

# **New convictions in the case of Andrei Braguta. 13 officers of the remand prison convicted of inhuman and degrading treatment**

Today, 4 June 2021, the Buiucani Court issued a new sentence on the case of Andrei Braguta, a victim of inhuman and degrading treatment, who died in prison in August 2017. According to the sentence, 5 out of 13 officers of the remand prison of the Chisinau Police Directorate were sentenced to imprisonment, and another 8 – sentenced to parole.

We remind you that the 13 officers of the remand prison caused physical and mental suffering to Andrei Braguta, who was in public custody, which represents inhuman and degrading treatment. These actions were committed taking advantage of the obvious state of helplessness of the victim, which is due to a mental illness and disability, committed by several people, who recklessly caused the death of the victim.

According to the forensic report of September 2017, Andrei Braguta died due to a purulent bronchopneumonia. In this sense, the defendants admitted the placement of Andrei Braguta in isolation cell naked without clothes, socks and shoes, without being provided with a mattress and duvet. These conditions caused the victim an effective bodily injury by overcooling the body and favored the development of bilateral purulent bronchopneumonia.

The Promo-LEX Association has repeatedly warned the state about the problems faced by people with mental disabilities, including those in the custody of the authorities.

In this sense, the case of Andrei Braguta is a complex one that highlights system problems related to: detention, behavior and case management involving people with disabilities, abusive application of the preventive and arrest measure, torture, inhuman and degrading treatment in detention, the quality of medical care, the inefficiency of the torture reporting mechanism, the poor quality of legal aid provided by some lawyers. Through the actions of all participants in the process, these issues have been reconfirmed. It is vital that the problems identified in this case be addressed as a matter of priority.

According to the lawyer of the Promo-LEX Association, Victoria Donica (Gamurari), "We are satisfied with the sentence issued." At the same time, the lawyer specified that "the victim's family considers that the guilty persons should be punished with the harshest punishment and after studying the motivated sentence, but also after consulting with the injured party's successor, the sentence will be appealed to the Court of Appeal for the individualization of the punishment".

As previously reported, [Chisinau City Court](#) rendered the operative part of the sentence in connection with the acts of torture, inhuman and degrading treatment and medium body injuries committed in respect of Andrei Braguta. Thus, the court decided to convict Andrei Braguta's fellow detainees. At the same time, the court decided to convict 3 police officers involved in this case.

The Promo-LEX Association reiterates the importance of examining the case, implementing the UN Convention against Torture as soon as possible, but also of measures to prevent systemic problems in prisons, highlighted in the recommendations of the People's Advocate report and Promo-LEX reports, in order to prevent the occurrence of situations similar to the case of Andrei Braguta in the future.