

**ПРАВООЩИТНЫЙ ЦЕНТР "МЕМОРИАЛ"**

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## **Large-scale and gross violations of human rights and the situation in the zone of armed conflict in and around the city of Bendery (June-July, 1992)**

This Report is based on materials, obtained by observers of the Memorial Human Rights Center in the zone of conflict, specifically documents provided by representatives of conflicting sides, as well as mass media coverage of the conflict.

The latest investigation in the zone of conflict was conducted by field parties of the Memorial Center in the period between July 2 and 30, 1992. Members of the parties collected information on both sides of the front line, questioned civilian victims of the conflict in the city of Bendery and in the neighboring villages of Gyska, Varnitsa, Parkany, interviewed official representatives in Kishinev, Tiraspol, Bendery, Kaushany, Varnitsa, procured necessary documentation at the parliament, Procurator's Office and Ministry of Interior of the Moldovan Republic, inquired prisoners-of-war in penitentiaries and reformatories in Kishinev, talked to police officers in Bendery and to members of armed formations, conducted survey in residential quarters and industrial sites in Bendery, Gyska, Varnitsa, Parkany.

### **EVENTS PRECEDING THE OUTBREAK OF COMBAT ACTIONS IN BENDERY**

The strife in the Trans-Dniester region, although having a distinctive national aspect, can not be defined as ethnic conflict.

Geographically, the Trans-Dniester region is the territory stretching along the banks of the river Dniester to over 200 kilometers. Unlike the region on the right bank, the left bank area, also known as Transnistria, was not part of Rumania from 1918 to 1940. In 1924 the left bank territory was proclaimed the Moldovan Autonomous Soviet Socialist Republic within the Soviet Socialist Republic of Ukraine. Following the occupation of Bessarabia by Soviet troops in 1940, the left bank became part of the Moldovan Soviet Socialist Republic (MSSR). The majority of the left bank population are not of Rumanian extraction (see the statistics below).

The beginning of confrontation in the Trans-Dniester region dates back to the Summer and Fall of 1989, when the MSSR Supreme Soviet discussed and endorsed a package of laws, affirming the Moldovan language as the single state language in the republic. Subsequently Councils of Workers Collectives (CWC) were set up at many industrial works in the Trans-Dniester region to organize mass protest actions and strikes, demanding a referendum on the issue of language. These demands were turned down by Kishinev. The conflict became further aggravated as the Russian-speaking population (mainly the intelligentsia) on the right bank of the river Dniester began to feel discrimination in getting education and promotion.

The Fall of 1989 was the beginning of the movement for the autonomy of the Trans-Dniester region. In the period between January and October, 1990, referendums were held in Bendery and the majority of the left bank settlements (except for a few villages with predominant Moldovan

population) 79% of all the electors in the Trans-Dniester region took part in these referendums, and 96% voted for the institution of the Trans-Dniester Republic. The Presidium of Moldovan Supreme Soviet declared the results of the referendums null and void.

In the Summer of 1990 a number of Russian-speaking deputies of the Moldovan parliament were abused in public. Shortly afterwards the majority of MP-s representing the Trans-Dniester region left Kishinev as a result of which the Supreme Soviet and the Council of Ministers of Moldova virtually became mono-national structures. The drafted Laws on Citizenship and Local Self-Government met harshly negative reaction of the left bank population. The Moldovan leaders failed to provide convincing guarantees that in some not very distant future Moldova would not be joined to Rumania. In the meantime, the authorities in Kishinev made it clear that no region of the republic was to be granted autonomous status.

September 2, 1990, the II Congress of Deputies of All Levels of the Trans-Dniester region proclaimed the Trans-Dniester Moldovan Soviet Socialist Republic (TDMSSR) within the USSR. Later the TDMSSR was renamed into Trans-Dniester Moldovan Republic (TDMR) on the left bank of the river Dniester, its jurisdiction also encompassing those villages with prevalent Moldovan population where the referendum hadn't been held or had yielded negative results. The city of Bendery and several villages on the right bank were also claimed the jurisdiction of the TDMSSR. Moldovans (Rumanians) accounted of 39% of the TDMSSR population, Ukrainians 28%, Russians 24% and Bulgarians, Gagauses and other nationalities 9%. A few days after the Congress in Tiraspol, deputies of all levels from the Trans-Dniester region who had disagreed with the decisions of the Congress, gathered for a conference in the village of Pyryta. Meanwhile, the Supreme Soviet of Moldova declared the TDMSSR illegitimate. In Tiraspol, that had been proclaimed the capital of the TDMSSR, self-defence forces were formed.

November 2, 1990, women in Dubossary on the left bank assaulted the local Council, Court and Prosecutor's Office and withheld these premises for several hours. The central authorities retaliated by trying to bring police forces into Dubossary. Having met resistance of residents, police used fire arms, killing three people and wounding thirteen: these were the first casualties of the conflict.

November 20-25, 1990, elections to the Supreme Soviet of the TDMSSR were held in the majority of settlements of the region, followed by presidential elections and referendum on independence, December 1. Taking part in the referendum were 78% of electors and 97.7% of them supported independence of the TDMSSR (later TDMR).

The next phase of the evolution of the conflict was connected with the development of armed formations in the TDMR and the attempts to pressure the Moldovan power structures, primarily village councils, police departments, prosecutor's offices in the Trans-Dniester region with the purpose of placing them under the jurisdiction of the TDMR. Starting mid 1991, paramilitary formations in the Trans-Dniester region were supplied with fire arms. September 6, 1991, the Supreme Soviet of the TDMR decreed to begin the formation of republican national guards.

In the second half of 1991 and early 1992 most of prosecutor's offices and police departments were placed, often forcibly, under the jurisdiction of the TDMR. Particularly tense situation shaped up around the police department in Dubossary. For several days the department was picketed by local residents and several people were killed in the shooting out between policemen and national guards. March 2, 1992, the police department in Dubossary was taken by national guards, policemen were arrested, brought to Tiraspol and there exchanged for the captured national guards.

Starting March 1992, the conflict began to swiftly develop into a war. The repeated skirmishes between Moldovan policemen and TDMR national guards involved numerous casualties. The sides kept accusing each other of armed provocations. Intensive combat actions took place around the villages of Koshnitsa and Kochiery near Dubossary, and Kitskany near Tiraspol, both sides employing fire arms, artillery and Alazan missiles. Many non-combatants were victimized as a result of violence, practised by both conflicting forces.

Weapons for both sides came mostly from the arsenals of Russia's 14th Army, stationed on the territory of Moldova. The Moldovan formations procured the weapons as a result of official division of arms and ammunition of the former Soviet armed forces. In the Trans-Dniester region local fighters usually gained weapons by force as a result of picketing and assaulting garrisons of the 14th Army. April 2, 1992, the 14th Army was officially placed under the jurisdiction of the Russian Federation. At least one unit of the army, stationed in the Parkany village, became the jurisdiction of the TDMR.

Bendery is the city on the right bank of the Dniester river with the population of 146,000. In the course of the referendum the majority of residents favored joining the TDMR. Starting April, 1991, the city authorities decreed to place all the institutions, factories and government structures in Dubossary under the jurisdiction of the TDMR. Like in other cities of the region, the most explosive situation shaped up around the police department and prosecutor's office. On several occasions national guards detained the city prosecutor. December 7, 1991, the City Council decreed to liquidate the police department in Bendery and institute in its place the department of militia. Policemen were offered to join the new force. Significantly, serving in both new and old forces were people of different nationalities. There shaped up the situation when two police departments operated in the city. Militia was short of trained personnel. On top of that, the city prosecutor still considered himself to be accountable to the Moldovan authorities, and therefore militia had difficulties in soliciting the prosecutor's sanction to carry out investigation and often had to pass cases over to police. In the meantime, the police was largely paralyzed by the actions of national guards who not only often held up and beat policemen, but also assaulted precincts. Likewise, quite a few national guards fell victims of police violence. The crime situation in Bendery deteriorated dramatically: in the first five months of the current year there were 50 registered cases of murder and none of them was detected (previously the average murder rate in the city didn't exceed 15 a year).

In December 1991, the battalion of the TDMR national guards was formed in Bendery under command of Y.Kostenko, ex-lieutenant colonel of the Soviet armed forces and veteran of the Afghan war. Military commandant of the TDMR, colonel Bergman, as well as representatives of city authorities and militia in Bendery testified that for his force Kostenko had recruited many ex-convicts. Kostenko's guards were reported to have looted homes of local residents and requisitioned private cars without authorization. There is a video-tape at the Memorial Human Rights Center with testimonies given by victims of the looters. According to the Military Commandant of the TDMR, Kostenko and his henchmen illegally sold as many as 1,300 pieces of fire arms. Some officials, interviewed by the Memorial observers, revealed unofficially that President of the TDMR, Igor Smirnov, personally objected against displacement of the Bendery national guards commander.

In March 1992, the body of a national guard, tied up to the tree, was found in the Gerbovitsky forest. Kostenko launched a series of punitive operations. In March and April, 1992, Kostenko's thugs killed a police sergeant Puritch (found in the river Dniester with eight bullet wounds and marks of savage beating), ex-policeman Pavlyuk (found dead in the forest on the left bank of the Dniester). Incidentally, forensic experts disproved the wide-spread version that Puritch was found crucified with a five-pointed star cut out on his forehead.

The next round of escalation of the conflict began after the assault of the Dubossary police department by national guards. On the night of March 13/14 an encounter took place near the village of Koshnitsa between TDMR national guards and Moldovan police. March 15, the Moldovan authorities made an ultimatum to the TDMR leaders, demanding to terminate combat actions and lay down the arms within 48 hours. March 16 President of the TDMR declared the state of emergency. March 17, an hour after the term of the ultimatum expired, combat actions were stopped (later they were repeatedly resumed).

March 28, 1992, Moldovan President declared the state of emergency on the entire territory of the republic. Bodies of state power were instructed to effect «all the necessary measures to liquidate

and disarm illegal formations...» April 1, 1992, a police unit entered Bendery on two armored vehicles and tried to disarm a group of national guards. In the ensuing combat several people, including civilians, were killed or wounded. Skirmishes and local fights continued in the city for the next few days.

On the same day officers of the Bendery garrison of the 14th Army made the following statement to Presidents and parliaments of Moldova, Russia and Ukraine: «We are firmly convinced that the armed conflict in Moldova is a direct result of repeated violation of human rights of the Russian-speaking population and the unmasked desire of certain political forces of Moldova to be joined to Rumania. The responsibility for the continual boosting of the conflict should be left with both sides involved in it... It is necessary to undertake the following measures: 1) the 14th Army must be temporarily assigned the functions of peace-keeping force; 2) the conflicting sides must be immediately pulled out from the borders of the Trans-Dniester region;... 5) if these demands are disregarded and the escalation of the armed conflict continues unabated, we reserve the right to take prompt measures to defend our city...»

Further expansion of the war was prevented after the cease-fire agreement was reached at the meeting of Foreign Ministers of Moldova, Rumania, Russia and Ukraine, April 6. Cease-fire and disengagement of conflicting troops got underway April 13 under supervision of the Working Group with representatives of both sides. Control of the implementation of the agreements was also exercised by members of local Soviets. At the next quadripartite foreign ministerial meeting, April 17, the special group of military supervisors was set up with representatives of the four countries. May 8 the military supervisors arrived in the conflict zone.

In keeping with the agreement all armed formations, except for local police and militia, were to be pulled out from Bendery, and all the fortifications, obstructing the functioning of transport, were to be dismantled. The Moldovan side withdrew the armor, sappers began to clear up the territory, police and militia started to jointly patrol the streets of the city. In many respects the agreements were observed. But complete disarming of the volunteers proved to be an unfeasible task. Besides, Kostenko's 300 national guards stayed in the city. In general the situation in the Bendery region remained relatively quiet until June 19, 1992.

Meanwhile, combat actions with the use of heavy artillery continued in the Dubossary region. Casualties among non-combatants were multiplying. Each side accused the other of violating the cease-fire agreement. On several occasions the Moldovan forces fired at the positions of the 14th Army. May 19, the military council of the 14th Army warned the government of Moldova that in case of another attempt to attack its position, the 14th Army would have to open reciprocal fire. On the same day the 14th Army's tanks, requisitioned by national guards and cossacks, showed up on the positions of the TDMR.

The Moldovan parliament assessed the statement of the 14th Army as declaration of war.

The sides reached a general cease-fire agreement, to be effected June 9. Military supervisors were authorized to control the observation of agreements. Representatives of the TDMR began to exercise control functions on both sides of the front line, but Moldovan supervisors couldn't arrive in the Bendery region since not guarantees of their safety had been provided by the TDMR. On top of that, Kostenko repeatedly threatened to do away with any representative of Moldovan authorities who dared step on the territory controlled by national guards.

June 9 unidentified gunmen killed deputy commander of the Bendery battalion, major Serikov, and his driver. National guards were led to believe that the killing had been committed by policemen.

Major Perzhu of the Bendery police department was captured by national guards, June 11, and executed on the following day.

June 11, Moldovan parliament decreed to set up a combined commission of people's deputies and military, representing both conflicting sides, to work out concrete procedures of disengagement and to control the observation of the cease-fire agreement.

MP-s from the Trans-Dniester region resumed to attend sessions of Moldovan parliament

June 16, the combined commission came up with basic principles of settlement that envisaged to refrain from the use of force on the basis of observance of the Constitution and laws of the Moldovan Republic; disarm and disband voluntary paramilitary formations; exercise joint control of the cease-fire agreement and disengagement of conflicting forces; concretize the legal status of Moldova's Eastern regions, reorganize national guards into units of the regular armed forces of Moldova; restore economic infrastructure on the entire territory of Moldova; provide refugees with the opportunity to come back to their home regions and make up for the damage they had taken; jointly investigated the crimes, committed during the conflict; exchange hostages and give back all confiscated equipment, machinery and weapons.

In the meantime, a whole range of problems remained unresolved. The parliament of Moldova refused to consider the proposal to sign the Federal Treaty between the Moldovan Republic and the TDMR. Representatives of the latter objected to the restoration of Moldovan government structures on the territory of the TDMR and to disarmament and disbandment of the TDMR military formations. The negotiations were carried on, but the CWC of Tiraspol and the Cossacks Assembly of the Black sea Army came out with a series of harsh statements, condemning the collaboration of the MP-s from the TDMR with Moldovan parliament. Rallies were held at industrial work in Bendery, demanding the Moldovan police be pulled out from the city and the campaign to collect signatures under this demand was launched.

## **DEVELOPMENT OF EVENTS, JUNE 19-26, 1992**

### **Participants in Combat Actions**

ON THE SIDE OF THE MOLDOVAN REPUBLIC engaged in combat actions in the region of Bendery were forces of the Ministry of Interior, units of the national army, formations of volunteers, self-defence units - all equipped with fire arms, hand grenades and grenade launchers.

The forces of the Ministry of Interior comprised career police officers, called up from different regions of Moldova, brigades of the OPON special police, and formations of carabinieri (Moldovan citizens enlisted on contractual basis). Apart from fire arms, these forces employed armored vehicles, artillery guns and mortars.

National army, still being in the stage of formation, also employed armored vehicles, guns and mortars. The national army of Moldova is made up of conscripts, has the Field Manual and servicemen are required to swear allegiance. Privates are paid monthly salaries, comparable to average wage. There are quite a few draft resisters among Moldovan citizens of call-up age who don't want to take part in the civil war. Draft resistance incurs penalty, although, according to the Procurator General of Moldova, nobody has been yet legally indicted on these charges.

The formations of volunteers consist of citizens of the republic who have volunteered to take part in combat actions. They are required to swear allegiance, but have no Manual. The activities of volunteers are regulated only by orders of senior officers. By majority volunteers are young men, and many of them join the force, bringing their own weapons.

Self-defence units were set up in a number of Moldovan villages and assigned to local police departments. According to some officials, the Moldovan forces engaged in the war employed twenty (fifty, according to the TDMR observers) armored vehicles, several 57-mm anti-aircraft guns, up to a dozen 100-mm anti-tank guns, eleven 82-mm and seven 120-mm mortars (most of the mortars were positioned on the Suvorov hill near city), no less than four units with 150-mm guided anti-tank missiles, and an installation for launching the Alazan anti-hail missiles. The Moldovans also had six long-range 150-mm guns, but no proofs have been found that these guns were used to shell the city. According to military observers from the 14th Army, who supervised the observation of the cease-fire agreement, the Moldovan forces used no tanks in or around the city of Bendery.

ON THE SIDE OF THE TRANS-DNIESTER MOLDOVAN REPUBLIC engaged in combat

actions in the Bendery region were republican national guards, units of militia, paramilitary formations, units of cossacks and territorial rescue teams, all employing fire arms, hand grenades and grenade launchers. The republican national guards are enrolled on contractual basis (minimum salary - 5,000 rubles a month). Most of the national guards either have the experience of army service or have undergone special training. National guards are equipped with armored vehicles, artillery guns, mortars. In the course of the armed conflict in Bendery many people joined national guards.

Before June 19, 1992, units of militia consisted mainly of local militia officers. Later they were reinforced by officers from other regions of the TDMR.

Paramilitary formations were set up at industrial works, mainly volunteers in Bendery and Tiraspol. June 20, chairman of the Executive Committee of Bendery, V.Kogut, appealed to all reservists to report to their enterprises and join the ranks of city defenders. Reservists aged between 18 and 55 were prohibited to leave the city.

The Black Sea Cossacks Army (BSCA) was established in the TDMR under the decree of the republican Supreme Soviet as a special force, consisting of volunteers who had sworn to observe the Cossacks Code. The BSCA was equipped with armored vehicles, artillery guns and mortars. According to cossacks, the BSCA privates were paid salaries of 1.500 rubles monthly.

Territorial rescue teams were set up earlier to carry out rescue operations during major accidents and natural calamities, but during the war they were actively engaged in combat action in and around Bendery.

The call-up campaign in the TDMR was carried out in keeping with the USSR Conscription Law. Significantly, it didn't matter whether a particular person considered himself citizen of the TDMR or not. Reservists and draftees were restricted from leaving the territory of the republic, unless bearing a special permit. Conscripts enlisted through military commissariats were assigned either to the 14th Army, or the armed formation of the TDMR. Reservists were regularly called up to undergo refreshment drills at the units of the 14th Army.

According to the Memorial observers, relying on various sources of information, the TDMR forces engaged in the armed conflict employed from ten to twenty tanks, several dozens of armored vehicles, as well as KAMAZ heavy-duty trucks, specially adjusted for combat use, mortars of varying caliber, anti-tank guns, howitzers, self-propelled anti-aircraft guns, launchers for Alazan anti-hail missiles. Eye-witnesses testify that the Moldovan positions were shelled from the territory of one of the 14th Army units, stationed on the territory of Bendery. In the course of inspection conducted by the Memorial observers in clinics and hospitals of Bendery and Tiraspol at least five casualties were found to be officers of the 14th Army.

### **THE BEGINNING OF EVENTS, JUNE 19**

The events that followed were largely a result of detention by Moldovan police of the 14th Army's major Yermakov who commanded a special reconnaissance unit of national guards. On that day Yermakov took three guards and drove to the printing shop in Bendery to collect newspapers and leaflets (the shop happened to be next door to the city police department). Yermakov's car was registered at the 14th Army headquarters (numbers of such cars were known to police). On all previous occasions papers from the printing shop were collected by an employee of the national guards daily newspaper. According to police, shortly before the arrival of Yermakov, an unidentified person called and warned that subversion had been planned against police.

At 5.25 p.m. Yermakov's car reached the printing shop. Two guards went inside. At the same instant the car was encircled by more than ten policemen who told Yermakov and his driver to drop their weapons, checked their papers and ordered them to get out of the car (policemen claimed later that they had no intention to detain Yermakov). Threatened with guns, Yermakov and his driver had to obey. Precisely at that moment a group of unidentified gunmen, sheltered in the opposite building,

opened fire at the people around the car (Yermakov and chief of the city police Gusliaru confirmed this fact) Policemen began to shoot back, then took the car and their captives to the backyard of the police department building. Later one of the policemen testified that fire had been opened only when the car with Yermakov and his driver entered the backyard. It is still unclear what happened first: detention of Yermakov or shooting at policemen. In a series of interviews, carried by papers in Kishinev, Yermakov made a guess that a provocation had been planned against police and he had been used as «a bait». Yermakov's exposures should not be taken for granted: after his arrest he was taken to Kishinev on June 20 and kept in the pen of the Ministry of Interior where the Memorial observers were allowed to talk to him only in the presence of a police officer.

Going back to the incident at the city police department, the shooting continued for some time. According to militia men who arrived later, the police department was attacked by national guards, and chairman of the city Executive Committee, Kogut, indicated that their commander was Kostenko. One policeman was killed and nine were wounded. Chief of the city police tried to call the authorities in Tiraspol and Defence Department of the TDMM, asking them to stop fire. At about 6 p.m. member of Moldovan parliament and chief of the Kaushan administration, Y.Pyslaru, tried to call the Executive Committee of Bendery, but there was no answer. An hour after the beginning of the shooting chief of the city police called the Ministry of Interior of Moldova and asked for help.

At about 7.00 p.m. military observers suggested that fire could be stopped if policemen released the detainees. But the chief of police said he wouldn't let Yermakov and his driver out before the fire the attackers stopped the shooting. According to Kogut, at about the same time the city authorities ordered Kostenko and his men to withdraw and appealed to the national guards command in Tiraspol. But the attackers continued shooting (according to Moldovan officials, during the settlement talks in July Kostenko claimed that he had been ordered to attack the police by chief of the TDMM Defence Department Kitsak). Killed in the skirmish was cameraman of the Bendery cable TV V.Vozdvizhensky.

At about 8.00 p.m. Kogut reached Moldovan Minister of Interior, Antotch, and asked him not to send reinforcement the police, swearing that every possible measure was being taken by the TDMM authorities to stop the shooting. Antotch said: «I can't do it. My men are in trouble and ask for help.» For the next two or three hours all the attempts to get in touch with high-ranking officials in Kishinev yielded no results .

By 9.00 p.m. commander of the TDMM national guards, colonel Losev, his deputy, colonel Atamanyuk, and a group of MP-s from the TDMM had gathered at the Executive Committee of Bendery. They already knew that columns of Moldovan armored vehicles were heading for the city. The Executive Committee ordered to alert the volunteers and militia.

Between 9.00 and 10.00 p.m. Moldovan armored vehicles entered the city. But prior to that, Moldovan armed groups arrived in downtown Bendery on requisitioned buses and began to shoot it out with national guards. Additional forces were brought into the city on the night of June 19/20. According to Moldovan officials, the decision to bring the police forces into Bendery was made by Minister of Interior Antotch, while regular troops and formations of volunteers were ordered to move into the city by Defence Minister Kostash. Later a number of high-ranking officials questioned the expediency of using regular troops against Bendery.

June 20, President of Moldova Snegur spoke on national TV, revealing that the government troops had been brought into Bendery on the request of the local police department. He suggested that residents should stay in their homes «until the gangster formations were completely disarmed and constitutional order was fully restored».

### **DEVELOPMENT OF EVENTS**

Having run into disorganized resistance of the population of Bendery, the Moldovan forces opened intensive, but mainly unaimed fire. It was the time when there were many people in the streets and evening shows were about to begin in movie theaters). Victimized by indiscriminate fire were many

people both in the streets and in their apartments.

It took the Moldovan forces little time to take hold of the city by 4.00 a.m., June 20, and take under control the only bridge across the river Dniester.

According to Moldovan officials, by 6.00 a.m., June 20, casualties of the attackers numbered one trooper killed and several wounded. This estimate agrees with the information obtained by the Memorial observers.

Meanwhile, there remained several seats of resistance in the city: the Executive Committee, offices of militia and Workers Committee, central post office, barracks of national guards. All these premises were intensively shelled. For instance, the building of the Executive Committee took 5-6 shells and was subjected to heavy machine gun and mortar fire. The city authorities contacted officials in Kishinev and were told to surrender, but refused.

June 20, the Moldovan formations began to take hold of industrial works in the city, occasionally meeting with armed resistance.

At about 6.00 a.m., June 20, the fight began for the bridge across the Dniester river. From 4 to 6 tanks of the TDMR attempted to attack the bridge from the left bank. Two of them were destroyed by artillery fire, the rest had to retreat.

In Tiraspol reservists were ordered to come to assembly points where weapons were handed out. On the same day national guards appropriated no less than 11 tanks from the 59th division of the 14th Army.

The military council of the 14th Army made a statement to the government of Moldova, demanding the fire be stopped immediately. Since units of the Army, stationed in Bendery, also suffered from the attack of Moldovan forces, the military warned that they reserved the right to open reciprocal fire. Later it was reported that personnel and combat materiel of the 14th Army were brought in fighting trim to defend members of the servicemen's families and other non-combatants.

The Memorial observers ascertain that the positions of the 14th Army were shelled, but it is still unclear whether the fire was aimed or unaimed.

At 8 p.m., June 20, the TDMR formations, supported by tanks, attempted another attack on the bridge across the Dniester. The Moldovan forces were smashed and the attackers broke through the defences to reach downtown areas. By 2.00 a.m., June 21, the city center was completely controlled by the TDMR national guards.

Combat actions continued in the city all throughout June 21-22, both sides employing artillery and armor. June 22, the front-line, stretching across the residential and industrial areas of the city, became stabilized.

June 21, refugees began to flee the city. According to the Executive Committee of Bendery, more than half of the city residents fled Bendery in just a couple of days. Some left across the bridge to the left bank, others sought safe places on the right bank. In July there were 80,000 registered refugees in the TDMR.

Between June 22 and 26 the Moldovan forces were bit by bit ousted from their positions. The Moldovans retained control only of the Leninsky district in the southern outskirts of Bendery, an area in the downtown, adjoining the office of police department, and a strip connecting the two locales. The conflict entered the phase of protracted combat with occasional raids and fire exchange. Some quarters of the city changed hands several times. These actions continued (mostly at nights) after the official cease-fire agreement was reached, July 7, and heavy armaments began to be taken out of the city.

Between June 22 and the beginning of July Moldovan mortars on the Suvorov hill were intensively shelling the positions of the TDMR forces, occasionally hitting the residential quarters.

Both sides widely employed snipers, shooting from roofs and top floor windows of multi-storey houses, which gave both sides a pretext for shelling residential areas (according to the TDMR troopers, they were not allowed to shoot at residential quarters, except for special units who were shooting for snipers).

## CASUALTIES

Combat actions in the Bendery region involved heavy casualties among both combatants and civilian population. Casualties data were obtained by the Memorial observers from the Moldovan Ministry of Health, the TDMR Department of Health, Executive Committee of Bendery, Kaushany clinic, the morgue in Tiraspol and administration of the Novoye cemetery in Bendery.

Casualties reports, drawn by the sides after June 19, listed mainly persons who were registered at medical institutions. According to these reports, the TDMR casualties in the period between June 19 and July 3 comprised 203 people killed, including 169 combatants (26 perished in the Parkany village as a result of explosion at the ammunition dump) and 34 civilians (including unidentified corpses), including 10 women.

By preliminary estimates, in the period between June 19 and July 3 clinics and hospitals received over 300 troopers wounded in action.

In estimating casualties one has to take into account that in Bendery the dead were often buried in the backyards of residential houses. The Executive Committee in Bendery reported 45 such burials (by that time 23 out of them had been exhumed and buried in the cemetery). But it is possible that official casualties reports didn't include these victims which must account of the fact that the reports mentioned no children, although according to eye-witnesses there were casualties among children. The Executive Committee also reported that about 200 residents of Bendery were looking for their missing relatives.

Among the casualties on the TDMR side there were also members of paramilitary formations.

The heaviest casualties among both combatants and non-combatants were registered in the first three days of the combat actions. Thus 64 percent of the wounded civilians entered the city hospital in Bendery during those first three days.

According to the official data of the Executive Committee, wounded in Bendery from June 19 to July 3 were 245 people (including 73 women and 10 children), and between July 4 and 27 - 49 people (including 9 women). According to Moldovan sources, casualties of the Bendery conflict were as follows:

77 killed (40 combatants and 37 non-combatants); 532 wounded (348 combatants and 148 non-combatants). Casualties among civilians during the first three days of the conflict resulted from the fact that combat actions took place in the city before the majority of civilian population were evacuated. Presumably, many people fell victims of chaotic fire in the streets. According to some eye-witnesses, the troops, entering the city June 19, were firing at houses, courtyards and cars from heavy machine-guns mounted on armored vehicles. In the daytime, June 20, Moldovan troopers were shooting at civilians who were hiding in their houses, trying to flee the city or help wounded national guards. Eye-witnesses also testify that on that day a group of armless men, having gathered in a downtown square on the call of the Executive Committee, were fired at from machine-guns.

Casualties among non-combatants on June 21 and 22 resulted from the fact that both sides were engaged in street combat, employing armor, artillery and grenade launchers. It is impossible to establish which of the sides was responsible for casualties among the civilian population. Officers from both sides have admitted that non-combatants could have been victimized as a result of their actions. On the following days civilian casualties were mainly the result of chaotic street fire. There are reports that snipers were deliberately shooting at non-combatants and that a group of such snipers were captured by national guards. However, the Memorial observers failed to find proofs of these reports. On many occasions fire was opened at ambulance cars. The sides accused each other

of such actions. Doctors testified that heavy fire from the positions of Moldovan forces, June 19-20, prevented them from rendering help to the wounded.

According to the TDMR sources, one doctor was killed in Bendery and several were wounded. There also were casualties among ambulance personnel in Kaushany (6 people wounded).

### **SITUATION IN VILLAGES NEAR BENDERY**

The Parkany village on the left bank of the Dniester river, overlooking Bendery, is controlled by the TDMR forces. Its population are mostly Bulgarians.

According to the villagers, 11 people were killed and over 30 wounded in combat actions, June 19-July 20.

There were many casualties among villagers during the intensive fire exchange on June 20 between the TDMR forces in Parkany and Moldovan troops on the right bank of the Dniester. 65 houses were damaged (6 seriously).

June 22, two combat planes of the Moldovan air force attacked the bridge across the Dniester, dropping three bombs. Two bombs fell into the river and one hit the village. By lucky chance the bombing caused no human casualties, but two houses took severe damage.

The village of Varnitsa, populated predominantly by Moldovans, is in the outskirts of Bendery. The village is controlled by Moldovan forces, assisted by the local self-defence unit. In the last decade of June Varnitsa was the arena of intensive combat.

The Memorial observers have established that starting April, ten villagers, all members of the self-defence unit, were killed, and twelve (including four non-combatants) were wounded.

On two occasions the village was shelled from the left bank. June 21, heavy grenade and missile fire was laid on the village for twenty minutes, killing two civilians and one policeman, and damaging 7-8 houses. July 15, local school, accommodating police headquarters, was shelled from grenade launchers. One woman was wounded. The scales of ruination in the village as a result of these attacks were largely overstated by media in Kishinev.

Gyska is a village near Bendery, its population being mostly Russians and Ukrainians. It is controlled by the self-defence unit, taking orders from the TDMR command. In April the village and surrounding areas were controlled by Moldovan forces. Villagers were ordered to turn in weapons and promised that no repercussion against them would follow. Self-defence fighters with weapons left the village for Bendery. When the cease-fire agreement was effected in July, the village remained in the zone, controlled by Moldovan forces. July 21, the self-defence unit returned to the village. An observer of the Memorial witnessed a member of the Bendery Executive Committee taking instructions by telephone from the TDMR President Smirnov who was in Moscow at the time, discussing peace settlement between Moldova and the TDMR. In particular Smirnov said that Gyska village had to be kept at all costs.

July 22, Moldovan police and volunteers, supported by armored vehicles and artillery fire, kicked the self-defence unit out of the village. Media in Bendery carried reports on massacre of prisoners-of-war and acts of mass violence against villagers, destruction of houses and slaughter of live-stock.

The Memorial observers, investigating the pogrom in Gyska, established the following:

Eye-witnesses testified that fighters from the Gyska self-defence unit had been cruelly murdered. In particular the Moldovans were said to have been finishing off the wounded. In the meantime, there seem to have been no acts of violence against non-combatants after the combat was over. During the combat a dairy-farm and the school were destroyed by artillery fire. The building adjoining the local clinic took severe damage. At least three villagers were killed by stray bullets and fragments of shells. Two more villagers were beaten by volunteers, mopping up the village. On several occasions unprovoked fire was opened at the houses of villagers (fortunately, there were no victims). Two cows were killed by stray bullets.

There were victims among non-combatants and ruination of houses in other villages near Bendery.

### **RUINATION IN BENDERY**

According to chairman of the Bendery Executive Committee, Kogut, in the period between June 19 and July 25 the city took material damage estimated at 4.5 billion rubles. 140 residential houses were jumbled. Severe damage was also taken by several industrial works in the city.

The Memorial observers point to complete ruination of residential quarters, adjoining «the front line» and having changed hands several times. The apartment houses in this zone were completely burned down in the first decade of June. Private one-storey houses were smashed during the same period by artillery fire. In the districts outside the front-line zone quite a few buildings also took serious damage from shells and grenades.

Mass media in the TDMR and in Moscow reported on deliberate destruction of industrial works in the city by Moldovan forces. Reports also said equipment, particularly of foreign manufacture, products and raw materials had been taken out from these works. The Memorial observers visited factories that had been more often mentioned in these reports: silk factory, cotton mill, cannery, shoe factory and factory of electric equipment. It was established that no equipment had been dismantled or taken out from these works. Furthermore, it seemed that the equipment had virtually taken no damage. Observers also established that products of these works hadn't been confiscated, except for some perishable products from the cannery. On the other hand, the stores of the shoe factory were repeatedly plundered, despite all the attempts of the command to stop the looters. The Memorial observers witnessed the carabinieri breaking the lock and pilfering ready-made footwear.

The damage taken by a number of factories resulted from combat actions that took place on their sites. Thus, the store of the cotton mill burned down and one of the mill premises was shattered by artillery fire. Fire also destroyed a section of the workers club of the cannery. Minor outbreaks of fire took place at the shoe factory. The city authorities of Bendery reported, July 24, that only half of the industrial works in the city would be able to resume work within two or three weeks.

### **PUBLIC ORDER AND CONDITIONS OF THE POPULATION IN BENDERY**

IN THE ZONE OF THE CITY, CONTROLLED BY MOLDOVAN FORCES pillaging of deserted apartments and stores by volunteers and armed villagers from nearby settlements took wide scale. These facts were admitted by officers of Moldovan Prosecutor's Office. Residents of Bendery testified that looters had been coming on trucks and even armored vehicles and took away property from deserted dwellings. Quite a few people were robbed in the streets. A number of Moldovan officials were directly involved in these actions. Thus, head of a village administration, escorted by armed volunteers, attempted to take burglarized property out of the village, but was stopped by police patrol. Moldovan Ministry of Interior and Prosecutor's Office took measures to put a stop to pillaging. All motorways to Bendery were patrolled by police, and all passing vehicles were searched. Legal actions were instituted against scores of people on charges of burglary. But these measures proved to be insufficient to restore law and order. Looting continued to scale up.

Boozing was wide-spread among volunteers. On many occasion drunk troopers opened indiscriminate fire at residential quarters.

The Memorial observers failed to find proofs of large-scale violence against noncombatants, reported by mass media in the TDMR and Russia. For example, the alleged case of brutal slaughter of guests at a school graduation ball made headlines in many papers. However, interviews with police and militia officers and representatives of the city authorities disproved these reports.

Despite some reassuring statements of Moldovan President Snegur, it is a fact that people in Bendery suffered from shortfalls of food. In order to buy food people had to cross the front-line. Only by the end of July free distribution of food began at the police department.

In both zones of the city the supply of gas was cut off. However, running water and sewerage system functioned normally and there were no interruptions in the supplies of electric power.

IN THE ZONE, CONTROLLED BY ARMED FORMATIONS OF THE TDMR there were also many cases of pillaging of deserted apartments and stores by both troopers and civilians. The city militia, acting as combat force in the conflict, virtually gave up the functions enforcing the law. The Prosecutor's Office and militia didn't even register crimes. Struggle against crime and violence was waged by armed patrols, belonging to different formations of the TDMR. A number of looters were shot on the spot without investigation or trial. The cossacks, for instance, shot two of their fellow-troopers who had been caught in the act of burglary. Two other cossacks had been flagellated to death for having raped an underage girl.

There were also cases of murder on personal motives. Despite the prohibitions, that became operative in Bendery starting June 22, drunk troopers could be often seen in the streets.

In the zone of the city, controlled by the TDMR forces, there were no major shortfalls of food. Stores were open in morning hours, pensioners and children were offered free meals.

July 16, the special force of the 14th Army, requested by the Prosecutor of the TDMR, made an attempt to detain commander of the Bendery national guards, Kostenko, who was charged with a series of capital crimes. However, Kostenko managed to escape and was arrested later in the attempt to cross the Ukrainian border. He was in the custody of the TDMR security service, police, the 14th Army, «changing hand» several times. A few days later Kostenko, according to the TDMR authorities, was murdered by unidentified assassins who shot down the car in which he was transported.

### **PRISONERS OF WAR**

In Kishinev the Memorial observers talked to twelve POWs who were suspected of association with armed formations of the TDMR. Some of them were later tried.

The observers were permitted to talk to prisoners privately. The conditions in which they were kept were no different from those of other inmates of penitentiaries. No physical or psychological pressure had been applied to them in Kishinev. However, the prisoners revealed that in the act of detention and during following interrogations in Kaushany they had been savagely beaten by clubs and gun butts. Some of them were threatened with firing squad. One of the detainees had to be taken to the Kaushany hospital where he was battered by wounded volunteers. Representatives of Moldovan police confirmed other cases of battering of prisoners-of-war in hospitals by volunteers.

In a clinic in Tiraspol a representative of the Memorial talked to militia-man Vladimir Serdyukov who had been detained by volunteers in Bendery June 24. The drunk men beat him savagely and cut with knives three stars and the letter «V» on his body. According to Serdyukov, his torturers were both volunteers and policemen. The observer studied Serdyukov's case record that confirmed the taking of severe bodily injuries and saw marks of tortures on his body.

There is also a wealth of facts, attesting to violence and tortures of captured Moldovan policemen, troopers and volunteers.

### **CRIME SITUATION AND CONDITIONS OF POPULATION IN THE ZONE OF CONFLICT**

Masses of people on both sides of the river Dniester took up arms. According to military commandant of the TDMR, colonel Bergman, in the Dniester region alone at least 16,000 pieces of fire arms, mainly submachine-guns, were handed out to the population. Officers of Moldova's Prosecutor's Office testified that on the left bank too civilian population acquired lots of weapons. The armed formations of both sides comprised many ex-convicts.

Countless crimes were committed against civilian population. Significantly, criminals didn't seem to care to which side of the conflict their victims belonged.

Thus, starting this Spring press in the Trans-Dniester region repeatedly reported acts of violence: burglary, assaults in the streets etc. Farmers, working in the fields, could easily take a bullet «from

either friend or foe», armed troopers were incessantly abusing young girls (Pridnestrovskaya Pravda, July 14, 1992). According to the Ministry of Interior and Prosecutor's Office of Moldova, national guards were terrorizing civilian population, suspected of disloyalty to the TDMR. These facts were confirmed by the military commandant of the TDMR.

In the zone controlled by Moldovan forces, volunteers proved to be most difficult to manage. The Prosecutor's Office of Moldova reported a number of concrete cases of violence, burglary and murder, committed by volunteers on both right and left banks of the river. Specifically, the Prosecutor's Office confirmed the widely reported incident with the Velichko family in Dubossary (the husband was killed and his wife was raped). In the Kaushany clinic an observer of the Memorial talked to a woman from one of the right bank villages who had been wounded by a drunk volunteer.

According to Moldova's Ministry of Interior, starting this March, 28 persons, including 4 women, in the zone of conflict outside Bendery were reported missing. Since April 18 unidentified corpses (all men) with marks of violent death were found in the river Dniester. Some of them bore marks of tortures, and three had tied hands.

Attempts to curb crime were undertaken in the zone of conflict on both sides of the river. The Prosecutor's Office of Moldova started 214 criminal cases. 15 volunteers, charged with various crimes, were arrested. However, by the end of July none of the investigations into the crimes, committed by volunteers, had been completed. All too often it was impossible to detain or interrogate troopers who operated in the zone of conflict.

The Prosecutor's Office of the TDMR instituted legal actions only in connection with the murder of seven civilians in the Pyatigailovka village. Basically, the crimes committed in Bendery were not registered. According to military commandant of Bendery, colonel Bergman, who seems to be the only official trying to put the crime situation under control and, specifically, to disarm the formations that had become unmanageable, he had to release a group of men, arrested in connection with the Kostenko case, on the demand of the TDMR Prosecutor.

## CONCLUSIONS

1. In the course of combat actions in Bendery there were casualties among civilian population. However there were no purposeful annihilation of noncombatants or acts of large-scale violence against civilians. There were incidents of indiscriminate fire, launched by both sides at residential quarters, and these actions must be qualified as criminal. This particularly applies to the Moldovan forces who entered Bendery on the night of June 19/20. Military command of Moldova readily availed itself of the situation that had shaped up as a result of actions of the other side, and is fully responsible for having used artillery and armor, as well as forces unprepared for combat actions in conditions of the densely populated city.

2. The actions of national guards, commanded by Kostenko, created the atmosphere of terror and violence in Bendery, which in a large measure accounted of the incident that ensued tragic events.

The circumstances of the incident on June 19 (the mission of the commander of the national guards reconnaissance unit major Yermakov to the printing shop and the anonymous call to the police department) don't rule out the possibility of provocations. Police actions in relation to Yermakov, undertaken in conditions of truce, can not be qualified as rightful. The massive fire, opened by national guards in response to police actions prior to any attempt was made to negotiate the situation with police, caused the boosting of the conflict.

3. The TDMR casualties in the Bendery conflict were by majority members of armed formations. Most of the victims among both combatants and non-combatants occurred in the first three days of combat actions before the «front line» in the city stabilized.

4. The conditions of prisoners-of-war are unsatisfactory. There were cases of beating, humiliation and torture.

5. In the armed formations of the TDMR there were cases of execution of troopers, caught in acts of crime, without investigation or trial.
6. The crime situation in the region deteriorated dramatically, resulting from the fact that many people had weapons. Numerous crimes against civilian population were committed in the conflict zone. Specifically, during the combat actions deserted apartments and stores in both zones of the city of Bendery were pillaged. The authorities of both sides proved to be unable to take the crime situation under control. According to the Memorial observers, the law enforcement bodies of the TDMR have less control of the situation than their Moldovan counterparts. In the meantime, there is no reason to accuse the authorities of either of the sides of deliberate instigation of large-scale physical violence.
7. The scales of ruination in Bendery are quite extensive, especially in the districts, adjoining the front line. The reports on dismantling and taking out of equipment and products from industrial works in the zone of the city, controlled by Moldovan forces, were not proved. Also disproved were reports on deliberate destruction of industrial works. The damage taken by some factories in the city was the result of combat actions.
8. Mass media in Moldova, the TDMR and Russia, often spreading false or biased information, in some measure contributed to the boosting of the armed conflict.