

PUBLIC

AI Index: EUR 59/002/2009

09 April 2009

UA 96/09 Freedom of expression and assembly Possible Prisoners of Conscience

MOLDOVA Oleg Bregha (m) ]  
Ghenadie Bregha (m) ] civil society activists  
Natalia Morar (f) ]

---

The authorities in Moldova have threatened to arrest a group of civil society activists who organized a peaceful demonstration, blaming them for the rioting that followed the next day. Amnesty International is concerned that the Moldovan authorities are attempting to blame them for violent rioting that took place in Chisinau, the capital of Moldova, on 7 April 2009.

Natalia Morar, and Oleg and Ghenadie Bregha are at risk of being detained and may be accused of organizing riots, and a crime relating to overthrowing the state, which could carry a maximum sentence of 20 years. All three were amongst a group of civil society activists also including Elena Zgardan, Artur Gurău, Ion Țărnă and others who organized a peaceful "day of mourning" on 6 April to protest against the results of the Moldovan parliamentary elections which took place the previous day. They had informed the authorities about their plans in accordance with the law.

They announced the vigil on social networking sites, by texting on mobile phones and by word of mouth. Natalia Morari told Amnesty International that they expected no more than 300 young people to come and were amazed when as many as 10,000 people joined them, including the leaders of all major opposition parties. The organizers of the vigil asked everybody to leave at 8pm, but the political leaders present continued speaking to the crowd until 8.30pm and then announced that there would be another meeting at 10am the following morning before dispersing peacefully.

Amnesty International believes that the organizers were exercising their right to freedom of expression and peaceful assembly, and that if arrested for organizing a peaceful assembly for which they had notified the authorities, would be considered prisoners of conscience.

The proposed meeting on 7 April, which had been organized by opposition party leaders, turned into violent rioting. Natalia Morari told Amnesty International that she was present on that day and was engaged in trying to locate loudspeakers in order to instruct the demonstrators to stay on the designated protest site and not to approach the government building. However, on that day, the General Prosecutor's office published a press release accusing the organizers and participants of the "day of mourning" on 6 April of organizing and taking part in a riot, and of violating the provisions of the law on assemblies by failing to respect public order, involving minors, encouraging drunkenness and damaging public transport. The press release named Ghenadie Brega.

On 8 April, following the disturbances government spokespeople warned that anyone involved in the rioting would be prosecuted for attempting to overthrow the state. The General Prosecutor's office informed a friend of Oleg and Ghenadie Brega that an investigation had been started for attempted overthrow of the state without naming any suspects. On 8 April, Natalia Morari and Oleg Brega learnt that they had been accused of organizing riots and of overthrowing the state, a crime which could carry a sentence of up to 20 years' imprisonment. They have not yet been officially charged. On the same day, Oleg Brega was reportedly beaten by plain clothes policemen as he attempted to film the police beating suspects in a park near the government building at about midnight.

Oleg Brega, Ghenadie Brega and Natalia Morari are currently in hiding for fear of being arrested. So far, none of the other members of the group have been threatened or charged.

### **BACKGROUND INFORMATION**

On 5 April parliamentary elections were held in Moldova. According to the official count, the ruling communists won 49.9 per cent of the vote, which gave them a majority of 61 seats in the parliament. As many as 15,000 people turned up at Great National Assembly square on 7 April and marched from there to the presidential and parliamentary buildings. By midday the demonstrations had turned violent. Following an initially peaceful stand-off between police and protestors on the steps of both buildings, the crowd began to push against the police line. Amnesty International staff witnessed objects being thrown by the crowd at the Presidential Administration building which was being guarded by riot police, including plastic and glass bottles, stones, eggs, bits of pavement and masonry. There are allegations that the violence was provoked by plain-clothed officers in the crowd. Despite a significant presence, riot police eventually retreated completely and demonstrators stormed both buildings. Offices were looted, fires were started and furniture and documents were thrown from windows. Both buildings remained mostly unguarded for the rest of the day.

### **RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Russian, Romanian or your own language:**

- reminding the Moldovan authorities that they have a responsibility to safeguard the rights to freedom of assembly, association and expression in accordance with various international human rights standards to which Moldova is a state party, including the International Covenant on Civil and Political Rights and the European Convention for the Protection of Human Rights and Fundamental Freedoms.
- informing the authorities that Ghenadie Brega, Oleg Brega, Natalia Morari and other members of the initiative group were reportedly exercising their right to freedom of expression and peaceful assembly in accordance with the Law on Assemblies of the Republic of Moldova.
- if they are arrested for organizing a peaceful assembly for which they had notified the authorities Amnesty International will consider them prisoners of conscience and ask for their immediate release.
- urging the authorities to distinguish carefully between those who are suspected of having committed criminal acts and those who have exercised their right to freedom of expression and peaceful assembly.
- asking the authorities to independently and thoroughly investigate the allegations that Oleg Brega was beaten by plain-clothes police officers on the night of 8 April 2009.

### **APPEALS TO:**

Procurator General of the Republic of Moldova  
Valeriu Gurbulea  
26, Mitropolit Banulescu-Bodoni Str., MD-2005, Chişinău  
Republic of Moldova

**Fax:** +373 22 21 20 32  
**E-mail:** [procuror@gov.md](mailto:procuror@gov.md)  
**Salutation:** Dear Procurator General

### **COPIES TO:**

Minister of Internal Affairs  
Gheorghe Papuc  
Stefan cel Mare Bld., 75, MD-2012, Chişinău  
Republic of Moldova

**Fax:** + 373-22 22 2723  
**E-mail:** [mai@mai.md](mailto:mai@mai.md)  
**Salutation:** Dear Minister

Parliamentary Human Rights Advocate  
Anatolie Munteanu

Centre for Human Rights in the Republic of Moldova  
16 Sfatul Tarii Str., MD-2012, Chişinău  
Republic of Moldova

**Fax: +373 22 22 54 42**

**Salutation: Dear Parliamentary Human Rights Advocate**

and to diplomatic representatives of Moldova accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat, or your section office, if sending appeals after 21 May 2009.