



## 经济及社会理事会

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人权委员会

第六十一届会议

临时议程项目 10,11,13 和 14

经济、社会和文化权利

公民权利和政治权利

儿童权利

特定群体和个人

2004 年 7 月 27 日罗马尼亚常驻联合国日内瓦办事处代表团

致联合国人权事务高级专员办事处的普通照会

罗马尼亚常驻联合国日内瓦办事处代表团向联合国人权事务高级专员办事处致意，并谨提请办事处注意摩尔多瓦共和国德内斯特地区当局的非法行动及对儿童权利的侵犯。来自有权威的公正消息来源叙述了有关于当地民兵关闭和占领以拉丁文教学的三所学校的情况，这一资料来源就是本照会所附欧安组织驻摩尔多瓦共和国的现场报告。\*

罗马尼亚常驻代表团谨提请注意，德内斯特民兵和其他地方当局对三所学校的行动侵犯了《儿童权利公约》的以下条款：

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\* 附件不译，原文照发。

- 第 2 条(1): 基于语言的歧视;
- 第 2 条(2): 基于身份的歧视和惩罚;
- 第 3 条(3): 剥夺享用机构、服务部门及设施的机会;
- 第 12 条(4): 侵犯儿童对影响到其本人的事项发表意见的权利;
- 第 19 条(1): 对儿童忽视或照料不周;
- 第 27 条(1): 侵犯儿童享有足以促进其生理、心理、精神、道德和社会发展的生活水平之权利;
- 第 28 条: 侵犯儿童受教育的权利, 尤其是经常上学的权利;
- 第 29 条(1): 剥夺儿童拥有自身的文化认同、语言和价值观的权利。

关闭三所学校的做法并侵犯了《国际人权宣言》, 尤其是:

- 第 21 条: 有平等机会参加本国公务的权利;
- 第 26 条: 父母对其子女所应受的教育种类有优先选择的权利。

罗马尼亚常驻代表团谨请联合国人权事务高级专员办事处:

- 将本普通照会及其附件作为人权委员会第六十届会议的正式文件散发;
- 提请人权委员会教育权问题特别报告员注意这一事件;
- 向儿童权利委员会通告上述情况;
- 采取一切办事处认为必要的措施, 结束对上述学校的摩尔多瓦儿童所实行的非法行动, 以便使他们在正常情况下开始新的学年, 并不得试图恫吓及惩罚儿童及其家长。

## Annex

### **Spot Report NO. 4/2004**

#### **Transdniestrian authorities move to close remaining Moldovan schools 27 July 2004**

##### **Summary**

After a quiet weekend, Transdniestrian authorities took measures through the night of 26/27 July aimed at closing three Moldovan schools in Bendery and Ribnita. Mission members are on the scene and have contacted Russian, Ukrainian, and Moldovan officials to seek urgent deployment of military observers and peacekeepers. As yet few Transdniestrian authorities have responded to urgent Mission communications. The police actions come as the mediators are working on a potential temporary agreement between the sides to avert a larger crisis.

Approximately 60 children returned from summer camp during the night of 26/27 July and were forced to sleep on the sidewalk in front of the Internat (orphanage) in Bendery. The doors to the Internat were sealed in the afternoon of 26 July by Transdniestrian militia. Militia are currently occupying the building. Twenty parents in Bendery and as many as 50 parents in Ribnita stayed overnight in the other schools. Violent clashes with Transdniestrian militia could result.

##### **Events in Bendery**

Late in the afternoon of 26 July, the OSCE Mission began receiving reports of likely efforts by Transdniestrian militia to take possession of three of the disputed Moldovan schools teaching in Latin script in Transdniestrian-controlled territory - School No. 19 and the Internat (orphanage) in Bendery and the Gymnasium in Ribnita. Mission members visited all three schools for significant periods during the weekend and found the situation around them basically quiet. However, a number of Moldovan parents remained around the clock in School No. 19 in Bendery and the school in Ribnita, fearful of attempts by Transdniestrian local authorities to seize the schools.

In Bendery, Mission members spent most of 26 July at School No. 19, where conditions were calm. About 15 to 20 parents were staying in the school building. The Internat (orphanage) has been empty, as city authorities have cut off all utilities while the children were in summer camp. Parents and Mission members were checking the building periodically. Immediately after Mission members returned from Bendery to Chisinau the evening of 26 July, parents called to inform that three squads of Transdniestrian militia had surrounded the Internat, and were seizing the property by affixing seals to close all doors. At the same time the Mission received reports that Bendery militia were also preparing to move against School No. 19 during the coming night.

Mission members immediately returned to Bendery to check the situation, and alerted the Joint Military Command. Transdnistrian "border guards" initially refused entry to Transdnistrian-controlled territory, but relented after Mission members telephoned the military command. Military observers and the Bendery military commander reportedly deployed to the locations for an undetermined time. After investigation the military command designated a joint force of Moldovan police and Transdnistrian militia to guard the Internat building. Several staff members and teachers also planned to stay in the building overnight. The Military command was also reportedly making arrangements with local authorities to stabilize the situation at School No. 19.

During the night of 26/27 July approximately 60 children, students and residents at the Internat, returned to Bendery from the summer camp where they had been staying. The children and the counsellors are currently located on the sidewalk outside the Internat with no access to food or other facilities. An undetermined number of Transdnistrian militia are inside the Internat, and state they have orders not to allow entry to the school. Uniformed Moldovan police are also present. As of 0800 hours on 27 July, after being alerted by the OSCE Mission, military observers and the Bendery military commander had arrived at the Internat and were familiarizing themselves with the situation. The OSCE Mission is attempting to contact senior officials on the left bank to resolve the situation.

## Events in Ribnita

During 26 July representatives of the Ribnita school and the city administration met in a working group formed with the assistance of the OSCE Mission on Friday, 23 July to discuss questions involving the school property, particularly the amounts already invested by foreign donors in reconstruction of the building. The Director of the school reported several threats by Transdnistrian militia during the past three days to call her in for investigation of alleged illegal conduct in management of the school. She mentioned these threats to Mission members a number of times, as they seemed to have frightened her considerably.

Two Mission members spent much of 26 July in Ribnita following developments and gathering information from school and local officials. Late in the day Mission members began to receive credible reports that local Transdnistrian militia were preparing to deploy during the night of 26/27 July to seize the school property. About 50 parents remain inside the school building, and many apparently remained there through the night. As of 0630 hours on 27 July Mission members were on the scene, which remained tense. The Mission has alerted the Joint Military Command and has requested that military observers deploy to Ribnita. Tense exchanges between city administration and school leaders continue.

## Negotiations for a solution

The OSCE Mission had been in contact with the Moldovan Ministry for Reintegration on 25 and 26 July to investigate possible means of easing tensions and finding a solution to the schools issue. After consultations with the Moldovan Minister, representatives of the three mediators - Ukraine, the Russian Federation, and the OSCE - met on 26 July to draft a proposed agreement between the two sides for a temporary resolution of the issue. The OSCE Mission

had scheduled a meeting with Transdniestrian negotiators the morning of 27 July to discuss the draft agreement.

In earlier efforts to ease tensions and resolve the mounting dispute, the OSCE Mission on 20/22 July facilitated the visit to Moldova of Bulgarian First Deputy Foreign Minister Petko Draganov, who met with senior Moldovan and Transdniestrian officials, school officials, and representatives of the mediators. Representatives of the three mediators consulted on 22/23 July and met on 23 July with the Moldovan Minister for Reintegration after his return from his appearance at the special session of the Permanent Council. The three mediators continued contacts into the weekend.

## Comment

Any action by Transdniestrian authorities against the schools while large numbers of parents are inside risks serious clashes. The return of the children to the Internat in Bendery in particular raises the situation there to a near crisis level. The Mission is following the situation in and around all of the affected schools as closely as possible. The Mission also continues actively to request the deployment of appropriate military observers and peacekeepers to monitor the situation and to prevent clashes and violence between local authorities and agitated parents and teachers. Despite the apparent success so far in avoiding a confrontation in Bendery, in the Mission's estimation the situation remains very tense and the risk of inadvertent violence and injury is very high.

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