

Concerns regarding latest development around the freedom of peaceful assemblies in the Republic of Moldova

The statement of “Promo-LEX” Association at the
Human Dimension Implementation Meeting 2018

In 2008 Moldovan Parliament adopted a Law on assemblies that created a functional liberal environment for exercising the right to peaceful assemblies. Despite the fears of the Local authorities and Police the new Law created one of the best environments in the region for exercising the freedom of peaceful assemblies.

After a period when the police and the local public administration were adapting to the new law, Moldova has experienced the events from April 2009. During those events, following a non-peaceful protest, the buildings of the Moldovan Parliament and Presidency have been vandalized. In a delayed intervention, the Police adopted repressive measures against peaceful participants, in which at least one person was killed and hundreds have been imprisoned and tortured.

Since 2009, the environment of freedom of assembly has steadily grown better. Both authorities and organizers have evolved to a better understanding of their rights and duties during peaceful assemblies.

- *A positive example is the fact that on April 19, 2018, the Moldovan Police have managed, for the first time, to ensure the head-tail run, without interruption, of the annual LGBT Pride. For this purpose, a large number of law enforcement was deployed, and the traffic and public access has been blocked for a couple of hours on a distance of 10 blocks. The organizers have complained that the excessive protection measures turned the dissatisfaction of the affected non-involved population against the LGBT Pride.*

A series of recent negative events, have raised concerns regarding the respect for the freedom of peaceful assemblies in Republic of Moldova.

- *During the peaceful protests against the invalidation of local elections in the Capital City Chisinau in June 2018, law enforcement adopted disproportionate measures by deploying great numbers (thousands of policemen during assemblies from June 24th and July 1st, 2018) of well equipped policemen against peaceful participants and closing the traffic in extensive areas (4 blocks away on June 25th, 2018 and 15 blocks away on June 26th, 2018) near the places where small (app 1000 in the first case and 100 in the other case) peaceful assemblies were held.*

- *On August 27, 2018, on the occasion of the Republic of Moldova Independence Day, the Police have illegally stopped the peaceful antigovernment protest of the Civic Group OccupyGuguta. The Police have also deprived the participants of their belongings that were used in the assembly (banners, installations, and other personal belongings). While doing so, the law enforcement authorities engaged more than one hundred well equipped policemen against a dozen peaceful participants. Until that date, the organizers complied with all legally required procedures, and ran the protest peacefully for more than two months.*
- *On August 27, 2018, the Police have used disproportional force to evacuate another peaceful antigovernment assembly held by National Resistance Movement “ACUM”. Although the evacuation was legally based, the manner in which the law enforcement has acted was excessive. The Police deployed hundreds of well equipped policemen against 70 peaceful participants.*
- *On September 1st, 2018, during a peaceful assembly of the “Action 2012” - a group advocating for the re-unification of the Republic of Moldova with Romania, the Police deployed Special Units (“Fulger” Brigade) armed with weapons (M16), turned off the nightlights at the assembly place in the center of Chisinau, and unjustifiably delayed the departure of the participants until late in the evening (at about 24:00). The Police motivated their actions by the checking of participants’ buses for explosive substances. The assembly was attended by a few hundred persons among which many children and a Member of the Romanian Parliament.*

We are concerned with the latest actions of the Law enforcement. All these measures have shaken the environment of peaceful assemblies in the Republic of Moldova and the trust of the civil society in the good intentions of the public authorities.

We see them as signals of a threat to freedom of assembly, carried out intentionally or unintentionally in the context of an open political confrontation in the country, determined by the upcoming Parliamentary elections.

We consider that the Moldovan Police is exposed to the risk of reviving practices that rely heavily on the use of force. This could lead to systematic violation of freedom of assembly and to a setback of the Police reform started a few years ago.

We recommend that the international support for capacity building offered to the Moldovan Police should focus more on consolidating tools, skills and attitudes that rely on human rights based approach.

We also call on the international community to watch closer the evolution of the situation of freedom of assembly in the Republic of Moldova.