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Transnistria *

Country:

Transnistria *

Year:

2018

Freedom Status:

Not Free

Political Rights:

6

Civil Liberties:

6

Aggregate Score:

24

Freedom Rating:

6.0

Overview:

Transnistria is a breakaway region of Moldova in which ethnic Russians and Ukrainians together outnumber ethnic Moldovans. The territory has enjoyed de facto independence since a brief military conflict in 1992, though it is internationally recognized as a part of Moldova. Its government and economy are heavily dependent on subsidies from Russia, which maintains a military presence and peacekeeping mission in the territory. Political competition is limited, and the dominant party is aligned with powerful local business interests. Impartiality and pluralism of opinion in media is very limited, and authorities closely control civil society activity.

Political Rights and Civil Liberties:

POLITICAL RIGHTS: 10 / 40

A. ELECTORAL PROCESS: 3 / 12

A1. Was the current head of government or other chief national authority elected through free and fair elections? 1 / 4

The president is elected to up to two five-year terms. Parliament speaker Vadim Krasnoselsky, an independent closely associated with the Obnovleniye (Renewal) Party, defeated incumbent Yevgeniy Shevchuk in the 2016 presidential election, following a campaign characterized by corruption allegations traded between the two. Shevchuk was defeated even as his campaign drew significantly on public resources,

including the state media, which heavily favored him and sought to portray Krasnoselsky as a crony of Sheriff Enterprises, the powerful business conglomerate that dominates the economy and backs the Renewal Party; Krasnoselsky had previously served as the company's security chief. Given Transnistria's political status, established election monitors did not send missions to oversee the contest.

Constitutional amendments approved in 2011 created a relatively weak post of prime minister. The president appoints the prime minister, who is approved by the parliament. Krasnoselsky tapped Alexander Martynov to serve as prime minister in late 2016.

A2. Were the current national legislative representatives elected through free and fair elections? 1 / 4

Members of the 43-seat, unicameral Supreme Council are elected to five-year terms. Renewal won a landslide victory in 2015 elections, due in large part to poor economic conditions and dissatisfaction with then president Shevchuk's government. A small group of Shevchuk's allies and supporters demonstrated against the results of the elections, claiming vote manipulation. As Transnistria is not internationally recognized, no established election monitor sent a mission to observe the election's conduct.

The winners of 2017 by-elections for seats left vacant by resignations were considered allies of Sheriff Enterprises. Several candidates were reportedly impeded from registration, including one who was favored to win his district.

A3. Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies? 1 / 4

In recent years, actors from various political camps have alleged that the Electoral Commission is subject to political pressure. In 2015, ahead of that year's elections, authorities unsuccessfully tried to evict the Electoral Commission from its offices, in what was viewed as an attempt to interfere with its operations.

B. POLITICAL PLURALISM AND PARTICIPATION: 5 / 16

B1. Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings? 1 / 4

Transnistria's entire political establishment, including nominal opposition parties and civil society organizations, supports the separatist system and Russia's role as patron. In the 2015 Supreme Council elections, Renewal won overwhelmingly with 35 of 43 seats; Proryv (Breakthrough) and the Communist Party each won 1 seat. Several independent deputies gained seats, but they are strongly affiliated with Renewal. With the 2016 election of Krasnoselsky as president, the entire political establishment is now controlled by Renewal. However, the Communist Party is able to hold some events and speak out against the government in a limited way.

B2. Is there a realistic opportunity for the opposition to increase its support or gain power through elections? 2 / 4

The Renewal Party has long dominated the legislature. In recent years, opposition candidates have occasionally faced difficulties registering to compete in elections.

While the main candidates in the 2016 election to the country's powerful presidency were independents, the post effectively rotated between power bases when Shevchuk was defeated by Krasnoselsky.

A number of corruption cases were initiated against Shevchuk in 2017, and he has since fled the territory, and is reportedly living in Moldova. In October 2017, the Renewal-controlled parliament passed an amendment allowing him to be tried in absentia.

B3. Are the people's political choices free from domination by the military, foreign powers, religious hierarchies, economic oligarchies, or any other powerful group that is not democratically accountable? 1 / 4

The Transnistrian political establishment is dominated by the monopolistic conglomerate Sheriff Enterprises. Moscow's political influence in Transnistria is undergirded by the presence of 1,500 Russian troops, who are stationed to guard a Soviet-era ammunition depot and uphold a 1992 cease-fire between Transnistria and Moldova. The Moldovan government periodically calls for Russia to withdraw its forces.

B4. Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities? 1 / 4

Few women are included in the political elite (for example, there are only 3 women in the 43-seat Supreme Soviet). However, women are able to exercise some political rights and participate in campaigns.

While Transnistria has three official languages—Russian, Ukrainian, and Moldovan—Russian is the de facto language used by the government. Authorities do not allow voting in Moldovan elections to take place in Transnistrian-controlled territory, but residents with Russian citizenship had access to two dozen polling stations during Russia's tightly controlled 2012 presidential election.

C. FUNCTIONING OF GOVERNMENT: 2 / 12

C1. Do the freely elected head of government and national legislative representatives determine the policies of the government? 1 / 4

Elected representatives are promptly inaugurated following elections. Sheriff Enterprises exerts a strong influence on government policies, which are also closely monitored by the Russian political establishment.

C2. Are safeguards against official corruption strong and effective? 0 / 4

Transnistrian politics have long been built on nepotism and favoritism. In 2017, several prosecutions for abuse of power were initiated against Shevchuk; beyond this, there are few visible safeguards against official corruption.

C3. Does the government operate with openness and transparency? 1 / 4

Although the authorities publish information on websites and are interviewed on television about their policies, many governmental discussions are not open to the media and governmental openness and transparency are limited.

CIVIL LIBERTIES: 14 / 60

D. FREEDOM OF EXPRESSION AND BELIEF: 5 / 16

D1. Are there free and independent media? 0 / 4

Authorities closely monitor and control the public media, and Sheriff dominates private broadcasting, leading to widespread self-censorship. There are few independent print outlets and they have limited circulation. Critical reporting draws harassment by the government, which also uses bureaucratic obstruction and the withholding of information to inhibit independent media.

In 2016, the parliament passed legislation giving itself greater authority over state media outlets, including the power to appoint editorial staff. The legislation also enabled officials to limit media access to their activities and bar the use of recording devices.

D2. Are individuals free to practice and express their religious faith or nonbelief in public and private? 2 / 4

More than 95 percent of the population is Christian Orthodox, and authorities have denied registration to several smaller religious groups, which face harassment by police and Orthodox opponents. A 2016 law imposed restrictions or penalties related to unauthorized distribution of religious literature, preaching in public spaces, and organized religious activities in residential buildings.

D3. Is there academic freedom, and is the educational system free from extensive political indoctrination? 1 / 4

While professors may take part in international forums, since civil society organizations in Moldova signed a Declaration on Red Lines in the Transnistrian settlement conflict in 2016, there has been an informal understanding that Transnistrian academics will not participate in forums organized by groups in Moldova. This has caused self-imposed limitations in academic dialogue with peers in Moldova.

The eight Latin-script schools in Transnistria governed by the Moldovan authorities continue to face pressure from local authorities and are limited to substandard facilities.

D4. Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution? 2 / 4

People do share their opinions in private settings, including on sensitive developments. However, expression is inhibited somewhat in public spaces by concerns about surveillance or retribution for voicing dissent.

E. ASSOCIATIONAL AND ORGANIZATIONAL RIGHTS: 2 / 12

E1. Is there freedom of assembly? 1 / 4

Authorities limit freedom of assembly through measures such as rejection on administrative grounds of applications for permits to hold meetings and protests. Reportedly, only two protests actions have received formal permission in the past five

years, both in 2015. Participants in unsanctioned actions have faced administrative penalties

E2. Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work? 1 / 4

Nongovernmental and civic work remains a challenge. Organizations working on human rights or which are perceived as threatening authorities face harassment. The Coordination Council of Technical Aid must approve governance-related work.

E3. Is there freedom for trade unions and similar professional or labor organizations? 0 / 4

Trade unions in Transnistria are unreformed since the Soviet era, and they are not independent. Local and regional authorities manipulate trade unions for political gain.

F. RULE OF LAW: 2 / 16

F1. Is there an independent judiciary? 0 / 4

The judiciary serves the interests of the authorities. The 2017 conviction of Yuriy Gervazyuk, head of the Customs Service under the previous administration, of abuse of office by a court was widely viewed as a politically motivated decision; he was sentenced to 10 years in prison and issued a fine of \$226,000.

F2. Does due process prevail in civil and criminal matters? 0 / 4

Justice is applied arbitrarily and to serve the political interests of those in power. The criminal cases filed against former president Shevchuk in 2017 are widely viewed as a government manipulation of the criminal justice system. Separately, in the fall, a 15-year old pedestrian was killed, allegedly by a speeding driver who was the wife of an influential businessman. Only after public outrage was a criminal investigation announced.

F3. Is there protection from the illegitimate use of physical force and freedom from war and insurgencies? 1 / 4

Transnistrian authorities adopted an Action Plan in 2015 to end torture in custody, but the practice is still reported, and prison conditions remain poor.

F4. Do laws, policies, and practices guarantee equal treatment of various segments of the population? 1 / 4

The Transnistrian constitution guarantees rights and freedoms of persons and citizens “without distinction as to sex, race, nationality, language, religion, social origin,” and others, but these are not uniformly upheld. The Moldovan-speaking minority faces discrimination and harassment. According to a 2016 report from the nongovernmental organization Promo-Lex, people have been fined for using Latin script instead of Cyrillic; the language and alphabet issue is associated with the reasoning underpinning Transnistrian claims of independence. Same-sex activity is illegal in Transnistria, and the LGBT (lesbian, gay, bisexual, and transgender) community has been forced underground as a result of widespread government and societal discrimination.

G. PERSONAL AUTONOMY AND INDIVIDUAL RIGHTS: 5 / 16

G1. Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education? 2 / 4

Approximately 300,000 people in Transnistria hold Moldovan citizenship and can travel freely to European Union (EU) countries. A large majority of them hold Russian or Ukrainian passports as well. Without a foreign passport, residents of Transnistria cannot move freely outside the territory, and cars with local license plates cannot cross the border to Moldova. Many Transnistrians travel to Moldova or Russia to pursue higher education.

A key bridge between Transnistria and Moldova was opened in November, facilitating the easier movement of people and goods between the two and raising hopes for future agreements.

G2. Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors? 1 / 4

Private property is only allowed for housing in Transnistria; other property rights, including land ownership, remain restricted. Procedures for establishing a private business are hampered by bureaucratic impediments.

G3. Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance? 1 / 4

Same-sex marriage is not permitted. Many women are pressured to have large families. Domestic violence is a growing concern, with no law criminalizing it. However, the problem has become more public, including through television reports. Dedicated services, including psychological aid, a hotline for victims, and shelters are operated by civil society organizations.

G4. Do individuals enjoy equality of opportunity and freedom from economic exploitation? 1 / 4

Economic opportunity remains very limited. Despite increased international aid to ensure better opportunities for women, many still fall victim to traffickers who subject them to forced labor or sex work.

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