



OPEN DIALOGUE

Submission to the European Commission
for consideration at the EU-Moldova Human Rights Dialogue

MOLDOVA: POLITICAL PERSECUTION OF CRITICS AND OPPONENTS OF AUTHORITIES

The Open Dialogue Foundation (ODF) was established in Poland in 2009 on the initiative of Ukrainian student and civic activist Lyudmyla Kozlovska (who currently serves as President of the Foundation). Since its founding, [statutory objectives](#) of the Foundation include the protection of human rights, democracy and the rule of law in the post-Soviet area. The Foundation originally focused its attention primarily on Kazakhstan, Russia, Ukraine and – since 2016 – Moldova, but this area of interest was expanded in July 2017 due to the rapidly deteriorating situation in Poland and other EU member states affected by illiberal policies implemented by their populist governments.

ODF pursues its goals through the organisation of observation missions, monitoring especially individual human rights' violation cases. It also advocates for international legislation better serving human rights, such as the Magnitsky Act or the adding of conditionality clauses to EU & international financial assistance programmes directed at non-democratic states and hybrid regimes. The Foundation also has extensive experience in the field of protection of the rights of political prisoners and refugees.

Based on its work, ODF publishes [analytical reports](#) and distributes them among EU institutions, OSCE, Council of Europe, the UN, other human rights organisations, foreign ministries and parliaments, as well as the media. It is actively engaged in cooperation with members of parliaments involved in foreign affairs, human rights and relations with monitored third countries.

ODF advocates for the [reform of Interpol](#) and - more recently - the Schengen Information System (SIS), preventing their mechanisms from being used by authoritarian and hybrid regimes to persecute their opponents.

In 2013/14 the Foundation organised a mission to support Ukrainian civil society in their struggle for European integration during [the Revolution of Dignity](#) in Kyiv's Maidan square. Following the Russian aggression in 2014, ODF's [humanitarian aid programme](#) started on Maidan, was expanded to help those affected by the occupation of Crimea and the war in the East. From 2014 to 2016, ODF run a large support centre in Warsaw under the name "[Ukrainian World](#)", offering everyday life assistance for migrants and fostering Polish-Ukrainian integration.

The Foundation has its permanent representative offices in Warsaw and Brussels.

Copyright: Open Dialogue Foundation, February 2019.

00-580 Warsaw, Aleja Szucha 11a, office 21, Tel. +48 22 307 11 22

E-mail: odfoundation@odfoundation.eu, en.odfoundation.eu

For more detailed information, please contact us:

Lyudmyla Kozlovska

lyudmylakozylovska@odfoundation.eu

Reprinting of the materials contained in whole or in part is permissible with due reference to the Open Dialogue Foundation as the source

Table of Contents:

1. SUMMARY.....	4
2. INDIVIDUAL CASES.....	4
3. THE CASE OF THE OPEN DIALOGUE FOUNDATION AND LYUDMYLA KOZLOVSKA.....	14
4. CONCLUSIONS AND RECOMMENDATIONS.....	16

1. SUMMARY

The tendency to violate democratic standards and the rule of law in Moldova continues. The law enforcement and judicial systems are used to prosecute oppositionists and civil society activists who oppose the usurpation of power in the country. Representatives of the civil society and opposition become victims of the dubious criminal prosecutions and denigrating campaigns in the Moldovan mass media.

For several years, the Open Dialogue Foundation has been monitoring the observance of human rights and democratic standards in Moldova and informing the international community about the results of its activities. In particular, the Foundation has repeatedly reported that Moldova is rapidly abandoning democratic standards. A narrow circle of individuals who have come to power uses the state for personal enrichment and for reprisals against their political opponents and critics. The principle of the rule of law is being trampled in the country, the space for the free activity of independent media and human rights organisations is being narrowed, and cases of politically motivated criminal prosecutions are being reported.

In response to criticism, the Moldovan authorities conducted an investigation into the 'subversive' activity of the Open Dialogue Foundation and initiated a criminal case against its President Lyudmyla Kozlovska.

Criminal prosecution based on dubious criminal charges is a popular method of combating political opponents and critics in Moldova. In its previous reports, the Open Dialogue Foundation¹ cited examples of criminal cases, which are accompanied by procedural violations and bear signs of political motivation.

Below are 17 actual cases of prosecutions which bear signs of political motivation and continue at the moment:

- The prosecution of opposition activists and participants in anti-government protests: **Alexandru Machedon, Serghei Cebotari, Grigore Petrenco, Pavel Grigoriuc, Alexei Alexeev, Alexander Raichuk, Gheorghe Petic, Ruslan Verbițchi.**
- The prosecution of counsels and judges in connection with their professional activities - **Ana Ursachi, Eduard Rudenco, Veaceslav Turcan, Maxim Belinschi, Alexandru Bernaz, Ion Crețu, Domnica Manole, Gheorghe Balan.**
- The prosecution of the foreign human rights defenders – the case of **Lyudmyla Kozlovska** and the Open Dialogue Foundation.

2. INDIVIDUAL CASES

Grigore Petrenco – a leader of the left-wing party 'The Red Bloc'. He and six other protesters were accused of 'orchestrating and participating in mass riots' (Article 285 of the Criminal Code). On 6 September 2015, in Chisinau, they participated in protest actions with thousands of other protesters, demanding the resignation of senior officials, and punishment for the embezzlement of funds from the country's banking system.

In the report of the US State Department for the year 2016, the case of the 'Petrenco group' is mentioned in the section 'Political Prisoners and Detainees'.² In February 2016, a group of members of the Bundestag appealed to the German government with a call to pay attention to the political context

¹ <http://en.odfoundation.eu/a/8188,the-captured-state-politically-motivated-prosecution-in-moldova-and-usurpation-of-power-by-vladimir-plahotniuc> ; <https://en.odfoundation.eu/a/8188,the-captured-state-politically-motivated-prosecution-in-moldova-and-usurpation-of-power-by-vladimir-plahotniuc>

² <https://www.state.gov/documents/organization/265662.pdf>

in the prosecution of Grigore Petrenco.³ On 25 January 2017, in a written declaration, 23 members of the PACE labelled Petrenco ‘a victim of a slanderous campaign by the Moldovan authorities’.⁴

On 28 June 2017, the court sentenced Petrenco to a suspended sentence of 4.5 years’ imprisonment. Other protesters, namely: Mihail Amerberg, Pavel Grigorciuc, Alexandr Roşco, Vladimir Jurat, Oleg Buznea and Andrei Druz were sentenced to conditional sentences of 3 to 4.5 years in prison. In August 2017, Petrenco left Moldova. Shortly after that, he informed reporters that on 18 October, 2017, Germany granted him political asylum.⁵

On 12 April 2019, the Court of Appeal upheld the sentence. However, one of the judges of the Appeals Chamber, **Svetlana Balmush**, disagreed with this decision. She expressed a separate opinion that the convicts are not guilty, since their actions lack the features of a criminal offence⁶. A few days after the decision of the Appeals Chamber, Svetlana Balmush resigned⁷.

The convicts appealed to the ECHR against the unlawful arrest and improper conditions of detention. The ECHR accepted the case for review⁸.

Pavel Grigorciuc is a civic activist. He is known for his participation in a protest action near the building of the Prosecutor General's Office of Moldova in September 2015, together with Grigore Petrenco. For participation in the action, he was sentenced to 4 years' suspended imprisonment.

On 21 March 2019, a verbal altercation took place between Pavel Grigorciuc and a deputy of the Democratic Party, Serghei Sirbu. Sirbu claims that he was beaten by Grigorciuc during the altercation. According to Grigorciuc, he slapped the deputy in the face. Grigorciuc's lawyer Eduard Rudenco was present at the incident.

After the incident, Sirbu was hospitalised and allegedly diagnosed with a closed craniocerebral injury, concussion, and soft tissue contusion. Sirbu went to the police and said he was attacked by two men. In connection with this event, a criminal case was initiated under Part 2 of Article 278 of the Criminal Code of the Republic of Moldova (‘Hooliganism by two or more persons’). Lawyer Eduard Rudenco is also being tried in this case as an accomplice to the crime⁹.

Grigorciuc admits that he committed an offence, but he believes that it is not correct to qualify it as a criminal offence. On 23 March 2019, Grigorciuc was taken into custody. There is a possibility that the suspended sentence imposed on Grigorciuc in Petrenco's case can be now converted into a prison sentence. He's also facing a prison sentence for hooliganism.

Ana Ursachi – a Moldovan counsel and a civil society activist. She participates in high-profile cases, in particular, she defends the interests of Vladimir Plahotniuc’s opponents. In September and October 2016, the media owned by Plahotniuc (for example, Canal3, Publica TV, and Prime) launched a campaign to discredit Ursachi. In their stories, they labelled Ursachi ‘the devil's advocate’ and alleged that she had been ‘involved in the murder committed 20 years before’.¹⁰ In October 2016, General Prosecutor Eduard Harunzhen resumed the criminal case in order to ‘establish the extent to which Ms Ursachi was involved in the crime’.

³ <http://dip21.bundestag.de/dip21/btd/18/075/1807534.pdf>

⁴ <http://www.assembly.coe.int/nw/xml/XRef/Xref-XML2HTML-en.asp?fileid=23437&lang=en>

⁵ <http://newsmaker.md/rus/novosti/grigoriya-petrenko-v-zyal-berlin-on-poluchil-politicheskoe-ubezhishche-v-germanii-34173>

⁶ <http://newsmaker.md/rus/novosti/est-shansy-chto-sistema-prognila-ne-do-kontsa-odna-iz-sudey-ap-ne-soglasilas-s-pri-42930>

⁷ <http://newsmaker.md/rus/novosti/moldavskaya-yustitsiya-nezavisima-ot-lyuboy-formy-nezavisimosti-kak-v-seti-otreagi-43031>

⁸ <https://promolex.md/14764-ctedo-a-comunicat-guvernului-cauza-petrenco-si-altii-v-republica-moldova/?lang=ro>

⁹ <http://newsmaker.md/rus/novosti/delo-o-pobitom-deputate-syrbu-grigorchuku-prodlili-arest-eshche-na-30-sutok-42992>

¹⁰ <http://ru.odfoundation.eu/a/7989,moldova-presledovanie-advokata-anny-ursaki>

In the case of Ursachi, the 15-year statute of limitations expired in 2012. In addition, as noted by Ursachi, as well as her counsels Anatoliy Istrate, Angela Istrate and Yulian Rusanovsky, 20 years ago, law enforcement agencies had already carried out an investigation against her, but the case was closed. Therefore, the counsel points out a violation of the principle of *non bis in idem* (no one can be tried or punished twice for the same act).

Ms Ursachi requested that the court declare illegal, the decision to resume the criminal case on the murder. In December 2016, Judge Dorin Munteanu issued a decision on the impossibility of issuing an arrest warrant for Anna Ursachi before the consideration of her complaint about the illegality of the resumption of the criminal case. On 31 January 2016, General Prosecutor Eduard Kharunzhen brought Judge Dorin Munteanu to criminal liability. The Supreme Council of the Magistracy allowed the prosecutor's office to initiate criminal proceedings. Munteanu was accused of 'issuing an unlawful decision' in one of the cases.¹¹ Anna Ursachi believes that the real reason for these accusations was the judge's position on her case.

On 20 March 2017, the authorities of Moldova initiated a criminal case against Ursachi under Article 327 of the Criminal Code ('abuse of power'). She was accused of illegal activities in the provision of legal advice in 2012. Ursachi emphasised that she had been carrying out her professional activities, and Article 327 of the Criminal Code cannot be applied to a counsel.

On 29 March 2018, Judge of the Central Court of Chisinau, Nikolay Korcha, granted the request of the prosecutor's office regarding the arrest of Anna Ursachi. The arrest is sanctioned for a period of 30 days. The hearing was held without the participation of Ursachi's counsels - Yulian Rusanovsky and Eduard Rudenco. The state attorney Mikhail Lebedinsky was involved in the case. **It is noteworthy that different counsels are indicated in the ruling of the court with justification of the arrest and in the arrest warrant itself.** Thus, the decision indicates that Lebedinsky participated in the court proceedings, while the warrant indicates that it was Rusanovsky and Rudenco. At the same time, the operative part of the warrant specifies that it was issued on 27 March 2018, although the hearing took place on 29 March 2018.¹² This indicates that **the warrant for arrest could have been printed in advance**, and the names of the counsels: Rusanovsky and Rudenco were given in it, but, eventually, they did not take part in the court session.

According to Anna Ursachi, on 26 March 2017, a notification on behalf of her was sent to the National Council on Legal Aid provided by the state, in which it states that she denies the services of any state attorneys, as she trusts only her defenders.

According to Anna Ursachi, the 'red notice' of INTERPOL was issued in her name. This means that she can be detained at any time at the request of Moldova.

Representatives of the international community have repeatedly stated that the criminal prosecution of counsel Ana Ursachi is related to her professional activities. In particular, the human rights organisations Amnesty International, Destination Justice, German Ambassador to Moldova, Head of the Committee on Democracy and Human Rights of the OSCE PA, Ignacio Sanchez Amor,¹³ Head of the EU Delegation to Moldova Pirkka Tapiola,¹⁴ approximately 15 MPs of the European Parliament,¹⁵ more than ten MPs of

¹¹ <https://ru.crimemoldova.com/news/rassledovaniya/sudya-dorin-muntyanu-popadet-pod-sledstvie-za-vynesenie-nezakonnogo-opredeleniya/>

¹² <http://omg.md/index.php?newsid=14516>

¹³ <https://en.odfoundation.eu/a/8579,the-chair-of-the-osce-pa-general-committee-on-democracy-human-rights-and-humanitarian-questions-addresses-the-authorities-of-kazakhstan-and-moldova>

¹⁴ <http://jurnal.md/en/social/2016/12/13/head-of-eu-delegation-pirkka-tapiola-condemns-the-cases-of-selective-justice-and-persecution-of-press-be-it-jurnal-or-other-institution/>

¹⁵ Ramona Manescu, Ana Gomes, Rebecca Harms, Benedek Javor, Helmut Scholz, Jaromir Stetina, Gabriele Zimmer, Petras Auštrevičius, Michał Boni, Mark Demesmaeker, Kazimierz Michał Ujazdowski, Hannu Takkula, Tunne Kelam, Indrek Tarand, Julie Ward: <http://en.odfoundation.eu/a/8493,meps-support-politically-prosecuted-individuals-in-moldova-and-urge-government-authorities-to-abide-by-their-commitments-to-the-rule-of-law-and-respect-for-human-rights;>

the Polish Sejm¹⁶ and five Italian parliamentarians¹⁷ issued statements in defence of Ursachi. The case of Ursachi is mentioned in a written declaration of 25 January 2017 on political pressure exerted on representatives of the civil society in Moldova, which was signed by 23 PACE members,¹⁸ as well as in the written declaration of 12 October 2017 on violation of Moldova's international obligations, which was signed by 31 PACE members.¹⁹

Eduard Rudenco is a counsel who participates in the defence of Anna Ursachi and other opponents of the oligarch Vladimir Plahotniuc. Rudenco claimed that he and his family were being subjected to surveillance. According to Rudenco, since 2015, law enforcement officials have demanded that he stop defending certain individuals, threatening him with criminal prosecution.²⁰

In 2016, the Moldovan authorities initiated three criminal cases against Rudenco on charges of 'gaining profit from his influence' (Article 326 of the CC) in his legal practice in 2009, 2011 and 2014. In 2017, the fourth criminal case was initiated against Rudenco on charges of 'violating traffic safety rules' (Article 264 of the CC). He was accused of driving under the influence of alcohol. Rudenco appealed against the results of the examination, stating that the amount of alcohol in the blood did not exceed the limit and was not sufficient to initiate a criminal case. In all criminal cases, court trials continue, and Rudenco is facing a prison sentence.

In addition, Rudenco emphasises that pro-government media are striving to discredit him, systematically spreading false information about his personal life.²¹

In March 2019, Eduard Rudenco became involved in another criminal case. There was a verbal altercation between civil activist Pavel Grigorciuc and deputy Serghei Sirbu. The deputy accused Pavel Grigorciuc of beating, and a criminal case was opened against the latter. Eduard Rudenco, who is Grigorciuc's lawyer, was present at the incident and was accused of complicity in the crime. Later Serghei Sirbu confirmed that Rudenco was not involved in his beating.²² However, the criminal case against the attorney remains open.

In the 2017/2018 country report by Amnesty International noticed that Rudenco continued to be subjected to smear campaigns in pro-government media and reported harassment by the authorities in connection with his work.²³

Alexandru Machedon – the owner of the group of companies 'StarNet' (one of the largest in the telecommunications market of Moldova). Machedon supports some civil society organisations and is one of the sponsors of the opposition party 'The Platform 'Dignity and Truth''. He headed the headquarters of the party's leader, Andrei Nastase, during the mayoral election of Chisinau in 2018. Machedon supports the protest movement, which, as he stated, was the reason for the persecution, orchestrated by Vladimir Plahotniuc.

¹⁶ Kornelia Wróblewska, Marcin Świącicki, Katarzyna Lubnauer, Ryszard Wiczyński, Jakub Rutnicki, Marek Krząkała, Joanna Scheuring-Wielgus, Zbigniew Koñwiński, Dorota Rutkowska, Jerzy Meysztowicz, Adam Szłapka, Ewa Liedler.

¹⁷ Sergio Lo Giudice, Gaetano Borioli, Monica Cirinnà, Erica D'Adda and Ms Camilla Fabbri: <http://en.odfoundation.eu/a/8545,representatives-of-the-italian-parliament-address-interpol-s-authorities-to-continue-implementation-of-arrest-warrants-system-reform>

¹⁸ <http://semantic-pace.net/tools/pdf.aspx?doc=aHR0cDovL2Fzc2VtYmx5LmNvZS5pbmQvbnVhcnVzL1hSZWYvWDJlLURXLWV4dHluYXNwP2ZpbGVpZD0yMzQzNyZyW5nPUVO&xsl=aHR0cDovL3NlbnVudGJjcGFjZS5uZXQvWHNsdC9QZGYvWFJlZi1XRC1BVC1YTUwYUERGlnhzbA==&xsltparams=ZmlsZWlkPTIzNDM3>

¹⁹ <http://assembly.coe.int/nw/xml/XRef/Xref-DocDetails-EN.asp?FileID=24224&Lang=EN>

²⁰ https://ru.crimemoldova.com/news/politika/eduard-rudenco-za-mnoy-sledyat-bolee-polugoda-potomu-chto-ya-soglasilsya-zashchishchat-platona/?sphrase_id=12481; <http://omg.md/index.php?newsid=12951>

²¹ <https://point.md/ru/novosti/proisshestviya/eduarda-rudenco-zastali-s-devushkoi-liogkogo-povedeniia>; <http://www.canal3.md/ru/advokat-platona-bylyan-za-rulyom-47243.html>

²² <http://newsmaker.md/rus/novosti/delo-o-pobitom-deputate-syrbu-grigorchuku-prodlili-arest-eshche-na-30-sutok-42992>

²³ <https://www.amnesty.org/en/countries/europe-and-central-asia/moldova/report-moldova/>

The state authorities have repeatedly tried to deprive 'StarNet' of a license, accusing the company of violating the rules of retransmission. For several years, a criminal case was carried out against StarNet. On 22 October 2017, in Chisinau, a fire broke out on one of the central nodes of 'StarNet'. The company stated that it suffered damages of approx. 430,000 euros.²⁴

On 23 February 2019, Alexandru Machedon stated that he, as well as his children, wife and relatives, were 'poisoned with a mixture of toxic metals, including mercury'. He believes that the authorities have something to do with it. Machedon reported that he and his family began to feel ill as early as in 2016 and 2017. Machedon has published the results of analyses for August 2017, according to which he and his family members had mercury levels in their blood several times higher than the norm²⁵.

Opposition leaders Maya Sandu (Party of Action and Solidarity) and Andrei Nastase (Dignity and Truth Platform Party) reported the same problem earlier, on 22 February 2019. According to the results of the September 2017 and December 2018 analyses, the level of mercury in the blood of Nastase was more than 4 times higher than the norm. Sandu's analyses for January 2018 showed that mercury levels more than doubled from the norm. Sandu and Nastase noted that long-term treatment did not remedy the situation, and expressed suspicion that they were being poisoned, in which the authorities might be involved²⁶.

Domnica Manole – a judge of the Appellate Chamber of Chisinau. On 14 April 2016, she recognised as illegal, the CEC decision to deny holding a referendum on amendments to the Constitution. On 31 May 2016, a criminal case was initiated against the judge on charges of 'issuing an unjust decision' (Article 307, section 1 of the Criminal Code). Manole claims that she is being persecuted for issuing a decision, inconvenient to the authorities.

The head of the Superior Council of the Judiciary stated that the arguments of the General Prosecutor raise "*reasonable suspicions of Judge Manole's bad intentions*" when issuing the decision on the referendum. On 4 July 2017, the Superior Council of the Judiciary dismissed Manole from her post. 22 Moldovan NGOs expressed concern about the decision.²⁷

On 5 December 2017, in response to a complaint by Domnica Manole, the Constitutional Court of Moldova found the norms of legislation unconstitutional based on which she had been dismissed from the position of a judge.²⁸

In April 2018, the case against Manole was brought before the court. On 19 November 2018, The Supreme Court of Justice of Moldova rejected Manole's request to be reinstated.

On 22 November 2017, at a meeting with Domnica Manole, Head of the EU Delegation to Moldova Peter Michalko discussed the problems of the independence of the judiciary in Moldova, as well as details of the criminal prosecution of Manole.²⁹ On 12 October 2018, 27 PACE deputies proposed to adopt a resolution on the undermining of independence of courts in Poland and Moldova. In particular, they noted the influence of oligarch Vladimir Plahotniuc on the Moldovan courts, and also pointed to Manole's case as an example of political persecution of judges³⁰.

²⁴ <http://newsmaker.md/rus/novosti/klienty-starnet-ostalis-bez-interneta-iz-za-pozhara-na-odnom-iz-osnovnyh-internet-34223>

²⁵ <https://www.facebook.com/amachedon.starnet.md/posts/2307457232631816>

²⁶ <http://newsmaker.md/rus/novosti/sandu-i-nestase-pokazali-rtut-nm-publikuet-rezultaty-analizov-politikov-41925>

²⁷ <http://newsmaker.md/rus/novosti/npo-vystupili-protiv-snyatiya-s-dolzhnosti-sudi-domniki-manole-32327>

²⁸ <http://constcourt.md/libview.php?l=en&idc=7&id=1104&t=/Media/Noutati/Verification-of-judges-by-the-Security-and-Intelligence-Service-unconstitutional/>

²⁹ <https://www.facebook.com/photo.php?fbid=378184139283996&set=a.111103455992067.1073741828.100012772382874&type=3&theater>

³⁰ <http://assembly.coe.int/nw/xml/XRef/Xref-DocDetails->

<EN.asp?fileid=25177&lang=EN&search=dHlwZV9zdHJfZW46Ik1vdGlvb3I3IjYsYXZlbnVbHV0aW9uIlg==>

Concerns about Manole's case are expressed in the US State Department report for 2018³¹ and in the European Parliament resolution on the implementation of the EU Association Agreement with Moldova³².

The case of Domnica Manole was mentioned in the report of the UN Special Rapporteur on the situation of human rights defenders as an example of prosecution of independent judges in Moldova³³.

Veaceslav Turcan and **Maxim Belinschi** – are counsels and leaders of the human rights organisation Human Rights Embassy. When working on a case, they found that a former police officer, a judge and his wife (a notary) could be involved in fraud aimed at misappropriating property (real estate). In 2015, the counsels requested that the prosecutor's office investigate into all the circumstances, but the criminal case was closed several times. Moreover, shortly after, the counsels themselves became victims of criminal prosecution.³⁴

A former police officer, suspected of fraud by the counsels, filed a complaint against them for 'providing false information.' On 23 December, 2015, the prosecutor's office initiated a criminal case against Turcan and Belinschi under Art. 352 (1) of the Criminal Code ('False statements in declarations'). Currently, they are facing a fine or imprisonment for up to one year. According to Turcan, on 21 December, 2016, the prosecutor's office initiated another criminal case against him and Belinschi under the same article 352 (1) of the Criminal Code.³⁵

The accused stated that the criminal case is an attempt to intimidate them and deprive them of the right to practice law. They emphasised that the Moldovan authorities are violating international law, as a counsel cannot be held responsible for providing information to law enforcement bodies which they have received in the process of defending their client³⁶. Human rights organisations Amnesty International³⁷ and Human Rights Embassy³⁸, as well as Union of Lawyers of Moldova³⁹ spoke in defence of Turcan and Belinschi.

Veaceslav Turcan and Maxim Belinschi applied to the Constitutional Court of Moldova for clarification on whether lawyers can be held criminally liable for 'false statements in declarations'. The court explained that lawyers could not be the subject to charges under this article⁴⁰. However, the criminal prosecution of lawyers continues.

Alexei Alexeev - the driver of the car which delivered sound amplifying equipment for the protest action of 17 September 2017, organised by the parties the Platform 'Dignity and Truth' (headed by Andrei Năstase) and 'Action and Solidarity' (headed by Maya Sandu).⁴¹ On that day, approx. 4,000 people gathered near the Parliament Building, demanding to cancel amendments to the legislation on elections, and to impose sanctions against Plahotniuc and his entourage.

Alexei Alexeev was accused of 'using threats or violence against a public official' (Article 349 of the Criminal Code). According to the investigative bodies, he drove into the police cordon and injured several policemen. **However, video records contradict this accusation.** The video demonstrates the protesters making way for the car to pass. The policemen were on the way of the car and demanded

³¹ <https://www.state.gov/j/drl/rls/hrrpt/humanrightsreport/index.htm#wrapper>

³² http://www.europarl.europa.eu/doceo/document/TA-8-2018-0458_EN.html

³³ <https://undocs.org/pdf?symbol=en/A/HRC/40/60/ADD.3>

³⁴ <http://www.ipn.md/ru/societate/79576>

³⁵ <http://www.pana-defenders.info/index.php/ru/monitoring/dela-protiv-pravozashchitnikov-aktivistov-v-sudakh/item/260-adv mold2017feb>

³⁶ <https://www.youtube.com/watch?v=PS4KgL3Nzr0>

³⁷ <http://amnesty.md/en/media/cerem-standarde-transparente-si-echitabile-pentru-avocatii-din-moldova/>

³⁸ <http://www.osce.org/ru/odihr/267076?download=true>

³⁹ <https://en.crimemoldova.com/news/social/state-officials-accused-of-abusing-lawyers/>

⁴⁰ <http://newsmaker.md/rus/novosti/unizit-arestovat-pokonchit-s-nim-kak-v-moldove-zapugivayut-neugodnyh-advokatov-pya-41838>

⁴¹ <http://p.dw.com/p/2k8aZ>

that it stop. The car approached the policemen and stopped. After this, people began to crowd in around the car, and protesters and policemen began to push one another.⁴² According to the representative of Transparency International Moldova Janina Spinea, the police sprayed tear gas, as a result of which two women were injured.⁴³

Counsel Yulian Rusakovski asserts that the case of Alexeev involves five injured policemen; *"four of them have no bruises, nothing, and the fifth one sustained an injury which does not pose a danger to his life"*⁴⁴.

Several Moldovan NGOs (including the Centre for Legal Resources of Moldova, the Institute for Public Policy, Promo-LEX, Transparency International Moldova, etc.), issued statements in defence of Alexeev and enunciated that the criminal charges, brought against him were 'unreasonable and designed to intimidate citizens'.⁴⁵

On 20 September 2017, Alexeev was arrested for 30 days. Still, on 26 September 2017, the measure of restraint was changed to house arrest. He faces from four to eight years of imprisonment.

In a written declaration, 31 PACE members from 18 countries labelled Alexeev's case 'one of the examples of oppression of civil activists in Moldova'.⁴⁶ Also, members of the European Parliament, Igor Šoltes and Helmut Scholz spoke in defence of Alexeev.⁴⁷

Alexander Raichuk - a civil activist from the city of Bălți. On 9 March 2017, three criminal cases were simultaneously initiated against him on charges of hooliganism (Article 287 of the Criminal Code of the Republic of Moldova). According to the Prosecutor's Office, in February 2017, Raichuk committed the following acts: he took a video footage of a school headmaster who was allegedly involved in illegal exactions for school textbooks; he tried to enter the courtroom for a hearing in public court; he filmed a court hearing on a video camera and addressed a judge from the court of Bălți with 'provocative' questions. Previously, in October 2016, a criminal case was initiated against Raichuk for video recording in the cadastral department of the city of Bălți. In connection with the criminal prosecution, Alexander Raichuk spent three months in custody⁴⁸. Raichuk is facing imprisonment.

Serghei Cebotari - a member of 'The Dignity and Truth Platform' and former head of the financial control service of the state enterprise 'Post of Moldova'.

According to Cebotari, on 11 November, 2012, he notified the administration of the 'Post of Moldova' that, under the guise of parcels with books and cosmetics, 'Post of Moldova' daily sends anabolic drugs to the EU countries and the USA. Cebotari stressed that for several years, the prosecutor's office and other state bodies refused to respond to the information, obtained by him, regarding corruption.

In April 2016, Cebotari managed to publicise his statement in some media. He stated that the management of the enterprise, customs service, MP Yevgeniy Nikiforchuk, as well as godson of Vladimir Plahotniuc, Dorin Damir, were implicated in the criminal scheme in the 'Post of Moldova'.⁴⁹

Following the publicising of this information, three criminal cases were initiated against Serghei Cebotari. The Moldovan authorities accused him of illegal actions when holding the post of the director of the agricultural firm SERCONLUX-Group:

⁴² <https://www.youtube.com/watch?v=CFZG9JMDIPQ&app=desktop>;

⁴³ https://deschide.md/ru/russian_news/social_ru/18462/Ряд-НПО-подписали-Заявление-с-призывом-освободить-Алексея-Алексеева.htm

⁴⁴ <http://moldnews.md/rus/news/88302>

⁴⁵ <https://www.facebook.com/amachedon.starnet.md/posts/1631774753533404>

⁴⁶ <http://assembly.coe.int/nw/xml/XRef/Xref-DocDetails-EN.asp?FileID=24224&Lang=EN>

⁴⁷ <https://www.facebook.com/100008439937369/videos/1819576895000291/>; <https://www.facebook.com/100008439937369/videos/1819577791666868/>

⁴⁸ <https://ru.crimemoldova.com/news/rassledovaniya/kak-grazhdanskaya-aktivnost-stala-prestupleniem-v-respublike-moldova/>

⁴⁹ <http://actualitati.md/ru/vnutrennyaya-politika/plahotnyuk-ispolzuet-gospredpriyatie-pochta-moldovy-dlya-kontrabandy>;

<http://www.jurnal.md/ru/social/2016/4/5/rassledovanie-ezednevno-cerez-poctu-moldovy-v-es-ssa-otpravialis-posylki-s-zapresennymi-vesestvami/>

- On 12 July, 2016, a criminal case was initiated on charges of using forced labour (Article 168 of the CC). According to the investigative bodies, in 2011-2014, Cebotari "did not pay for hired labour'. It was only on 30 June, 2016 that employees filed an appropriate complaint.
- On 8 August, 2016, a criminal case was initiated on charges of fraud (Article 190 of the CC). The investigative bodies claim that "by fraud, the accused illegally acquired the property of another person (agricultural machines)".

According to Cebotari, the investigators never summoned him for questioning. He learned about his status only after the two cases had been transferred to court on 29 November, 2016. The counsels noted that, at the trial, one of the victims stated that "*the district police officer forced them to sign a testimony*".

On 10 October, 2016, a criminal case was initiated on charges of 'evading taxes' (Article 244 of the CC). Cebotari labels the charges 'trumped-up'.

Cebotari was detained on 29 July, 2016, when he was going to the meeting of the special commission of the Moldovan parliament in order to give evidence about smuggling at the 'Post of Moldova'. The Parliamentary Commission confirmed Cebotari's information about the existence of the criminal scheme and called for the dismissal of the Minister of Finance, the Minister of Information Technologies, as well as the heads of the Customs Service and the 'Post of Moldova'.⁵⁰

Cebotari was taken into custody, but on 10 August, 2016, the Appellate Court released him from detention.⁵¹

Cebotari claims that he has been subjected to prosecution as his statements about smuggling on the 'Post of Moldova' work against the interests of Plahotniuc and his entourage.

On 20 March 2019, the Ungheni City Court sentenced Serghei Cebotari to 8 years of imprisonment on charges of using forced labour (Article 168 of the CC) and fraud (Article 190 of the CC). It is noteworthy that the judge who presided over the trial resigned two days after the verdict was passed⁵².

Cebotari's defence appealed against the verdict. The lawyers insist that the severity of the sentence does not correspond to the gravity of the alleged 'crime'. According to Moldovan legislation, criminal liability can be imposed only for labour exploitation, which involves the use of prohibited methods of influence. At the same time, according to the investigation, Cebotari's fault is that his company allegedly did not pay for hired labour. Evidence of forced labour was not presented in court.

With regard to allegations of fraud, the defence also insists that they are unfounded. Agricultural machines, which Cebotari allegedly illegally acquired from Robu Nichifor, did not belong to the latter.

The possible political nature of the criminal prosecution of Serghei Cebotari was announced by deputies of the European Parliament and PACE as well as by members of the Polish Parliament. Currently, Serghei Cebotari remains outside of Moldova. There is a risk that the authorities will put him on the international wanted list.

Gheorghe Petic - a member of 'The Dignity and Truth Platform'. He heads the territorial organisation of the party in the city of Ungheni. For more than 20 years, Petic worked in the Moldovan Border Police. He left the service in 2016.

⁵⁰ <http://www.jurnal.md/ru/social/2016/10/13/sledstvennaa-komissia-podtverzdaet-anaboliki-otpravialis-za-granicu-cerez-poctu-moldovy-shemu-podderzivali-pravitel-stvo-i-tamozna-a-postavki-prodolzalis-i-v-period-rassledovania-dokument/>

⁵¹ <https://ru.crimemoldova.com/news/rassledovaniya/sergey-chebotar-osvobozhden-iz-pod-aresta/>

⁵² <http://nokta.md/%D1%81%D1%83%D0%B4%D1%8C%D1%8F-%D0%BA%D0%BE%D1%82%D0%BE%D1%80%D1%8B%D0%B9-%D0%BF%D1%80%D0%B8%D0%B3%D0%BE%D0%B2%D0%BE%D1%80%D0%B8%D0%BB-%D0%BA-8-%D0%B3%D0%BE%D0%B4%D0%B0%D0%BC-%D1%82%D1%8E%D1%80%D0%B5/>

In July 2018, Petic published a video message on his Facebook page, in which he said that he was aware of a cigarette smuggling scheme across the Moldovan-Romanian border. He accused the leadership of the Moldovan and Romanian border police of organising a smuggling scheme.

Shortly afterwards, two criminal cases were opened against Gheorghe Petic.

He was notified about the first criminal case in early September 2018⁵³. Gheorghe Petic was accused of 'malicious hooliganism' (Article 287 of the Criminal Code of Moldova) with the use of weapons, which he allegedly committed in 2004. Petic claims that the incident actually took place in 2003. At the time of these events, his family was threatened and he was forced to resort to self-defence. According to Gheorghe Petic, the investigators changed the year of the incident so that the statute of limitations for serious crimes, which in Moldova is 15 years, would not expire.

On 12 October 2018, the police received a report that Gheorghe Petic had committed rape. On the same day he was detained. He was prosecuted under Article 171 of the Criminal Code of the Republic of Moldova ('Rape'). The police stated that the examination confirmed sexual contact between the suspect and the complainant⁵⁴. On 15 October 2018, Gheorghe Petic was arrested.

The trial in Gheorghe Petic's case was held behind closed doors. The alleged rape victim testified in court in the absence of Petic, so he had no opportunity to ask her questions. Gheorghe Petic refused to plead guilty and called the case fabricated⁵⁵.

On 20 March 2019, the Orhei court found Gheorghe Petic guilty of rape and sentenced him to 3.5 years in prison. For the time being, the trial of the hooliganism case continues.

In the parliamentary elections of 2019, the ACUM opposition bloc included Petic in its electoral list at number 33. The Dignity and Truth Platform considers his case to be politically motivated.

Gheorghe Petic's case is mentioned in the 2018 report of the US State Department on the human rights situation in Moldova⁵⁶.

Gheorghe Balan is a judge of the Chisinau court in Botanica district and a former candidate for deputy from the ACUM opposition bloc. Gheorghe Balan is known for his bold statement about the seizure of the justice system in Moldova by the authorities, which he made in March 2017 during the General Assembly of Judges. *"In our rule of law state, an individual can be arrested or released based on personal whims of a person who has almost reached dementia. Don't we notice that Moldova is slowly turning into a mafia state?"*⁵⁷ – said the judge.

In 2017, Balan ran for the position of a member of the Superior Council of Magistracy. He also intended to take part in the parliamentary elections held in February 2019. However, the Superior Council of Magistracy refused to suspend him as a judge for the duration of the election campaign⁵⁸.

In 2018 and 2019, the Superior Council of Magistracy adopted two decisions on Balan's resignation from the post of judge:

- On 20 April 2018, the Disciplinary Board of the Superior Council of Magistracy recommended that the Council dismiss Balan from the position of judge in connection with a complaint filed against him by the authorities of the village Puhăceni. The complaint was filed after the judge

⁵³ <https://point.md/ru/novosti/proisshestviva/vozbuzhdeno-delo-na-ofitsera-pogranichnika-raskryvshego-kontrabandnye-skhemy-na-granitse>

⁵⁴ <http://politia.md/ro/content/audio-comunicat-de-pres>

⁵⁵ https://www.facebook.com/story.php?story_fbid=248125759451172&id=100027612481510

⁵⁶ <https://www.state.gov/documents/organization/289403.pdf>

⁵⁷ <http://newsmaker.md/rus/novosti/ne-sudite-pochemu-eks-kandidatu-acum-ne-udalos-obzhalovat-reshenie-ob-otstavke-s-p-43142>;

<http://agora.md/stiri/28977/video-magistrat-justitia-din-rm-s-a-transformat-intr-o-stana-csm-este-ciobanul-iar-cna-mai-si-sis-sunt-paznicii>

⁵⁸ <http://tv8.md/2018/12/18/judecatorul-gheorghe-balan-a-cerut-sa-fie-suspendat-din-functie-in-perioada-campaniei-electorale-iar-csm-i-a-refuzat-cererea/>

supported the residents of Puhăceni, who opposed the opening of sand quarries in the village. Residents complained that quarrying would harm the environment and the community. Gheorghe Balan filed several lawsuits against the village authorities and allegedly threatened them with criminal liability⁵⁹. The Prosecutor General's Office confirmed the illegality of the activity of one of the companies that intended to extract sand in the village of Puhăceni⁶⁰.

- On 18 January 2019, the Disciplinary Board of the Supreme Council of Magistracy decided to dismiss Balan from the post of judge⁶¹. According to the Council, Balan issued two illegal sentences (imposed a fine instead of imprisonment), which were overturned by the Appeals Chamber.

Gheorghe Balan challenges⁶² these decisions and formally continues to be a judge. He claims that the reason for his removal from office is his harsh statements about the situation in the Moldovan judicial system.

The case of Gheorghe Balan was mentioned in the report of the UN Special Rapporteur on the situation of human rights defenders as an example of prosecution of independent judges in Moldova.⁶³

Ruslan Verbițchi is a civic activist and a member of the opposition party 'The Dignity and Truth Platform', who participated in the parliamentary elections in February 2019 as a candidate from the ACUM electoral bloc. Verbițchi is known for his participation in the protest action near the Moldovan Parliament building on 20 January 2016. In connection with the participation in the action, a criminal case was initiated against him and 12 other people on charges of 'mass disorder' (Art. 285 of the Criminal Code)⁶⁴.

On 22 August 2018, Ruslan Verbițchi was detained at the Ukrainian border post when he tried to enter the territory of Ukraine. The search of Verbițchi's vehicle revealed several dozen cartridges for a Kalashnikov assault rifle. Verbițchi claims that the ammunition was planted on him in Moldova when his car was unattended⁶⁵. It is noteworthy that the detention took place a few days before the big protest action of The Dignity and Truth Platform. Verbițchi was one of the organisers of the action.

On 23 August 2018 Ruslan Verbițchi was placed under house arrest by the decision of the Ukrainian court. However, later he was allowed to return to Moldova to await the trial there. A criminal case was initiated against Ruslan Verbițchi on charges of 'acquisition and storage of ammunition' (Article 263 of the Criminal Code of Ukraine).

Alexandru Bernaz is a lawyer. In October 2018, Bernaz reported that the Moldovan Prosecutor's Office resumed a criminal case against him, in which he was acquitted in 2015. At that time, Bernaz was charged in a criminal case filed against his client. He was accused of complicity in the theft of shares.

In 2015, the charges against Bernaz were dropped after he was able to challenge the ruling on bringing him as an accused in court. The court found the order illegal. In March 2018, Bernaz filed a lawsuit against the Prosecutor's Office for damages in connection with illegal criminal prosecution. In July 2018, the Court ordered that he be paid compensation for moral and material damages. This decision was confirmed by the Court of Appeal in September 2018.

⁵⁹ <https://www.zdg.md/ru/?p=18888>

⁶⁰ <http://newsmaker.md/rus/novosti/kto-sleduyushchiy-za-cto-distsiplinarnaya-kollegiya-rekomenduet-uvolit-sudyu-geor-37040>

⁶¹ https://www.csm.md/files/Hotarirele_CDisciplinar/2019/Sesizari/1-1.pdf

⁶² http://jurisprudenta.csi.md/search_cont_csm.php?id=214

⁶³ <https://undocs.org/pdf?symbol=en/A/HRC/40/60/ADD.3>

⁶⁴ <https://en.odfoundation.eu/a/8188,the-captured-state-politically-motivated-prosecution-in-moldova-and-usurpation-of-power-by-vladimir-plahotniuc>

⁶⁵ <https://www.zdg.md/ru/?p=20472>

A few days after that, the Prosecutor's Office resumed the old criminal prosecution against Alexandru Bernaz. At the same time, the court decision on the recovery of material and moral damage in favour of an attorney for the illegal criminal prosecution has already entered into force.

Alexandru Bernaz is an attorney for Moldovan businessman Veaceslav Platon. The lawyer claims that the only new aspect that appeared in the order to bring him in as a defendant in the criminal case is the name of Veaceslav Platon⁶⁶.

Ion Crețu is the lawyer of the Moldovan businessman Veaceslav Platon.

In July 2018, the Criuleni court sentenced him in absentia to 6 years' imprisonment. He was found guilty of 'gaining profit from his influence' (Art. 326 of the Criminal Code). The criminal case was opened back in 2014. Crețu allegedly took a bribe of approximately 15700 euros from his client and promised to help him close the criminal case in exchange for the money. The lawyer stated that the money was his working fee and, as evidence, presented the court with a contract that he had concluded with his client⁶⁷.

Ion Crețu considers the sentence politically motivated and related to the protection of businessman Veaceslav Platon. The lawyer said that he began to receive threats of arrest after a film about the theft of a billion dollars from the banking system of Moldova was published on Veaceslav Platon's Facebook page in September 2017. After this, his criminal case began to develop more rapidly. When Ion Crețu found out about the upcoming arrest, he left the territory of Moldova⁶⁸. Crețu is now at risk of being placed on the Interpol's international wanted list.

3. THE CASE OF THE OPEN DIALOGUE FOUNDATION AND LYUDMYLA KOZLOVSKA

In July 2018, the European Commission suspended the decision to provide financial assistance to Moldova in the amount of 100 million euros. This was a response to the cancellation of the results of the mayoral election in Chisinau⁶⁹. The election was won by the opposition candidate Andrei Nastase. International public opinion perceived the cancellation of election results as a violation of democratic standards and the rule of law⁷⁰.

According to the Moldovan authorities, the international criticism and the decision of the European Commission is a consequence of the subversive activity of the Open Dialogue Foundation and the Moldovan opposition politicians who cooperate with the organisation. This 'subversive activity' consists in a critical assessment of the actions of the Moldovan authorities, which the Open Dialogue Foundation expressed in the European Parliament, PACE, OSCE and other international platforms.

On 23 August 2018, an interview with the leader of the Democratic Party of Moldova, Vladimir Plahotniuc, was published, in which he stated that there was evidence of links between the opposition Moldovan parties and 'oligarchic groups and Russian security services'. Plahotniuc also mentioned Lyudmyla Kozlovska, stating that she had been intensely engaged in blacking the Republic of Moldova in Europe⁷¹.

⁶⁶ <http://newsmaker.md/rus/novosti/unizit-arestovat-pokonchit-s-nim-kak-v-moldove-zapugivayut-neugodnyh-advokatov-pya-41838>

⁶⁷ <http://newsmaker.md/rus/novosti/zashchita-bitadvokata-vyacheslava-platona-prigovorili-k-shesti-godam-tyurmy-38238>

⁶⁸ <http://newsmaker.md/rus/novosti/unizit-arestovat-pokonchit-s-nim-kak-v-moldove-zapugivayut-neugodnyh-advokatov-pya-41838>

⁶⁹ <https://www.reuters.com/article/us-moldova-protests-eu/eu-freezes-aid-to-moldova-as-row-over-mayoral-election-festers-idUSKBN1JU2G7>

⁷⁰ <http://www.europarl.europa.eu/news/en/press-room/20180621IPR06306/moldova-key-meps-react-to-the-chisinau-court-decision-on-local-elections>; https://www.coe.int/en/web/congress/presidency/-/asset_publisher/XKZo3826TCuM/content/congress-president-expresses-concern-after-the-invalidation-of-the-elections-in-chisinau?inheritRedirect=false; https://eeas.europa.eu/headquarters/headquarters-homepage/47472/statement-hrvp-mogherini-and-commissioner-hahn-invalidation-mayoral-elections-chisinau_en; <https://www.state.gov/r/pa/prs/ps/2018/06/283586.htm>

⁷¹ <http://www.ipn.md/ro/special/93150>

On 19 September 2018, a group of deputies of the Democratic Party demanded that the Prosecutor General's Office investigate the possible links between the opposition parties 'Dignity and Truth Platform Party' (DA) and 'Party of Action and Solidarity' (PAS) and Lyudmyla Kozlovskaya. On 4 October 2018, at the initiative of the Democratic Party, a commission was established in the Parliament to investigate the interference of the Open Dialogue Foundation and Lyudmyla Kozlovskaya in the internal affairs of Moldova.

On 16 November 2019, the Parliament of Moldova adopted the report of the investigative commission "On the circumstances of the interference of the Open Dialogue Foundation and its founder, Lyudmyla Kozlovskaya, in the internal affairs of the Republic of Moldova and on the financing of some political parties in the Republic of Moldova". The decision of the Parliament states that "*the ODF and Lyudmyla Kozlovskaya (...) succeeded in many actions that led to an aggravation of relations between European organisations and politicians with organisations and the leadership of the Republic of Moldova*"⁷².

The content of the Parliament's resolution resembles a Soviet-era document on 'pest control' rather than a legal act. It states that the lobbying activities of the Open Dialogue Foundation and Lyudmyla Kozlovskaya resulted in, among others:

- "*Initiation of a resolution by PACE members in January 2018 on the preservation of civil rights in Poland, Moldova and Ukraine*";
- "*Appeal by the Chairman of the OSCE Parliamentary Assembly's Committee on Democracy, Human Rights, and Humanitarian Questions, Jose Ignacio Sánchez Amor, to the Republic of Moldova and Kazakhstan in February 2018, on spurious issues related to the criminal prosecution of Anna Ursachi, Eduard Rudenko, Domnica Manole and Dorin Munteanu by law enforcement agencies*";
- "*Lobbying for the suspension of the European Union's macro-financial assistance to the Republic of Moldova*";
- "*Approval of the European Parliament's resolution on strengthening the position with regard to the Republic of Moldova and its institutions on 14 November 2018*".

The Parliament recommended the Moldovan law enforcement agencies to qualify the activities of the Open Dialogue Foundation and its associates as illegal.

The report of the parliamentary commission was published on 17 December 2018⁷³. **It turned out that the text of the report was prepared on the basis of fake news, which at various times appeared in the pro-government media and on the pages of dubious Internet resources. The report also makes extensive use of the technique of twisting information and reporting false data.**

For example, the report of the investigative commission notes that the Security Service of Ukraine (SBU) has opened a criminal case against Lyudmyla Kozlovskaya on charges of 'high treason', 'encroachment on the territorial integrity of Ukraine' and 'fraud'. However, the Moldovan authorities did not receive this information from the law enforcement agencies of Ukraine, but found it in fake news. **In November 2018, the Open Dialogue Foundation received an official response from the SBU that Lyudmyla Kozlovskaya was not a defendant in the criminal case.**

Based on the report of the parliamentary commission, the Moldovan Prosecutor's Office for Special Cases and Combating Organised Crime opened a criminal case on charges of 'money laundering' (Art. 243), 'espionage' (Art. 338) and 'illegal party financing' (Art. 181)⁷⁴. Lyudmyla Kozlovskaya is a suspect in a criminal case.

⁷² <http://lex.justice.md/index.php?action=view&view=doc&lang=2&id=378062>

⁷³ <http://www.parlament.md/LinkClick.aspx?fileticket=8RaDVrZx%2fBY%3d&tabid=86&mid=488&language=ro-RO>

⁷⁴ https://ru.publika.md/pbopod-povtorno-vyzvala-na-dopros-glavu-open-dialog_2173848.html

On 22 January 2019, Lyudmyla Kozlovska's lawyer appealed to the Moldovan Prosecutor's Office with a request for the submission of the criminal case materials. However, on 28 January 2019, the Prosecutor's Office refused to provide such documents on the grounds that Lyudmyla Kozlovska and her lawyer were not involved in the case. Such actions of the Prosecutor's Office are a direct violation of the right to defence, as the documents sent by the Moldovan Prosecutor's Office to Belgium state that Lyudmyla Kozlovska is a suspect in a criminal case.

There is reason to believe that the Moldovan authorities lobbied for the publication of paid articles against the Foundation in foreign press. On 21 April 2019, the Scottish branch of The Sunday Times newspaper published three articles simultaneously; they reported the results of the investigation carried out by the investigation committee of the Moldovan parliament. The fact that all of them were published not only on the same day, but also at the same time, at the exact minute, may indicate that it was paid articles.⁷⁵ All three materials are written by co-authors Jordan Ryan and Carlos Alba. The latter is not a journalist; he is the owner of a PR agency.

Following the issuance of publications in The Sunday Times in Moldavian⁷⁶ and Polish⁷⁷ pro-governmental media outlets, materials that reported on the 'investigation by the British edition' of the activities of the Open Dialogue Foundation, began to appear. Thus, the findings of the parliamentary report were presented as an investigation carried out by an influential Western media outlet. Polish authorities used the 'investigation' of the Moldovan parliament, and the publications in The Sunday Times in another wave of a defamatory information attack against the Open Dialogue Foundation. The report of the Moldovan parliament was considered at the meetings of two committees of the Polish Sejm, and representatives of the ruling party 'Law and Justice' called for outlawing the Open Dialogue Foundation.

According to reports from independent opposition Moldovan media, Poland was supposed to cooperate with the diplomacy and services of that country, supporting the work of the local investigative committee. However, officially, the Polish authorities distanced themselves from the policy and activities conducted by the Moldovan government⁷⁸.

In addition to Lyudmyla Kozlovska, against whom the Moldovan authorities initiated a criminal case on the basis of the findings of the parliamentary investigation committee, other persons whose names are mentioned in the report, namely: Ana Ursachi, Eduard Rudenco, Alexandru Machedon, Domnica Manole, Alexei Alexeev, Sergiu Cebotari and other activists, may also face persecution.

4. CONCLUSIONS AND RECOMMENDATIONS

Moldova is rapidly turning into a hotbed of instability, corruption and lawlessness in the region. International observers have noted a decline in the level of democracy, media freedom and freedom of association, as well as an attack on the civil society. A narrow circle of people in power uses the State for their own enrichment and reprisal with their political opponents.

The Open Dialogue Foundation hereby calls on the European Commission to take decisive actions in connection with Moldova's failure to fulfill its obligations in the human rights dimension. We consider it necessary:

⁷⁵ <https://www.thetimes.co.uk/edition/scotland/an-edinburgh-flat-a-human-rights-activist-and-the-oligarchs-dirty-money-vzs9htpnt> ;
<https://www.thetimes.co.uk/edition/scotland/scots-firms-in-26m-laundering-link-to-putin-p9zsighsn> ;
<https://www.thetimes.co.uk/edition/news/british-firms-linked-to-dirty-money-used-against-putin-opponents-z7sczkxtz>

⁷⁶ https://www.publika.md/o-prestigioasa-publicatie-britanica-dezvaluie-schemele-lui-platon-a-folosit-firme-offshore-din-scotia-ca-sa-o-plateasca-pe-kozlovska_3040486.html?fbclid=IwAR3y4D_yI2RBEg2H3VrMU-OZBHNokXlPfyBRPPmPAJWPE0xHeKY-y1ELLMk#ixzz5lo9o92a9

⁷⁷ http://auslandsdienst.pl/3/25/Artykul/417023,Woher-kommen-die-Gelder-der-Open-Dialogue-Foundation-?fbclid=IwAR0hKpBB_bi-zK5biYhNKfo3hTQHxf3lF9N-N1GPskOMKoa5EDpx64Zl4s

⁷⁸ <https://en.odfoundation.eu/a/9238,bartosz-kramek-for-gazeta-wyborcza-pis-moldova-a-common-issue>

- To support demands of the Eastern Partnership Civil Society Forum Moldovan National Platform⁷⁹. In particular - to conduct an independent investigation into the USD1 billion bank fraud; to apply sanctions against those guilty of usurping state power in the Republic of Moldova; to monitor and react to the situation in Moldova; to develop and apply an international Magnitsky Act-type document that targets those in power who use illegal funds to obstruct democratic processes in Moldova and abroad.
- To extend financial sanctions in the form of refusal to provide any financial assistance to Moldova without an improvement in the situation with democratic standards and the rule of law in the country.
- To raise the issue of revising the Association Agreement between Moldova and the EU in connection with the increasing number of incidents of violation of democratic principles, human rights and fundamental freedoms in Moldova.
- To demand the immediate cessation of politically motivated criminal prosecutions of representatives of the opposition, human rights defenders, journalists and judges in Moldova.
- To condemn the practice of defamatory information campaigns against civil society activists, human rights activists and critics of the authorities.

⁷⁹ <http://eap-csf.eu/wp-content/uploads/SC-Moldova-October-2018-1.pdf>