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## **MOTION FOR A RESOLUTION**

with request for inclusion in the agenda for the debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 115 of the Rules of Procedure

by Pasqualina Napoletano, Jan Marinus Wiersma and Marianne Mikko,

on behalf of the PSE Group

on human rights in Moldova, in particular in Transnistria

**European Parliament resolution on human rights in Moldova, in particular in Transnistria**

*The European Parliament,*

- having regard to its previous resolutions on the situation in Moldova, in particular its resolution of 18 December 2003<sup>1</sup> and its resolution on the parliamentary elections in Moldova<sup>2</sup> adopted on 24 February 2005,
- having regard to the Final Statement and Recommendations of the EU-Moldova Parliamentary Cooperation Committee of 7 October 2005,
- having regard to the Action Plan for Moldova, which was adopted by the EU Moldova Cooperation Council meeting on 22 February 2005,
- having regard to its resolution of 28 April 2005 on the Annual Report on Human Rights in the World 2004<sup>3</sup>,
- having regard to the conclusion of the international observer mission on the Moldovan parliamentary elections of 6 March 2005 which, despite the shortcomings identified regarding campaign and media condition, were generally in compliance with most OSCE and Council of Europe commitments and international standards,
- having regard to the Council's decision implementing common position 2004/179/CFSP on restrictive measures against the leadership of the Transnistrian region of Moldova and a common position renewing the restrictive measures for a further 12 months (5326/06 and 5456/06),
- having regard to the interim resolution of the Committee of Ministers of the Council of Europe adopted on 1 March 2006 concerning the execution of the judgment of the European Court of Human Rights in the case of Ilascu and others against Moldova and the Russian Federation, which was delivered on 8 July 2004; whereas in its judgment the Court held in particular that the two respondent States are to take all necessary measures to put an end to the arbitrary detention of the applicants still imprisoned and secure their immediate release,
- having regard to Rule 115 of its Rules of Procedure,

A. Whereas the Republic of Moldova has deep historical, cultural and economic links to the Member States of the European Union based on shared common values with

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<sup>1</sup> OJ C 91 E, 15.4.2004, p. 692.,

<sup>2</sup> P6\_TA(2005)0055

<sup>3</sup> P6\_TA(2005)0150.

regard, in particular, to democracy, the rule of law and respect for human and civil rights,

- B. whereas within the framework of the European Neighbourhood Policy an Action Plan has been adopted, which includes proposals aimed at encouraging the political and institutional reforms which will enable Moldova to integrate progressively in EU policies and programmes,
  - C. Whereas the European Union recently took important steps to deepen its engagement with the republic of Moldova in opening a permanent European Commission delegation in Chisinau, in appointing an EU Special Representative (EUSR) for Moldova tasked with contributing towards a sustainable settlement of the Transnistria conflict and in establishing an EU border mission on the Moldova-Ukraine border as signs of enhanced engagement by the European Union in the search for a settlement of the Transnistria problem,
  - D. Whereas, although the Moldovan government has made considerable efforts in adopting legislation respecting human rights and the rule of law, there are still delays in implementation and practices where human rights and the rule of law in several areas are violated,
  - E. Whereas in the separatist region of Transnistria, the unrecognised regime restricts the right of citizens to change their government, authorities reportedly continue to use torture and arbitrary arrest and detention; prison conditions remain harsh and members of the so called Ilascu group remain in prison, authorities harass independent media and opposition law makers, restrict freedom of association and discriminate against Romanian-speakers,
  - F. Whereas Valery Pasat, Moldova's former Defence Minister was recently sentenced to 10 years in a hard-labour penal camp by a court in Chisinau, charged of malfeasance related to the sale of 21 MIG-29 fighter aircraft; whereas the charges were allegedly not supported by prima facie evidence and the secret dedicated Moldovan Court appears to have refused to hear evidence favourable to the accused,
- 1 Deeply deplores the fact that the so called Transnistrian authorities, more than one and a half years after the judgment of the European Court of Human Rights in the case of Ilascu and others was delivered, continue to keep them imprisoned; notes that in its judgment the Court held in particular that the two respondent States are to take all necessary measures to put an end to the arbitrary detention of the applicants still imprisoned and secure their immediate release,
  - 2 Supports the Moldovan authorities in their efforts for immediate release of Mr Ivantoc and Mr Petrov-Popa still imprisoned in Transnistria;
  - 3 Calls on the Russian Federation to immediately stop its support for the Transnistrian regime, to withdraw its arms and troops from Transnistria and thus to make the regime unable to continue oppressing its citizens, using torture and arbitrary arrest and detention and harassing independent media and opposition lawmakers;

- 4 Recognises Moldova's European aspirations and calls for a long-term European perspective to be established; emphasises that democratic development of the country and the implementation of reforms respecting human rights and the rule of law, guaranteeing equal treatment of minorities, in particular the Roma minority, is beneficial for both EU and Moldova and constitutes an essential precondition for closer relations between the European Union and Moldova;
- 5 Expresses concern at the continuing reports of corruption and trafficking of human beings mainly from Moldova, especially of women and children: takes note of the establishment by the Moldovan authorities of a regional centre to tackle this scourge and stresses the need for concrete measures to rescue and rehabilitate the victims and bring the criminals to justice: underlines that information and public prosecution of those responsible in individual cases is the best and most persuasive way to prevent the repetition of this most inhuman trafficking and would therefore save many innocent women and children;
- 6 Appeals to Moldovan authorities, given the fact that Mr Pasat launched an appeal and given the poor conditions of his imprisonment, to guarantee a fair and transparent trial.
- 7 Calls on the Commission and Council to support the Moldovan authorities in their democratisation process and to use all diplomatic means to weaken the authoritarian and illegal regime in Transnistria;
- 8 Underlines the importance of the EU and Moldova working together to contribute to stability, security and prosperity in the region and on the European continent as a whole and to prevent the emergence of new dividing lines;
- 9 Notes with satisfaction that establishing an EU border mission on the Moldova-Ukraine border is having its first positive impact;
- 10 Calls for the reinforcement of Moldova's judicial capacity and further strengthening of the independence of the judiciary;
- 11 Stresses that opposition parties and minority interests must have a full opportunity to participate actively in the political course of the country; underlines that there should be no interference by the executive that restricts the free action of opposition parties;
- 12 Instructs its President to forward this resolution to the Government of Moldova, to the separatist Transnistrian authorities (Moldovan region), the Russian Federation, the Commission, the Council and the Member States.