

Benita Ferrero-Waldner
Commissioner for External Relations and European Neighbourhood Policy
European Commission

Brussels, 17 October 2007
Our ref. B705

Dear Mrs Ferrero-Waldner,

Subject: Torture and Impunity in Moldova

In light of the forthcoming EU-Moldova Cooperation Committee in Chisinau on 25 October, Amnesty International would like to draw to your attention human rights problems in Moldova outlined in a new Amnesty International report, *Moldova: Police torture and ill-treatment: "It's just normal"* (AI Index: EUR 59/002/2007).

Amnesty International is concerned that people being detained in pre-trial facilities in Moldova are frequently subjected to torture and ill-treatment by police officers. The cases that have been researched by Amnesty International reveal the problem to be widespread, whereby law enforcement officers routinely extract confessions and testimonies from detainees using force and sometimes resorting to torture. Furthermore, those who are subjected to such treatment do not have adequate protection or recourse to justice.

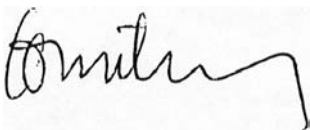
As a state party to all main international conventions prohibiting torture and ill-treatment, Moldova is obliged to protect the rights of all individuals under its jurisdiction. As outlined in the report, despite measures taken by the Moldovan government to bring domestic legislation in line with international standards some problems still remain. Moldova now needs to implement the practical changes which will ensure that safeguards against torture and ill-treatment are established and that the problem of impunity is addressed as a matter of urgency.

Amnesty International, therefore, urges the Commission in its political discussions to call for:

- a National Preventative Mechanism to monitor places of detention to be set up in accordance with Moldova's obligations as a state party to the Optional Protocol to the Convention against Torture which includes independent experts and non-governmental organizations (NGOs);
- the rights of detainees (access to lawyer and medical assistance) to be observed from the moment of their detention;
- pre-trial detention without access to a court and legal counsel to be reduced from 72 hours to 24 hours;
- a fully-resourced independent agency to investigate all allegations of human rights violations by law enforcement officers, including the police;
- any police officer or law enforcement official who is under investigation for having committed acts of torture or other ill-treatment to be suspended for the duration of the investigation;
- any police officer or law enforcement official reasonably suspected of responsibility for torture or other ill-treatment to be brought to justice and, if proven guilty, the sentences imposed to be commensurate with the gravity of the crime.

Please find attached a copy of the report for your information and reference. I look forward to hearing from you after the Cooperation Committee regarding the response of your Moldovan counterparts.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Dick Oosting".

Dick Oosting
Director,
Amnesty International EU Office