of the omissions and actions committed by the bodies of the self-proclaimed Dniestrian Republic on the territory controlled by these bodies till the final solution of the conflict in this region."**

Actually, this remark is also valid for other international treaties and conventions the Republic of Moldova is a party to.

In view of the above considerations, the Center for Human Rights doesn't have access to the left side of the Dniester either. Meanwhile, neither the citizens of that region dare to appeal to the Parliamentary Advocates. However, if in the previous years the Center hadn't received any petition from Transdnistria, in 2000 "the ice was broken". To a great extent, it is due to the fact that the appeals to the Center are confidential.

Massive violation of human rights and liberties on the left side of the Dniester is becoming an issue of growing concern for international bodies. It is not by chance that

one of his first visits as Commissioner for Human Rights of the European Council, Mr. Gil-Robles made to Tiraspol after having a preliminary meeting with the Direction of the Center and Parliamentary Advocates, Mr. Alexei Potîngă.

The accumulated documents, as well as the live information received from this territory, demonstrate that the process of setting-up a totalitarian regime is continuing. Also demonstrated is the massive violation of human rights and liberties, especially the right to life and physical integrity, to protection, to elect and to be elected, to freedom of opinion and expression, to justice, freedom of conscience, to free movement, freedom of meetings, right to labor and labor protection, to private property, to education, to military service, and other rights and liberties.

It is gratifying that more and more NGOs appear which are concerned about promoting and protecting the human rights and liberties in this region. In 2000, the Center managed to organize three meetings with representatives of such organizations and, depending on possibilities, they will continue.

Other actions regarding the reinstatement of citizens in their rights

In conformity with Art.31 of the Law on Parliamentary Advocates, the latter are empowered to appeal to the Constitutional Court regarding the verification whether the Parliament's decisions and laws, the decrees of the President of Republic Moldova, the decisions and resolutions of the Government are in line with the provisions of the Constitution. The Parliamentary Advocates are also empowered to check if the above mentioned decisions, decrees, resolutions etc. correspond to the generally accepted principles on human rights protection which are proclaimed by the state and reflected in the Constitution of the Republic.

To exercise this right and to ensure the observance of provisions of Art.4 of the Constitution, which stipulate the application of international norms (standards) in cases of incompatibility of the national legislation with the principles established in the field of ensuring human rights and liberties, during the year of 2000 the Center petitioned quite a

few times the Constitutional Court soliciting to declare non-constitutional the acts which directly or indirectly violated the citizen's rights.

Thus, following the appeal of Parliamentary Advocate, Mr. A. Potîngă, the Law Nr. 552 of 28/07/1999 by which the Parliament had modified and abrogated some laws that regulated the way of establishing pensions for procurators, judges and investigators, was recognized as non-constitutional. In result of applying this Law, the payment of pensions to above mentioned categories of state functionaries was stopped when they continued performing their service duties. Following the investigations conducted by the Center, it has been established that the modifications made through this Law were directly violating the constitutional human rights: the right to labor and social insurance envisaged both in the Universal Declaration of Human Rights and the International Pact on Economical, Social and Cultural Rights, as well as in the Constitution of the Republic of Moldova.

The arguments provided by the Parliamentary Advocate were recognized as grounded, and on 27/01/2000 the Constitutional Court declared the attacked Law as non-constitutional.

On 15/02/2000 the sitting of the Constitutional Court examined the petition concerning the consistency of the Law on the Bar with the Constitution. In the opinion of the Center for Human Rights, the provisions of this Law regarding the obligation of persons with license for providing juridical assistance to adhere to the Advocates Union limited their constitutional rights. These provisions contradicted p.1 of Art.43 and Art.42 of the Constitution and violated the right of the individual to labor and to free choice of labor.

The Constitutional Court considered that the arguments provided by the Parliamentary Advocate were grounded and on their basis declared the said provisions of the Law on the Bar as non-constitutional.

Similarly, on 17/07/2000, the Center for Human Rights sent a petition to the Constitutional Court concerning the compliance with the Constitution of some provisions of Law Nr. 934 of 14/04/2000, by which the Parliament modified some articles from Law Nr.544-XIII of 20/07/1995 on the status of the judge, excluding the material and social guarantees. Following the investigations carried out by the Center, it was established that

by canceling the said guarantees, the Parliament had violated one of the general principles stipulated by the Constitution - the separation of powers in the state, principles foreseen in Art.6 of the Constitution.

In conformity with this article, the legislative, executive and judicial powers are separated and work in cooperation. Any attempt on the inviolability of justice, including the exclusion of guarantees declared previously by organic law, is nothing but an attempt on the separation of existent powers. In the Center's opinion, the cancellation of such important guarantees, like the right of the judge and of the members of his/her family to free of charge medical assistance at the necessary level, and other social guarantees stipulated by the public service Law, payment to the family of a lump sum allowance in case of judge's demise etc., changes essentially the status of the judge, thus undermining the independence of the latter in providing justice.

The arguments of Parliamentary Advocate Mr. Potîngă were also supported by the Supreme Court of Justice that submitted a corresponding note to the Constitutional Court. Following the judicial debates, the advanced requirements were met and the above-mentioned Law was declared non-constitutional.

The Parliamentary Advocates make wide use of the right to submit notes to decisions-making factors concerning the violation of applicants rights, as well as recommendations for eliminating the identified errors. Using this rights, the Parliamentary Advocates have sent in care of various ministries and departments many notes soliciting the improvement of the state of affairs. Most of such appeals have been satisfied.

Another form contributing to perfection of the legislation and matching it with international norms and practices in human rights protection is the active participation of Parliamentary Advocates and representatives of the Center in the Government sittings and in the formulation of opinions concerning the drafts of normative acts that have to be adopted. More than that, the Center contributes to the elaboration of some projects. For example, at the Government sitting of December 6, 2000, the contribution of the Center was solicited in elaborating the draft Law on fingerprints registration. With the participation of the representative of the Internal Affairs Ministry, the Center has worded a project taking into account the indisputable observance of human constitutional rights and liberties and has sent it to the said Ministry for coordination with other concerned

ministries and departments. With account for the importance of the problem, for its activity in 2001 the Center has planned some measures that would allow for a more effective cooperation with various ministries and departments in elaborating legislative acts.

An appeal has been sent in care of the Government soliciting the complete and on-time presentation of corresponding materials for providing practical assistance in elaborating draft laws, other normative acts and continuous up-dating of legislation.

CHAPTER III

Information and training of the population.

Informational activity

About 300 materials with reference to the Center for Human Rights in the Republic of Moldova have been published in central and local mass-media since the beginning of the year. The Parliamentary Advocates have been on TV about 18 hours, and on radio-about 12 hours. Every month, the Center sends to mass-media sources informational communications concerning its activity and the cases of human rights violation.

Close contacts have been established with on-site mass media. Thus, the journalists from Comrat, Hâncești, Edineț, Ștefan-Vodă, Ialoveni etc. have time and again interviewed the employees of the Center informing the citizens of their regions about the work of the Center, the fundamental human rights and liberties, the prerogatives of international conventions the Republic of Moldova is a party to, providing consultations on the ways of claiming their constitutional rights.

The Center has a data-base containing articles of journalists from written press classified into separate topics. Using this data-base, the Parliamentary Advocates react promptly to cases of human rights violation identified by journalists. Here are but only two of the many examples showing the reaction of Parliamentary Advocates to the information from mass media sources. This could be the note sent in care of Moldova-Gas concerning the massive and gross violation of the rights of natural gas consumers in March, 2000, following the campaign in the press about this problem. Another example could be the appeal of Parliamentary Advocates to rebel students who tried to claim their rights by violence, and other cases.

The Center maintains efficient cooperation contacts with the Journalists' Union of the Republic of Moldova, the Independent Center of Journalism, the Association of Independent Press, the Press Agencies, as well as with a number of republican and district newspapers.

The Web Site of the Center for Human Rights is periodically completed both in Romanian and in English. The electronic address of the Center is: www.iatp.md/cpdom/.

Publishing activity

Like in the previous years, the Center has done an intensive publishing activity, printing many booklets, informational guides, brochures and other literature concerning the rights of various categories of citizens.

In writing these publications, both the employees of the Center and specialists from outside were involved. Some publications were intended for a wide circle of readers, others were aimed at certain categories of citizen, especially socially vulnerable ones that are less informed and trained.

The bulletin of the Center "The Parliamentary Advocate" in Romanian, Russian and English is issued quarterly. It contains materials about the activity of this institution, provides consultations in this domain, reflects the rights and liberties stipulated in the Constitution of the Republic of Moldova, in other national laws, as well as in the conventions and treaties our state is a party to.

The booklet "Rights of Youngsters in Question and Answers" completes, to a certain extent, the information gap concerning the basic rights the youngsters benefit from, trying to cultivate in them a juridical culture in a democratic state.

For national minorities, the guide "Different Cultures-Equal Rights" has been issued (in Romanian, Russian, Bulgarian, Gagauzian, Ukrainian, and English), as well as the brochure "The Convention - Framework for Protection of National Minorities", which incorporates the materials of the International seminar held in Chişinău, Comrat and Bălţi from 9 to 11 November, 1999.

The 50th anniversary since the adoption of the European Convention for Protection of Human Rights and Fundamental Liberties is reflected in the didactic mini-guide presented in the form of answer to the questions most frequently asked by citizens who appeal to the Center.

With account for the desires of petitioners, of the people that were given on-site audience, and also taking into consideration the lack of literature in this domain for self-

training of public functionaries, the Center has issued the brochure entitled "The Public Functionary as Protector and Provider of Human Rights".

For police workers, the Center has printed the booklet "The Policeman as Protector of Human Rights", intended to familiarize the police employees with the principal requirements for citizens protection, to change their attitude towards the individual to the better, to help them understand that their role is mainly to prevent the cases of violation of people's interests, and that they should first and foremost serve as example of respect of human dignity.

The book for children entitled "My Rights" is unique and describes many children's rights stipulated in the UN Convention on Human Rights in the form of poems, songs, short stories, drawings, it being in great demand among children, educators, teachers and parents.

Of great popularity among citizens are also the brochure "Women's Rights", the guide "Human Rights at Pension Age", the brochure "Rights of the Disabled", the visiting cards "The Rights of Mother and Child", "The Rights of Invalids", "The Rights of Convicted Mothers", "The Rights of the Convict", "Protection of Environment".

The booklets "How to Write a Petition", "The Center for Human Rights" and the brochure "The Law on Parliamentary Advocates" are aimed at familiarizing the citizens with the prerogatives of the Center and the role of Parliamentary advocates, to give them concrete advice as to how they can protect their constitutional rights and liberties.

All in all, in 2000 the Center issued 22 titles of special literature with a circulation of 93,600 copies.

Training activity

Information and juridical training of citizens concerning their fundamental rights, liberties and duties stipulated in the Constitution of the Republic of Moldova and the international documents Moldova is a party to, constitute one of the Center's basic objectives.

During 2000, work on informing and training the society in human rights was done in conformity with the working plan of the Center for Human Rights in the framework of the "Training Program" and in the following directions:

- **activities in the framework of the Community Education Program for various categories of the population;**
- **subject-matter activities (republican and regional workshops, conferences, "round the table meetings", contests);**
- **activities in cooperation with various social partners of the Republic.**

Activities within the Community Education Program

Since September 1999, the Moldova's Center for Human Rights has organized and held, within the UNDP project "Support of Democratic Initiatives in the Field of Human Rights in Moldova", 81 seminars (workshops) attended by 2,273 people. During this period, these workshops have actively contributed to informing and training the community in the human rights domain through the implementation of the Training Program for various groups of people with the financial support of the Dutch Government.

The project was being fulfilled under the general name of "Human Fundamental Rights and Liberties". A program for 2 days training has been elaborated for **seven target groups**, including:

- **representatives of local public administrations;**
- **representatives of NGOs;**
- **workers of Police Commissariats;**
- **penitentiary workers;**
- **jurists;**
- **didactic personnel;**
- **mass-media workers.**

The Training Program comprised several methodologies of presentation, including lectures, seminars, work groups and was implemented with the participation of foreign consultants as well as of national experts.

Chiefs of various departments, ministries, representatives of local public authorities, higher educational establishments and NGOs, mass-media workers were involved in the organizational process.

The seminars were contemplated as short training courses. Special attention was given to transfer of knowledge concerning:

- fundamental human rights and liberties, documents and mechanisms for their protection and observance;
- modern practices and working procedures that lead to the improvement of services delivered to the public.

Abilities to participate in the decision-making process, to work in a team, to express and substantiate one's opinions were developed.

The participants of seminars were provided with sets of informative and methodic materials appreciated as very important and useful in the day by day activity.

12 training seminars for public functionaries were held during the February-October period under the general name of "Some Steps Towards Democratization of Public Authorities" attended by 297 functionaries from all districts and Gagauzia Administrative Territorial Unit.

For workers of the apparatus of the Internal Affairs Ministry, of district and sector Commissariats of Edineț, Ungheni, Soroca, Lăpușna, Cahul, Taraclia, Comrat (ATU Gagauzia), as well as for representatives of didactic personnel from the educational institutions of the said Ministry, 12 seminars were held in May-July under the general name "Human Rights and the Police" attended by 300 people.

In September-October, 4 seminars were held under the general name "Woman's Rights - National and International Standards" attended by 107 persons (public functionaries, chief-doctors of hospitals, directors and deputy-directors of lyceums and schools, members of NGOs) from districts Cahul, Taraclia, Bălți and ATU Gagauzia.

14 training seminars were organized for penitentiary worker under the general name "Human Fundamental Rights and Liberties" (with special attention to problems related to

the observance of detainees rights, attended by 405 people or 13% of the total staff of this system.

To prepare trainers for promoting the human rights, the Center organized a series of training seminars for the members of the Education Center for Children's Rights (5), NGOs(3), mass-media(2), jurists(2), teaching personnel (2), other representatives that will activate as volunteers in districts (3).

Having planned to familiarize the population with CEDAW provisions, to make people realize that the woman's rights are human rights, and that the application of these provisions in the judiciary practice will contribute to the exclusion of various forms of discrimination towards women, which still occur in our society, the Center for Human Rights in cooperation with the National Center for Investigation and Information in the Domain of Women's Problems organized 2 training seminars under the general name "The Actuality and the Role of the Convention in the Elimination of all Forms of Discrimination Towards Women in Promoting and Consolidating the Woman's Human Rights" for representatives of legal bodies.

In the period from 25 to 28 September (Vadul lui Vodă) was held the seminar under the general name "Rights of Ethnic Minorities: National and International Standards and Practices", organized in cooperation with UNDP Moldova and the Department of National Relationships and Languages Functioning.

The Republic of Moldova has adhered to a number of international pacts and conventions. Owing to the fact that the mechanism of preparing the reports for UNO corresponding Committees is in an evolutionary process here, the Center for Human Rights in cooperation with the Ministry of Foreign Affairs, has organized 3 training seminars in the framework of the Project for specialists of ministries, departments and other institutions concerned with the elaboration of these reports.

Three other training seminars were organized for the staff of the Center. The training sessions were provided assistance by international experts, such as: Peter Hosking, senior consultant at the Office of the High Commissioner for Human Rights (Geneva); Margaret Anne Cook, Director of the Department for Relationships with the Public and Mass-Media of the Commission for Human Rights and Equal Opportunities (Australia); Mariana Neacsu, governmental expert at the National Agency for Children's Rights

Protection (Romania); Frank Steketee, representative of the European Council; Renate Weber, Chairwoman of the "Open World" Foundation (Romania); Gabriel Andriescu, Chairman of the Council of Experts in Problems of Minorities (Romania); Davide Zaffi, specialist of the section Linguistic Minorities in the autonomous Region Trentino Sud-Tirol (Italy).

According to opinions of participants, of trainers and international consultants that have evaluated the importance of training activities in the framework of the Program for Information and Education of the Community, the above-mentioned seminars had a constructive character, the international material having been delivered in an accessible manner. This material is interesting and useful for later application in practice. As effective aspects, mentioned were the interactive methods of training, the creativity, and the collective participation in discussions, thus demonstrating that the objectives of the seminars had been achieved.

The international experts from the UNO have mentioned the importance and necessity of dissemination of acquired knowledge, drawing the conclusion that in this way the population will become more aware of the human rights problems and will be able to overcome the social apathy and depression. They have underlined that within a short period of time, the Center managed to obtain a credible image in the society thanks to the volume of the work done and to its active involvement in the process of promoting and protecting the citizens rights and liberties.

Republican subject-matter activities

To identify the problems that require urgent solution and to find some efficient ways for improving the situation created in the Republic of Moldova, on May 24, the Center for Human Right in Moldova organized in Chişinău the republican seminar entitled "**The Right to Labor, the Conception of Protection of the Individual and the Latter's Guarantees in the Republican of Moldova.**"

Representatives of ministries and departments, of local public authorities, of NGOs and of trade union institutions and organizations participated in the work of this seminar.

The participants identified a series of problems concerning the citizen's right to labor and the realization of this right. They made some concrete proposals for solving these problems. These proposals were expressed later on in the Note to the Government of the Republic of Moldova on taking the measures for observance of citizens' rights to labor.

In cooperation with the Information and Documentation Center of the European Council from Moldova, two conferences were organized: one under the general name **"Five Years Since the Adherence of Republic of Moldova to the European Council: Achievements and Prospects"** and the other entitled **"The European Convention for Protection of Human Rights and Fundamental Liberties: Priorities and Desiderata"** for making the public at large alive to and involved in the solution of ecological problems, their promoting at a higher decision-making level and attracting decision-makers in their solution.

To actively involve the NGOs in promoting the human rights, the Center held a republican seminar under the general name **"The Civil Society, the NGOs and Their Contribution to Promotion of Human Rights"**.

In line with the working plan, the Center, in cooperation with UNDP Moldova, the organization "Save the Children" from Moldova, the Center for Information and Documentation on Children's Rights, the magazines "Alunelul" and "Amigul", announced two contests the result of which were summed up at the end of 2000: the republican contest of essays for children under the general name **"Human Rights Begin with Children's Rights"**, and the republican contest of drawings reflecting children's vision of the rights stipulated in the Convention on Children's Rights. Both contests were aimed at actively involving the children in human rights cognition, especially the children's rights. Over 500 children from all districts of the Republic participated in them.

In cooperation with UNDP Moldova, the Journalists' Union and the Association of Independent Press, the republican competition for journalists entitled "Reflection of Human Rights Problems in Mass-Media" was held. The winners were nominated on the eve of the anniversary of the Universal Declaration on Human Rights.

The already traditional republican university scientific conference under the general name **"Human Rights Observance - Priority Orientation of Contemporary Law and Justice"** was organized in cooperation with the European Council's Center of Information

and Documentation from Moldova as well as the Organization "Save the Children" from Moldova with the financial support of UNDP in Moldova. The Conference was devoted to the remarkable events of the year: 50 years since the adoption of the European Convention for Protection of Human Rights and Fundamental Liberties; 10 years since the signing of the Paris Charter for a new Europe; 10 years since the enforcement of the Convention on Children's Rights. Students from seven institutions of higher learning participated in the final stage of the Conference with communications. The public hearing of the theses presented by the students demonstrated a good understanding of the human rights concept, as well as a good preparation in this domain and on original interpretation of the presented subject-matter. The total number of participants in republican subject-matter activities was about 900 people.

Regional subject-matter activities

In conformity with its working plan, the Center organized quite a few subject-matter on-site seminars, actively involving the Prefectures, the District Councils and the town Mayoralties.

In the framework of the seminar "**Labor Migration and the Human Rights Problems**" held in Bălți, the issues discussed were: regulation of the legislation in labor migration and the current state of affairs in this domain; migration and account of internal migrants in the Republic; labor migration and problems of population's health; protection of Republic of Moldova's citizens searching for jobs with presentation of information by specialists from the Ministry of Justice, of Social Protection and Family, of Internal Affairs, of the Migration Department.

The Taraclia seminar entitled "**Rights of the Citizen to Information Concerning Environment Protection**" was aimed at ecological training of the population creating the feeling of responsibility for the state of the environment.

"**The Right to Labor, an Inalienable Right for all Human Beings**" was the subject-matter of the seminar held in Ciadâr-Lunga, the idea being to find some solutions for protecting the rights of the unemployed as well as for regulating the labor migration. Representatives of various departments and ministries, as well as specialists of local

public authorities actively participated in the discussion of the issues in dispute (the right to labor as reflected in the national and international legislation; the right to social insurance and protection of jobless; labor migration and human rights).

The issues discussed at the seminar entitled "**Aspects of Human Rights Observance in the Context of Social Rehabilitation of Patients Affected by AIDS, Drugs Consumption and Alcoholism**" and held in Bălți had been generated by the danger of HIV /AIDS epidemic's spreading in the Republic of Moldova, as well as of drug addiction, alcoholism, all of them having a negative impact upon society. Comprehensive and competent information was delivered by representatives of the Ministry of Health, the Republican Center for AIDS Prevention, the Republican Narcological Clinic, the Pedagogical University "I. Creangă", the Prefecture and District Council Bălți.

Training of the Center's staff members

The year of 2000 was also characterized by a continuation of training of the Center's employees. Parallel with self-training special attention was given to lectures delivered by international experts. The latter provided consultations to the specialists of the Center on problems related to distribution of the spheres of activities and delimitation of prerogatives, cooperation within subdivisions as well as cooperation with governmental, non-governmental and international organizations. The recommendations were presented in detailed reports which are studied and implemented at the Center so as to improve its activity.

Also, our co-workers had the possibility to up-date their knowledge at various international institutions and they are applying this knowledge in their practical activity.

Foreign experts that have visited the Center

Name of Consultant	Organization	Country
Peter Hosking, Senior Consultant	Office of the High Commissioner for Human Rights	Geneva, Switzerland
Margaret Anne Cook, Director of the Department for Relationships with the Public and Mass-media	The Commission for Human Rights and Equal Opportunities	Australia
Mariana Neacșu, Governmental Expert	National Agency for Children's Rights Protection	Romania
Renate Weber, Chairwoman of the "Open World" Foundation	"Open World" Foundation	Romania
Gabriel Andriescu, Chairman of the Council of Experts on Minorities Problems	"Open World" Foundation	Romania
Frank Steketee, Representative of the European Council	The European Council	France
Davide Zaffi, Specialist of the Section for Linguistic Minorities	The Section for Linguistic Minorities in the autonomous Region Trentino Sud-Tirol.	Italy
Cristina-EtemaAmba	Office of the High	Geneva,

Tangban, Expert in Human Rights	Commissioner for Human Rights	Switzerland
Ralph Crawshaw, Expert of the Center for Human Rights.	The Center for Human Rights at Essex University	Great Britain

Participation in other activities

During the year, the employees of the Center were often invited to participate in various activities organized by different ministries, departments, institutions, organizations (see their list hereinafter). There, the representatives of the Center familiarized the participants in these arrangements with the prerogatives of Parliamentary Advocates and informed them about the activity of this institution. They also told them about the problems available in human rights protection and promotion in the Republic of Moldova as well as about the requirements of national legislation and of international legislative acts of which our state is a party to. This helped to enlarge the citizens training area.

Period	Activity	Organizer
29 February	Press Conference devoted to the termination of the project for publishing the special edition “International Treaties” that the Republic of Moldova is a party to.”	The Ministry of Justice.
16 March	Round the table meeting devoted to preparation of activities for speeding up the ratification and implementation of: “The European Social Charter” in Moldova.	The Center for Information and Documentation of the European Council in Moldova.
16 March	Round the table meeting “Children–The future of Moldova”.	The Union of Social-Democratic Women of the Republic of Moldova.

16-17 March	Seminar “Social Integration in Moldova; Elaboration of the National Program”	Department of National Relationship and Languages Functioning of the Republic of Moldova
17 March	National conference “Observance of Social-Economic Rights: “Achievements, Experiences and Tendencies	The Center for Information and Documentation of the European Council in Moldova
21-22 March	International conference “Integration Processes in the Republic of Moldova: Elaboration of a National Strategy”	Department of National Relationships and Languages Functioning. The Council for Investigations and International Exchanges (IREX).
7 April	Round the table meeting on “Gypsies of the Republic of Moldova: Problems of Social and Cultural Development.”	Department of National Relationship and Languages Functioning of the Republic of Moldova.
14-15 May	Seminar “Police and the Human Rights”	The Center for Information and Documentation of the European Council in Moldova.
27 May	The II Congress of the Forum of Women’s Organizations in the Republic of Moldova	The Forum of Women’s Organizations in the Republic of Moldova
16-17 June	Seminar “Actual Problems of Human Rights in the Republic of Moldova, the Ukraine an Byelorussia”.	The Helsinki Committee for Human Rights.
20-22 September	Launching of the Project “Participation of Children and Youngsters in Local Public	The Association European Youth Exchange Moldova, the Center for Information and

	Administration;	Documentation on Children's Rights.
26-27 September	Conference "Traffic of Human beings for Sexual Exploitation"	The Ministry of Labor, Social Protection and Family.
29-30 September	International symposium "Juridical Status of Refugees and Asylum Seekers in a Law Abiding State".	Agency for Supporting the Juridical Education and the Legal Bodies "EX-LEGE"
29-30 September	Seminar "Juridical Status of Refuges and Asylum Seekers and the European Convention for Human Rights"	The High Commissioner of the UN for Refugees. Representative in the Republic of Moldova.
6-7 October	Conference "Life Quality of the Elderly and Schematizing the National Standards of Nursing".	Ministry of Health.
10-11 October	Conference "Legislation Concerning the Patients Rights".	The Center for Public Health and Sanitary Management.
12-13 October	International Scientific Symposium "Moldova, Romania, the Ukraine: European Integration and Labor Migration:.	The Center for Political Analysis and Social Technologies "Cartes".
19 October	Festive Meeting Devoted to the Day of the Jurist.	Ministry of Justice
7 November	Round the table meeting devoted to the International Day of Fighting Against Fascism and anti-Semitism	The Youth Organization of the Helsinki Citizen Assembly from Moldova.
15 November	National Children's Conference under the general name "Our Year-Our Choice".	The Center for Information and Documentation on Children's Rights in Moldova.
11-16 November	Autumn Session of the Children's Parliament.	The Center for Information and Documentation on Children's

		Rights in Moldova.
7-8 December	Training “Preventing the Traffic of Women”	The Organization “Civic Initiative”
12 December	Round the table meeting “The Role of the Police in the System of Interference in Cases of Abuse and Disdain of Juveniles”.	The national Center for Preventing Abuse Towards Children.
16 December	Conference-account of the 3-year activity of the Charity Foundation for Children “Snowdrops of Hope”.	The Charity Foundation for Children “Snowdrops of Hope”.
18 December, town Rezina	Meeting entitled “The Role of Mass-Media and the Economical-Informational Crisis”.	Association

Partners of Moldova’s Center for Human Rights

In organizing and carrying its activities, the Center for Human Rights of Moldova cooperated with:

- The Ministry of Internal Affairs
- The Ministry of Foreign Affairs
- The Ministry of Labor, Social Protection and Family
- The Ministry of Health
- The Ministry of Justice
- The Ministry of Science and Education
- The Ministry of Environment and Territory Arrangement
- The Supreme Court of Justice
- The Department of Penitentiary Institutions
- The Board for Personnel Policy attached to the Government of Republic of Moldova

- The Department for National Relationships and Language Functioning
- The Republican Center for AIDS Prevention
- The Republican Narcological Clinic
- The Police Academy “Ștefan cel Mare” (Stephen the Great).
- The State University of Moldova
- The Pedagogical University “I. Creangă”
- District Prefectures and Councils
- Peoples Assembly of ATU Gagauzia.
- The Center for Information and Documentation of the European Council in Moldova
- The Organization “Save the Children” Moldova
- The Center for Information and Documentation on Children’s Rights in Moldova
- The Association for Human Resources Management
- The Independent Society for Education and Human Rights
- The National Center for Investigation and Information on Women’s Problems
- The Human Rights Protection League of Moldova
- The Independent Center of Journalism
- The Association of Professional Psychologists
- The Youth Organization of Helsinki Citizen Assembly
- The National Center for Preventing Abuse Towards Children
- The International Society of Human Rights - Republic of Moldova’s Section
- The Public Center of the Ecological Bar “ECO-LEX”
- The Women’s Club “CRISTAP”
- The Association “Atena”
- The Association of the Elderly “Kindness”
- The Association for Protection of the Elderly “Eterna”
- The Association “Imperativ”
- The League of Youth and Comrat University Students
- The Youth Association “JUVENTUS”

Conclusions and suggestions

The problem of providing respect to human dignity, of promoting and protecting human rights and liberties has lately acquired special significance in the Republic of Moldova becoming one of the most urgent tasks facing the state and the society.

The Parliament, the President of the Republic and the Government undertake various measures for consolidating and deepening the democratic values as well as for protecting the human rights and liberties.

However, the process of creating a law-abiding state hasn't become a harmonious one yet. The main difficulty is its collision with the obsolete understanding of the role of the personality in the society. Though the society generally reacts to violations of human rights and liberties, it is still unable to overcome the inherited totalitarian concepts and hardly understands the new democratic ideals. It is also due to long-term economical recession which creates inequality and conflict moments on problems of redistribution of rights and liberties, especially those that refer to power, material resources etc. This provokes substantiated concern of a vast part of the population about their fate and the future of the young generation. Thus, the measures for promoting and developing the human rights are connected with Government's provision of equal rights and real fulfillment of individual rights, excluding all forms and elements of deprivation of rights and social cast away of the personality.

The main principles that were at the basis of creating the institution of Parliamentary Advocates in the Republic of Moldova have totally confirmed themselves: deterioration of the economical situation that can lead to a growing risk of massive violations of socially vulnerable groups rights; difficulties in the process of performing legal and judicial reforms; citizen's lack of knowledge in human rights; limited access of separate groups of the population to redistribution of material wealth; the need for supervision of observance of constitutional rights and liberties, as well as providing the

fulfillment of provisions of international juridical documents of which the Republic of Moldova is a party to.

The experience acquired by the Center during the years of its activity and the references of international experts in the field of basic human rights and liberties confirm the need for the existence of a national institution of human rights and liberties.

Though the Center has been activating for a relatively short period of time, it has become well-known and avowed in the society; on some days from 35 to 40 people are received by Parliamentary Advocates; hundreds of people come to citizen's audiences organized by the specialists of the Center on-site. In most cases these are citizens who, during several years, have been seeking truth and justice losing all hope to have their rights reinstated. It is important that having created a Center for human rights, the Republic of Moldova has demonstrated once again its resolution to continue its democratic way which is based on promoting and protecting the principal human rights and liberties.

The staff of the Center is professionally well trained, its employees are aware of the fact that the results of their activity constitute a great contribution to the promotion of human rights in our state, to increasing the authority of this institution and to creating a positive image of the Republic of Moldova on the international arena.

Director of the Center for Human Rights,

Alexei Potîngă

20 January, 2001