

# Human rights and democratisation during 2019: The case of Armenia, Georgia and Moldova

*Marina Rakopyan\**

**Abstract:** *The three countries discussed in the article, the Republic of Armenia, the Republic of Georgia and the Republic of Moldova, have all witnessed developments and experienced weaknesses as far as human rights and democracy are concerned, particularly during 2019. From elections to emigration, the three countries have had different obstacles to overcome. All post-Soviet Union countries are making efforts to improve their record in respect of human rights and as they forge closer ties with the European Union (EU). Over the course of 2019, the three countries were moving forward slowly but steadily towards improved protection and promotion of human rights. All three countries had an issue with arbitrary detention, and the independence of the judiciary, while the majority of them had issues with torture and inhuman treatment and unlawful interference with privacy by government. Despite some differences in the areas, women's rights were not fully respected in the three countries. Minorities had fewer opportunities to participate in governmental structures. Protecting the rights of LGBTQ+ persons remained an issue in all three countries, despite the considerable effort that countries made toward greater tolerance. Children's rights were not fully respected in the countries, especially as far as child labour and child trafficking are concerned.*

**Key words:** *Armenia; Georgia; Moldova; human rights; democracy; arbitrary detention; torture and inhuman treatment; women's rights; minorities; rights of LGBTQ+ persons*

\* MA (Master's degree in Human Rights and Democratisation at Yerevan State University); LL.M (Master of Law in Intercultural Human Rights at St. Thomas University, School of Law); JSD (Doctor of Juridical Science in Intercultural Human Rights) candidate (St Thomas University School of Law); [marinarakopyan@yahoo.com](mailto:marinarakopyan@yahoo.com)

## **1 Introduction**

The three countries discussed in the article, namely, the Republic of Armenia, the Republic of Georgia and the Republic of Moldova, have witnessed developments and experienced weaknesses as far as human rights and democracy are concerned, particularly during 2019. From elections to emigration, the three countries have had different obstacles to overcome. The three countries are post-Soviet Union countries that are making efforts towards becoming more respectful of and more democratic countries by forging close ties with the European Union (EU).

The first ever agreement between the countries and the EU was signed in 1996 when the Partnership and Cooperation Agreement was signed between the EU and Armenia, Georgia, Moldova in 1994 (Monitor nd). Armenia signed the Armenia Comprehensive and Enhanced Partnership Agreement (CEPA) in 2018 (Commission, European Neighbourhood Policy And Enlargement Negotiations nd). Georgia signed and enforced the European Union – Georgia Association Agreement including a Deep and Comprehensive Free Trade Area (DCFTA) in 2016 (Commission, European Neighbourhood Policy and Enlargement Negotiations nd). Georgia and Moldova are signatures of the Deep and Comprehensive Free Trade Area (DCFTA) (Commission, European Neighbourhood Policy And Enlargement Negotiations nd). Moldova is closer to the EU and is working cooperatively within the framework of the European Neighbourhood Policy (Commission, European Neighbourhood Policy and Enlargement Negotiations nd).

In its first part, this article takes a thematic focus. It deals with a number of human rights issues, with reference to the situation during 2019 in each of the three countries. The second part of the article is country-directed, and investigates the broader context of human rights and democracy in each of the three countries during 2019, located within the particular country context. As will be noted, in some respects the three countries share challenges and have similar experiences, but in a number of other respects the position in the three countries is quite different and distinct.

## **2 Arbitrary deprivation of life or unlawful killing by government officials**

### **2.1 Armenia**

In Armenia the number of arbitrary deprivations of life and especially unlawful and politically-motivated killings has diminished by the year 2019. There has been only one reported case of the government having committed an arbitrary or unlawful killing since 2018. The case involved a man who was found hanged in the National Centre for Mental Health

after having been transferred for psychological assessment. His family stated that there definitely were signs of violence on the body (Bureau of Democracy 2019).

## **2.2 Georgia**

Throughout the year there were no reports of arbitrary or unlawful killings by the government or its agencies, and no reports of disappearances by government authorities in Georgia (Bureau of Democracy 2019 Country Reports on Human Rights Practices: Georgia 2019).

## **2.3 Moldova**

Throughout the year there were no reports of arbitrary or unlawful killings by the government or its agents in Moldova (Bureau of Democracy 2019 Country Reports on Human Rights Practices: Moldova 2019).

# **3 Prisons and detention centers**

## **3.1 Armenia**

In Armenia, as far as prisons and detention centers are concerned, there has been some progress in the sense that less corruption occurred, and overcrowding of prisons was reduced. The 2019-2023 new strategy and implementation action plan is supposed to improve the conditions in penitentiaries and probation, such as capital renovation, closing the facilities that are in a poor condition, the construction of prisons as well as combating ongoing corruption and improving inmate socialisation (Bureau of Democracy 2019). So far the government has implemented 'a zero-tolerance policy towards organised, hierarchical criminal gangs' (Bureau of Democracy 2019). Human rights organisations, including domestic and international organisations, met no obstacles in on a regular basis monitoring detention centers and prison conditions. They were allowed to speak privately to prisoners (Bureau of Democracy 2019). The water supplies in prisons were also improved. In ten regional police stations and detention centers audio and video recording devices were installed. The government has allocated nearly 446,7 million drams (\$926 000) to renovation and improvement of the conditions in prisons as well as the hospital for inmates (Bureau of Democracy 2019).

## **3.2 Georgia**

In Georgia the situation in prisons improved significantly, especially as far as overcrowding is concerned. Medical units were also improved, including the quality of medical personnel, medical examinations and documentation. While medical personnel were trained to meet the required

standards, security staff had also been trained (Bureau of Democracy 2019 Country Reports on Human Rights Practices: Georgia 2019).

### **3.3 Moldova**

According to reports, the overall situation at detention facilities in Moldova was not good. There were some minor improvements at some of the facilities, and some reconstruction work was done, but other than that the conditions remained poor, including 'poor sanitation, lack of privacy, insufficient or no access to outdoor exercise, and a lack of facilities for persons with disabilities' (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019). Some facilities met neither national nor international standards with extremely poor conditions and pervasive overcrowding. There were some facilities that lacked adequate food, natural light and sewage systems. Generally, some detainees were not fed on the day of their hearing, which causes problems, especially when they have to be transported over long distances for their trials (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019). Nevertheless, access to the complaint mechanisms by detainees also continues to be restricted despite the fact that they have a right to submit complaints about misconduct by prison personnel or other inmates. The head of the human rights committee of the Moldova Parliament has received multiple complaints throughout the year.

Despite the poor conditions, the government restricted neither local nor international human rights observers from monitoring prison conditions. Inmate interviews were also allowed to be conducted in private. Although conditions were poor, attorneys report that after the change of government they experienced less restricted access to their clients, especially those involved in politically-sensitive cases (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

## **4 Disappearances**

### **4.1 Armenia**

There were no reports of disappearances by government authorities in Armenia throughout the year (Bureau of Democracy 2019).

### **4.2 Georgia and Moldova**

There were no reports of disappearances by government authorities in Georgia (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019), as well as in Moldova.

## **5 Freedom of peaceful assembly and association**

### **5.1 Armenia**

The Armenian government has mostly respected the right to freedom of peaceful assembly and association. The Helsinki Committee of Armenia has especially noted that there have been major improvements, especially in the area of freedom of peaceful assembly, which had resulted in holding more assemblies; police interference was more controlled (Bureau of Democracy 2019).

### **5.2 Moldova**

The government of Moldova also did not restrict freedom of peaceful assembly during 2019. However, there were several exceptions in Transnistria, where restrictions were imposed by the Transnistrian authorities in the case of unauthorised protests. The Constitution provides for freedom of association and the government generally did not restrict this right, except when the organisations 'engaged in fighting against political pluralism, the principles of the rule of law, or the sovereignty and independence or territorial integrity of the country' (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

## **6 Freedom of movement**

### **6.1 Armenia**

Freedom of movement has also been respected by the Armenian government, including internal movement, foreign travel, emigration and repatriation. Notable changes have been effected with respect to immigration, in that in the year 2019 the court has considered more cases of asylum than in 2018. The country was also very lenient towards refugees, by offering naturalisation programmes for them to reside in the country. There were designated support programmes for the people who were returning or being deported from Western countries and for the families that had fled from Azerbaijan in the late 1980s to 1990s.

### **6.2 Moldova**

The government of Moldova generally respected freedom of movement, including internal movement, foreign travel, emigration and repatriation during 2019. Despite the fact that Transnistrian authorities had earlier restricted travel to the territory of some Moldavian officials, the governments recently agreed that restrictions be lifted and the travel process be simplified on both sides. The government worked closely with

the Office of the UN High Commissioner for Refugees in order to provide and protect the rights of refugees, migrants and stateless persons. With the help of UNHCR, the refugees in the country were being provided essential support such as logistical, housing, medical and financial support. It should also be mentioned that the government provides humanitarian protection whether or not a person qualifies for refugee status (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

## **7 Freedom of expression**

### **7.1 Armenia**

As far as the press is concerned, the law provides for freedom of expression and since the change of the government, it is noticeable that the press has become much freer than before. The most notable change has been with regard to the plurality of opinions in the press, which has not been expressed in years. Within the press, individuals were able to more freely criticise the government without fear of detention. The main reason was that after the 2018 revolution in the country, individuals, especially social media users, were free to express their opinions (Armenia HC 2019). Despite the growing number of false social media accounts due to the fact that the right to freedom of expression was no longer a challenge, the government imposed no restrictions on individuals to access online platforms and to express their own opinions, neither has the government monitored any private online communications (Bureau of Democracy 2019). NGOs were also allowed to freely operate without government intervention or restriction, including investigating and publishing their findings about the human rights situation throughout the country (Bureau of Democracy 2019).

### **7.2 Moldova**

When it comes to the most basic rights such as freedom of expression, the Moldavian government imposes no restrictions unless it 'poses a threat to national security, territorial integrity, public order or safety' (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

## **8 Academic freedom**

### **8.1 Armenia**

No restrictions were imposed by the Armenian government on academic freedom, which clearly was supported by the government. The

developments in these spheres were noticeable since the government had made efforts to free the academia from any politicisation, including corruption. New boards of trustees were appointed to public universities, and new rectors replaced those that for years had been in these positions (Bureau of Democracy 2019).

## **8.2 Moldova**

There were no cases of restriction of academic freedom and cultural events by the Moldavian government (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

# **9 Elections**

## **9.1 Armenia**

There were significant developments in the field of elections and political participation in Armenia. The country held spontaneous parliamentary elections in December 2018, which were considered free and competitive. The Organization for Security and Cooperation in Europe (OSCE) reported that freedom and public trust were upheld during the early elections. There were also no reports of vote-buying or other electoral malfeasance (Rights 2019).

## **9.2 Moldova**

Moldova held parliamentary elections on 24 February. As provided in the Constitution, the citizens have the freedom to participate in the political process and to have the ability to choose their government in free and fair elections which, according to the OSCR election observer mission and Council of Europe as well as other international observers, were generally respected and were quite competitive. The elections consisted of two rounds that, despite minor incidents, were held efficiently and in conformity with international standards (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

# **10 Corruption**

## **10.1 Armenia**

For the new government the eradication of corruption was one of the targetable priorities. The law provides for criminal penalties for the act of corruption ranging from a few hundred to millions of US dollars. There have been positive developments in this area. After the new government came into power, it started to investigate systemic corruption occurring

in public and private life. Former government officials, their relatives as well as judges and their relatives were involved in investigations of alleged corruption. One of the targets was the former President of Armenia and his family (House 2019). The majority of the cases are ongoing; there were also reports of corruption cases against current government officials (Bureau of Democracy 2019).

## **10.2 Moldova**

Moldova was not dealing very well with corruption and the lack of transparency in government despite the fact that corruption is considered a criminal offence. There were some improvements, but corruption remained a problem especially in the judiciary and other governmental structures. The improvements were made with regard to the investigation and particularly the charging process in corruption cases, especially high-profile cases, which include public officials and judiciaries (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019). Other progress in 2019 in the elimination of corruption in the country included the creation by the Moldavian government of the Coordinating Council and Consultative Bureau for Anticorruption and Justice Reform under the supervision of the Prime Minister of the country (Commission 2019).

# **11 Participation of women in politics**

## **11.1 Armenia**

The participation of women in political life in Armenia seemed to be improving, albeit slowly. The first-ever female mayor in the country was elected and more women were being seen involved in politics and economic life of the country, even in executive positions (Bureau of Democracy 2019).

## **11.2 Georgia**

According to reliable reports, the participation of women in political process is quite developed in Georgia (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019).

## **11.3 Moldova**

The Moldavian government respects the rights of women and minorities to participate in the political process. According to the law each party must have a minimum of 40 per cent of each gender as candidates on their election lists. The government also provides financial support to promote female candidacy. Any type of discrimination by political parties or the



media is sanctioned by law. However, unfortunately there were reports that the parties not always include the valid number of female representatives on their lists. In the last election, women were elected in only 26 out of a total of 101 parliamentary seats (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

## **12 Domestic violence against women**

### **12.1 Armenia**

Despite the growing role of women in Armenian political life, the country has not yet ratified the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. More than 378 domestic violence cases were investigated throughout the year. The government was trying to attend to this matter despite the fact that cases remain underreported (International 2019).

### **12.2 Georgia**

Domestic violence remains a significant problem in Georgia, but the government is attempting to overcome this. With the help of the new law on Violence Against Women and Domestic Violence the government tried to eliminate the shortcomings of the existing law in an effort to prevent domestic violence from occurring. The government also worked very closely with NGOs to provide appropriate care for victims of domestic violence and human trafficking (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019).

## **13 Children's rights**

### **13.1 Armenia**

The violation of children's rights was one of the prioritized fields of the new government of Armenia. The problem with addressing this, however, is that there was insufficient official data on this matter and there were loopholes in legislation in so far as violence against children is concerned. The Council of Justice for Children created a platform for coordinating a national plan. The extent of the problem was extensive, and extended to domestic violence and child trafficking. When new laws were implemented, however, the services were not fully available to the victims which caused more problems for the government. Furthermore, the scope of the violence against children includes cyber violence against minors and labour exploitation (Bureau of Democracy 2019).

An amendment to the Family Code, which entered into force in 2018, provides for more foster care homes and improvements in respect of adoption. The number of foster families in Armenia was 45, which represents an increase compared to previous years. Despite all these efforts to improve the adoption system, illegal adoptions continued. On 14 November 2019 the National Security Service of Armenia reported that approximately 30 children had been illegally adopted. The majority of children had been adopted in Italy (Armenia NS 2019).

### **13.2 Georgia**

Children's rights were not respected very well in Georgia in 2019. With the help of Europol, Georgian authorities had arrested 11 people who were involved in child-trafficking rings. The girls who were trafficked were aged 8 to 14 years. Among the arrested individuals were one American and one Australian citizen who were charged with child trafficking and producing or selling child pornography (Bacchi 2019). The government did progressive work by replacing orphanages with foster care arrangements (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019).

### **13.3 Moldova**

Compared to previous years, there was a decreasing number of reported cases of violence against children in Moldova during 2019. Reported cases include neglect, labour exploitation and sexual abuse. Unfortunately, not all cases were monitored due to a lack of experts in the field. However, the Prosecutor-General's office was ensuring particular attention to child abuse victims (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019). Child prostitution and commercial sex is punishable by law. The government was generally responsible for implementing these laws, despite the fact that the country is a child sex tourism destination. According to UNICEF around 10 per cent of children were exposed to this. Only during 2019 there were seven victims of child pornography identified whose ages vary from three to 14 years. Overall there were more than 79 registered cases of sexual exploitation and sexual abuse of children (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

## **14 Rights of lesbian, gay, bisexual, transgender, queer or questioning persons**

### **14.1 Armenia**

There were fewer instances of harassment and discrimination of LGBTQ+ persons. Still, there were at least 24 cases of homophobia and violence

documented by local non-governmental groups. Nevertheless, probably the only progress was that for the first time ever an openly transgender activist 'addressed the parliament during a hearing on human rights' (International 2019).

## **14.2 Moldova**

Despite the fact that the law prohibits any type of discrimination based on sexual orientation, social discrimination continued. There were reports by the LGBTQ+ community of verbal and physical abuse, who were regarded as having 'the lowest societal acceptance rate of any minority group'. In May the NGO Genderdoc-M organised the annual Solidarity Pride March. It should be noted that the march was held for the second time in a row with up to 300 participants (International 2019) who were marching through the central parts of the capital city of Moldova (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019). This was the first time in the history of the country that a current member of Parliament also participated in the march, together with his family (House, Freedom in the World: Moldova, 2019).

This article now turns to the broader context of human rights and democracy in each of the three countries during 2019, located within the particular country context.

## **15 Human rights and democratisation in the context of Armenia**

Throughout 2019 the human rights situation in Armenia improved, even if some specific areas require more attention. Since the change of the old regime the government has taken solid steps to investigate and punish the abuses perpetrated by the former government and law enforcement agencies.

Throughout the year the Armenian officials continued the investigation of high-ranking government officials. These high-ranking officials were accused of having been involved in the deaths of eight civilians and two police officials during the protest in 2008. The investigation continues. In 2008 mass protests were held in Armenia, particularly in Yerevan, after the presidential elections. People gathered in Yerevan's Freedom Square and remained there for almost 10 days. On 1 March the police forcibly tried to disperse the protest which led to clashes between civilians and the police, resulting in the death of 10 people including police and civilians (Bureau of Democracy 2019). After the investigation on 12 September, the hearings began. The charges that were filed included 'allegations of overthrowing the constitutional order, abuse and exceeding official authority, torture, complicity in bribery, official fraud, and falsification

of evidence connected with the investigation of the 2008 post-election events' (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Armenia, 2019). It should also be noted that it was only in 2019, after the government had started the investigation, that Parliament adopted a law that will provide assistance to victims and their families (Bureau of Democracy 2019). The former President of Armenia, who was ruling President at the time of the clashes, was among the people who were being investigated. He was arrested and charged with 'overthrowing the constitutional order and bribe-taking'. He allegedly was one of the persons responsible for the violence that had resulted in the deaths of 10 people (International 2019).

Another field to be looked at is the military situation in Armenia, which has also improved, albeit only to some extent. The death in the army of non-combatants was and continues to be qualified as suicide, rather than deaths, since suicides are less likely to be investigated for violence or abuse. In 2018, the government established a working group of NGOs and individuals who are experts in the field to investigate the cases that had led to the deaths in the army under non-combat conditions. The group has been working with the past five cases and one of the tasks of the group was to identify the systemic problems occurring in the army. On 2019 the government also approved the Judicial and Legal Reform Strategy for 2019-2023 for implementation of the fact-finding group 'to examine noncombat deaths, among other human rights violations' (Bureau of Democracy 2019). This was the first time that the Ministry of Defence had considered as a priority the protection of soldiers' human rights. The Ministry has launched a 'trust line' where the soldiers would be able to call and submit their own complains or suggestions (Bureau of Democracy 2019).

It should be noted that throughout 2019 there were no political prisoners or detainees in Armenia (Bureau of Democracy 2019).

When it comes to the political participation of citizens, as well as joining or creating new political parties, no significant hurdles were identified. There also were no restrictions noted in the registration or any activities of political parties or political participation in 2019 (Bureau of Democracy 2019).

Improvements had been also noticed in areas such as arbitrary arrest or detention. Despite the fact that the law completely prohibits it and guarantees individuals a right to challenge the lawfulness of their arrest or detention in court, such cases still occur. However, it should be noted that the reports were few, especially compared to the previous years. Generally speaking, authorities do comply with court orders and the new Judicial and Legal Reform Strategy for 2019-2023 is supposed to improve

the judicial independence and public trust in the judiciary (Bureau of Democracy 2019).

The development of respect for human rights was promising in Armenia in 2019, especially compared to neighbouring countries. However, there certainly are areas that still require improvement. According to human rights reports, Armenia continues to face human rights violations in the following forms: 'torture; arbitrary detention, although with fewer reports; harsh and life-threatening prison conditions; arbitrary interference with privacy; significant problems with the independence of the judiciary; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex (LGBTI) persons; and use of forced or compulsory child labour' (Bureau of Democracy 2019).

## **16 Human rights and democratisation in the context of Georgia**

The year 2019 for Georgia was also a year of modest developments. In spite of this the Georgian government tried to do its best to protect and promote human rights in Georgia.

One of the disturbing problems was torture and other cruel, inhuman or degrading treatment. In 2018 the Georgian Parliament voted to create a separate institution to investigate all accusations, particularly those perpetrated by law enforcements and government officials. This in fact would help to reduce the cruelty that citizens are facing when encountering law enforcement agents (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019). Three police officers were charged throughout the year with exceeding their powers, and 11 law enforcement officers were charged with misconduct (Watch 2019).

The entire judicial system has since the judicial reform passed in Parliament on 13 December experienced improvements in respect of transparency, accountability, judicial appointment and caseload management (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019). It should be noted that last year there were comparably fewer cases filed against Georgia at the European Court of Human Rights than before (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019).

The government also took initiatives to provide more people with internally-displaced person status and giving them monthly allowances, improving their social and economic integration and attempting to create conditions for their safe return. Nevertheless, the Georgian government was also attempting to improve the situation of people from Turkey and Azerbaijan by providing for asylum or refugee status in the country and

offering them a way to naturalisation (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019). As was mentioned above, the participation of both women and minority groups in the political processes of the country has improved (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019).

However, despite the freedom of political participation in the country there were other issues that women in Georgia were facing, such as sexual harassment. It should be noted that all forms of harassment have been criminalised in Georgia. Women especially experienced harassment in the workplace. The Georgian government was trying to eliminate harassment and Parliament in May passed a law that strengthens protection against sexual harassment (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019).

Despite the fact that Georgia was trying to promote human rights in the country, the annual human rights report found that there were 'significant problems with the independence of the judiciary and investigations and prosecutions widely considered to be politically motivated; unlawful interference with privacy; inappropriate police force against journalists; substantial interference with the right of peaceful assembly, including inappropriate police force against protesters; and crimes involving violence or threats targeting lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons' (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Georgia, 2019).

## **17 Human rights and democratisation in the context of Moldova**

In 2019 Moldova was trying its best to fulfil its human rights obligations to respect and protect basic human rights in the country. Like any other country discussed, aspects of Moldova's democratic credentials need attention. One of these is the situation of torture, and inhuman and degrading treatment. The law forbids any type of torture or any cruel, inhuman and degrading treatment including medical abuse. However, the human rights ombudsman presented official reports of inhuman treatment, particularly in pre-trial detention centres in police stations and in regional police inspectorates. The Prosecutor-General's office has received more than 456 allegations of torture and mistreatment and this was only for half of the year. This number shown was higher than the previous year's report. It should be noted that the incidents of torture were mainly reported as occurring in public spaces, with less than half occurring at government facilities (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019). Nevertheless, it should be noted that Moldovan courts had convicted police officers on torture charges. There were cases where inmates of the convicted person who had been found dead were

charged with torture. As of the end of 2019, there were 13 cases against police officers accused of inhuman treatment and torture, and ‘two doctors were accused of workplace negligence’ (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

Citizens of Moldova are allowed to seek damages in civil courts. However, despite the fact that government was trying to protect and promote human rights in the country, the entire system still lacks implementation mechanisms. The lack of access to effective judicial remedies remained an area that the Moldavian government should work to improve (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

The Moldavian government was cooperative and responsive towards human rights organisations and placed no restrictions on their operations. Parliament itself has a committee on human rights and inter-ethnic relations (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019). The support of the government continued throughout the year, with around 30 NGOs participating in different trainings for promoting human rights in Moldova. One of these training events, conducted by the OHCHR on state reporting to CEDAW, played a part in the subsequent review of Moldova’s report to CEDAW. The government of Moldova supports the implementation of international human rights mechanisms and helped four UN Special Rapporteurs to conduct human right visits to and reports on the country situation (Commissioner 2019).

Another issue that Moldova was facing was interference with the privacy of the country’s people. The arbitrary or unlawful interference with privacy, family, home or correspondence is prohibited by the Constitution, unless it is ‘necessary to ensure state security, economic welfare or public order or to prevent crimes’ (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019). This provision was not enforced fully by the government agencies, as evidenced by reports of illegal wiretaps, surveillance, even threats against family members. It should be noted that the most instances of unlawful interference with privacy were committed against the opposition party. The Moldavian Parliament has a national security, defence and public order committee which organised hearings on illegal wiretappings. The committee reported that the number of wiretapping requests had doubled in the last five years as well, with 98 per cent of these requests being judicially approved. The most wiretap requests were done by the Ministry of Interior and the highest number occurred during the elections. After the report, the Prosecutor-General laid a criminal charge against Interior Ministry employees, prosecutors and judges for wiretapping politicians, activists and journalists (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

Generally, women did not face discrimination and received equal pay for equal work. The law requires that there should be at least 40 per cent of female representatives in decision-making positions, and requires employers to be responsible to ensure a workplace free of discrimination and sexual harassment (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019). Not only women but also minority groups such as Gagauzians, Bulgarians and Romany people gained seats in the Parliament after the elections (House, Freedom in the World: Moldova, 2019).

In Moldova all types of discrimination with respect to employment and occupation is prohibited by law, including on the basis of 'sex, age, race, color, nationality, religion, political opinion, social origin, residence, disability, HIV-positive status, and membership or activity in trade unions, as well as other criteria'. However, throughout 2019 the Council for Preventing and Eliminating Discrimination and Ensuring Equality received more than 43 per cent more complaints and made decisions on them. The reports outnumbered the reports received the year before (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

According to the annual human rights report the overall significant human rights issues in the country were 'torture; arbitrary detention; harsh and life-threatening prison conditions; political prisoners; arbitrary or unlawful interference with privacy; problems with judicial independence; acts of corruption; violence against and medical abuse of children and adults in psychiatric hospitals and residential institutions for persons with mental disabilities; and the use of forced or compulsory child labour' (Bureau of Democracy, 2019 Country Reports on Human Rights Practices: Moldova, 2019).

## **18 Conclusion**

Overall, the three republics discussed above were moving forward slowly but steadily towards improved protection and promotion of human rights. All three countries had an issue with arbitrary detention, and a majority of them had issues with torture and inhuman treatment. The independence of the judiciary remained a problem in all three republics. The majority of them also had an issue with unlawful interference with privacy by government as well as in some countries, harsh and even life-threatening conditions in prisons. Despite some differences in the areas, women's rights were not fully respected in the three countries. Minorities had fewer opportunities to participate in governmental structures. Protecting the rights of LGBTQ+ persons remained an issue in all three countries, despite the considerable effort that countries made toward greater tolerance. Children's rights were not fully respected in the countries, especially as



far as child labour and child trafficking are concerned. Institutionalisation still exists and children were still kept in orphanages in all three countries, despite the fact that there were legislative and practical changes towards moving from orphanages to foster care.

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