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Moldova

Covering events from January - December 2004

Torture and ill-treatment in police custody continued to be a major problem and conditions in temporary detention facilities amounted to cruel and inhuman treatment. Moldovan women continued to be trafficked abroad for sexual exploitation. Tensions continued between the self-proclaimed Dnestr Moldavian Republic (DMR) and Moldova.

Ill-treatment and torture in custody

Torture and ill-treatment in police custody continued to be a major problem, aggravated by the high number of detentions resulting from the failure to use alternative methods such as provisional release and from a system of quotas and rewards for police based on the number of crimes resolved. The criminal code passed in July 2003 did not include an article criminalizing torture; however, two draft articles addressing torture were being considered by the Ministry of Justice at the end of 2004. Conditions in temporary holding facilities, where detainees can be held for up to 30 days, remained well below international standards. All such facilities were underground, inadequately ventilated and detainees did not have access to adequate toilet facilities.

- In March the central court in the capital, Chişinău, ruled that the Ministry of the Interior was in breach of Article 3 of the European Convention on Human Rights in the case of Veceslav Drugaleov, because it had detained him in inhuman and degrading conditions from August 1999 to 2001. Veceslav Drugaleov had contracted tuberculosis as a result of a previous period of detention in 1996. He was detained again in 1999 and spent 18 months in the temporary detention facility of Călăraşi police station. This was the first ruling of its kind on conditions of detention in the country.
- Oleg Talmazan was detained in March in connection with a financial crime and accused of failing to repay a bank loan under Article 123 of the Criminal Code. He was detained at the Chişinău Department for Organized Crime for over one month. The ventilation system in the underground temporary holding facility was periodically turned off, depriving the prisoners of adequate air. Sanitary conditions were inadequate and the prisoners were allowed into the exercise yard for only 30 minutes once a week. He was not allowed correspondence or to see his family. On 27 March he suffered a heart attack, but was not hospitalized despite the fact that an ambulance had been called out and had recommended his hospitalization. On 8 April he was transferred to a prison hospital and held for a further 30 days until 7 May. Oleg Talmazan lodged a complaint, but no action was known to have been taken on his case.

Violence against women

Moldova was a source country for women and girls trafficked for forced prostitution. Moldova continued to be one of the poorest countries in Europe, with a significant proportion of its population living below the poverty line. Out of a population of 4.3 million, up to one million people worked in other countries.

The groups of women most vulnerable to being trafficked were women escaping domestic violence and children leaving institutional care. According to the International Organization for Migration, 80 per cent of the women and girls trafficked for forced prostitution from Moldova were victims of domestic violence before being trafficked and after their return. Most women and girls were trafficked to Turkey and Macedonia, but a rising number were trafficked to Pakistan and the Middle East.



Republic of Moldova

Head of state: Vladimir Voronin

Head of government: Vasile Tarlev

Death penalty: abolitionist for all crimes

International Criminal Court: signed

UN Women's Convention: ratified

Optional Protocol to UN Women's Convention: not signed

Further information

[Europe and Central Asia: Summary of Amnesty International's concerns in the region, January-June 2004: Moldova](#)
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Article 165 of the Criminal Code establishes trafficking as an offence, defining it in line with Article 3 of the UN Protocol to Prevent, Suppress and Punish Trafficking in Persons, especially Women and Children (the Trafficking Protocol). The government set up a National Committee, but by the end of 2004 a National Plan of Action to combat trafficking was not yet in place. In particular, trafficked women and girls were not necessarily treated as victims of crime and were only exempted from criminal liability for acts that they may have committed as a result of being trafficked if they agreed to cooperate with law enforcement agencies. Preventive and support services were offered by non-governmental organizations and the International Organization for Migration, but there was no coherent national referral mechanism involving government bodies. Witness protection was hampered by lack of funding.

Self-proclaimed Dnestr Moldavian Republic (DMR)

There was no progress in resolving the status of this internationally unrecognized, breakaway region. Tensions escalated in June around the issue of Moldovan schools in the DMR that teach Moldovan/Romanian in the Latin script. The DMR authorities refused to register the schools in question, despite an agreement brokered by the Organization for Security and Co-operation in Europe (OSCE) in mid-2003, and teachers, pupils and parents were harassed by police. In June a high-level OSCE delegation visited the DMR and called for a more constructive stance on the part of the authorities; an end to harassment; and for the schools to be registered. In September, the authorities of the DMR agreed to register the schools in Tiraspol and Rîbnița for one year, but the students' education continued to be disrupted by repair work on the school buildings.

On 2 June Alexandru Leșco, who had served 12 years in prison in the DMR, was released. Alexandru Leșco and the other members of the "Tiraspol Six" had been convicted in 1993 of "terrorist acts" including the murder of two DMR officials. Andrei Ivanțoc and Tudor Petrov-Popa remained in detention.

In July the European Court of Human Rights ruled that both Moldova and the Russian Federation were responsible for the unlawful detention and torture and ill-treatment suffered by Ilie Ilașcu, Alexandru Leșco, Andrei Ivanțoc and Tudor Petrov-Popa. The court ruled that all had been detained arbitrarily and that Tudor Petrov-Popa and Andrei Ivanțoc were still being detained arbitrarily in breach of Article 5 of the European Convention on Human Rights.

AI country visits

AI delegates visited Moldova in June.

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