



AUTHORING JUSTICE

Capstone Project

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How to get home

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The COVID-19 pandemic had an unexpected result: working with people living with HIV, I began to hear that others were becoming more accepting and friendly towards them. One day at a work meeting, a colleague of mine mentioned his HIV-positive status to an official. The official's response was very succinct and unexpected, but perfectly reflected the new reality: "HIV? Well, that's OK. We have COVID here!"

Suddenly, the world was faced with a more powerful, obscure and dangerous virus, one that made HIV pale in comparison. Yes, well, as we say, 'everything is a comparison'.

In fact, it was a kind of *déjà vu*. Fears and prejudices about HIV, which have been circulating in the world for 40 years, were magically transferred to COVID-19 and spun in society in the accelerated mode of a three-year pandemic. 'The virus doesn't exist - it's all made up by the authorities! Have you seen the virus yourself? It's a worldwide conspiracy, they want to scare us! This virus was developed in a foreign laboratory to kill us! We're all going to die!' All of these fears and prejudices have also spiralled among the officials whose decisions affect the lives of all of us. Our story is about this and about overcoming problems created by the people themselves, not by the virus.

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It so happened that in 2009 I became the first Moldovan citizen who, thanks to the Chevening Scholarship, entered the prestigious Master's programme in Human Rights at the University of Essex in the UK. By doing so, I paved the way for Moldovan human rights defenders to study on this postgraduate programme.

Several of my mates and colleagues followed my example, which I was very happy about. After all, the more well-trained professionals there are in the country, the faster we can achieve better living and development conditions for each and every one of us.

Exactly ten years later, in 2019, my mate and human rights activist Ion Schidu enrolled in the same Master's programme and his wife – Daniela Schidu – in another postgraduate programme at the University of Essex. Both were of average height and slim build, very hard working and aspiring. Ion, with expressive dark eyes and a small beard, was 35. Daniela, with long light brown hair and a kind smile complemented.

“It was my dream of my life to study abroad, and it came true thanks for the Chevening scholarship I’ve been awarded! But we didn't want to spend a year apart. To study together, we covered part of Ion's tuition and living expenses by selling our car. The rest was covered by our savings and by the fees Ion earned during the study year: it took him about 20 hours of online consultancy every week,” Daniela explains.

All would have been well, but in early 2020, the COVID-19 pandemic happened. Like many other organisations, the University of Essex moved to an online teaching regime. It became clear that you didn't have to be physically in the UK to continue your studies. In addition, the university informed the couple that health care workers would be placed in their dormitory to fight the COVID-19, and so they would be relocated to other student accommodation. After weighing up the pros and cons, Ion and Daniela decided to return to Moldova.

“During this difficult period, we wanted to be close to family: loved ones might need our help, or we might need their help. I knew that the COVID would have major health impacts on my grandparents and mum. We were able to be a pillar at a time when we needed to be there for our family. And we really were there for them when they needed it,” Ion explains.

“Besides, another reason was uncertainty. There were very relaxed attitudes and rules in the UK at the time, in the sense that everyone would get over the disease and everything would be fine. There were cases where our classmates would call the ambulance service all day long, but it would always be busy or no one would answer the phone. But in Moldova, you know the doctors you can call - there is a personal relationship and trust that they will answer and help you. So, we decided that in such a situation like that, it was better to be in an environment that we knew well,” Daniela adds.

It is one thing to make a decision, but quite another to implement it in these uncertain times. “It was a bit of a challenge to book our tickets. It took about two weeks from the moment we decided to come back to the time of our return. Once we’d made up our minds, we wrote a letter to the Moldovan consulate in the UK and to the company selling charter tickets, asking to be put on the waiting list. A week later we got a positive response.”

It looked like everything was set for the flight. But on 31 March, the Moldovan authorities decided that only those Moldovan citizens who have a Moldovan compulsory health insurance policy will be allowed to board flights.

“We got why the authorities were making this demand. Health insurance is compulsory in Moldova, and it is enshrined in the legislation. But we didn’t get why the presence or absence of a policy affects the possibility of returning to the country? This led to the question of how legitimate it is to prohibit people without medical insurance from returning to Moldova? In our opinion, this condition is illegal even in an emergency situation,” says the couple.

“In addition, we found the mechanism of fulfilment of this requirement questionable. It turns out that an airport in another country should have refused to let a Moldovan citizen board a flight without a medical policy, even though they had a ticket and a passport.”

If you have citizenship of a country, that country is your home and you always have the right to return to it. But now, it seemed, the issue of health insurance could bring the possibility of returning into question.

Just picture this for a moment. You get back home in the evening after work, ring the doorbell, and it's opened by your home 'front porters' with a question:

- "Do you have health insurance?"
- "No."
- "Then come back when you've got it," they say and shut the door in your face.

It is worth noting that the authorities in Moldova provide free health insurance for students. But Ion and his wife were studying abroad, and this was not recorded in the database of the National Health Insurance Fund. "There was no mechanism for notifying the fund. The airlines, in turn, relied on this database to allow passengers on board."

Normally, human rights defenders fight for the rights of others. But at that moment, Ion and his wife had to fight for themselves. "It gave us a lot of headaches," Ion recalls. He wrote to the Moldovan Prime Minister and his advisor, as well as the foreign ministry, asking them to change the foundation's database so that students would not be forced to pay for health insurance.

"After making some noise, including on social media, I was contacted by the Prime Minister's advisor, who confirmed that students studying abroad do not have to buy health insurance. However, we then received a call from the company selling the tickets and were told that we had to buy the policy. Then, just 24 hours before the flight, we were told that we could fly without insurance. Even so, we still felt pretty uncertain."

In this situation of confusion, the young couple decide to travel to Stansted Airport at their own risk without medical insurance.

Their relative who drove the couple to the airport even joked to them, 'Should I park and see if you get in or not?' To their delight, they were given boarding passes and allowed to board the plane. However, the airline representatives told us that students who had travelled back to Moldova before us had bought insurance. After several hours of a flight that seemed like a bad dream and resembled Armageddon with people wearing masks on their faces, fellow travellers coughing carelessly, constant disinfection of their hands, which made their skin dry and flaky, with flight attendants in white spacesuits, the couple arrive in Chişinău, the capital of Moldova.

It seems like we could be happy for the students and put an end to the story. But that's not quite where the story ends.

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From 2018 to 2014, I was a member of the Equality Council. This is a public body that works to combat discrimination and promote equality in Moldova. But my 'love story' with the Council started much earlier.

At the end of 2010, I submitted my Master's thesis at the University of Essex, which included an analysis of discrimination issues, and returned to Moldova. To my delight, shortly afterwards the Ministry of Justice announced the creation of a working group to draft country's first ever anti-discrimination law, which I obviously joined.

What a naked professional joy it is to be involved in the creation of something new from scratch, at home the national level, something strategic and useful for people, and even to be able to apply the fresh knowledge you have just acquired at a top-notch foreign university! I don't have to eat my bread – just let me think up something advanced and write it into the text of the law!

We worked on the draft for about a year, on a pro bono basis. On 25 May 2012, our work was crowned with success when Parliament voted on and passed the Law No. 121 on Ensuring Equality.

By that time, I had already spent four days working for the United Nations Development Programme in Moldova (UNDP). Over the next six years, therefore, I was able to programme and provide much needed and varied support for the implementation of this law and the creation and development of a new public body - the Equality Council. This included recruiting consultants, organising training, conferences and study visits, purchasing the necessary office equipment and scientific literature, conducting sociological research and developing the Social Distance Index survey, establishing cooperation with Moldovan authorities and foreign partners, optimising the drafting of decisions on complaints, developing a website, conducting public awareness campaigns, and much more. Over these years, the Council has become the youngest but already reputable public institution in Moldova.

In 2018, I applied for the competition to form a new composition of the Council and was appointed by the Parliament as one of its five members. Because of my active support for the Council, some of my mates joked that I had prepared my new workplace myself. From the beginning of the pandemic, my colleagues and I at the Equality Council monitored the authorities' decisions to combat COVID-19. We realised that in these extraordinary circumstances, overreactions were possible and we could well run into problems. This is what happened on Tuesday, 31 March 2020, when I heard about the introduction of the health insurance rule.

Having dug through the Internet, I quickly found the Decision of the Commission for Emergency Situations that introduced this requirement. This decision specified that only those citizens who travel back to Moldova by plane should buy health insurance. Those who return to the country by car, bus or train can cross the border without health insurance.

Perhaps this rule was introduced because the new virus was spread by air-and-drop rather than above-and-below-ground? Who knows! I'm not going to guess. But it was this aspect that caught my attention: you cannot do it by air, but you can do it by land! What's the logic of that? It became clear that we were dealing with discrimination: some citizens could return without any problems, while others were subjected to conditions – and the only difference was the means of transport used.

After discussing the discovered problem with our Council colleagues, we agreed that there were no reasonable and objective explanations, including medical ones, for this distinction of people. We also realised that there was an urgent need to act, as tens of thousands of people would not be able to return to Moldova because of this rule.

As you probably know, bureaucracy loves paper. But in this emergency situation, paper alone might not have been enough. That is why we did it in such a way: we were developing analyses and recommendations for changing the decision of the Commission for Emergency Situations. And in parallel, Council President Ion Feldman was already calling officials, explaining the problem and urging them to change the rules. On Friday, 3 April, the Council members – the President, Ms. Svetlana Doltu, Mr. Andrei Brighidin, Ms. Victorina Luca and myself – approved our analysis and recommendations we sent them to the authorities. On the same day, the obligation to have health insurance to return to the country was cancelled. This insurance rule was in force for three days.

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I soon found out that Ion was in Chişinău and I phoned him to talk about all his 'adventures'. Now that he and Daniela had returned, they were able to exhale and even recall what had happened with a certain amount of humour. But as we talked, we also realised that we were working on the same problem in parallel. Each of us using our own methods and resources.

I don't know what was the last straw that overflowed the cup and changed the situation. I like to think that it was the belief in justice, knowing one's rights and standing up for them in a critical situation, complemented by simultaneous – albeit uncoordinated – efforts, that brought about change.

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Since the beginning of the pandemic, tens, if not hundreds, of thousands of citizens have returned to Moldova without presenting health insurance. Few of them know who acted and what was done so that they could return to their homes without unnecessary obstacles.

This year, the Global Campus of Human Rights debuted an exciting new online course called "Authoring Justice." The course focuses on how to write powerful narrative nonfiction works about issues of human rights and social justice – using storytelling to touch the hearts and minds of readers, affecting change around the world. This first iteration included lessons from award-winning authors and human rights leaders, including Professor Andrew Leon Hanna (the main lecturer), Justice Albie Sachs, Casey Gerald, Kao Kalia Yang, Jemma Neville, and Joel Rickett.

The inaugural cohort of students are human rights advocates, lawyers, professors, and researchers from across the globe with a wide range of focus areas – from peace mediation in Ukraine to equitable access to technology in Nepal and beyond. The previous pages feature one selected example of the students' "Capstone Projects," which were designed to be either standalone long-form works or components of books they are now beginning to write.



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