

Discrimination Case Regarding Young Woman Detained in Penitentiary no.13

Tatiana Machina is a young woman from Chisinau who received the status of 1st degree disability in July 2005 and can move around only in a wheelchair. She is currently in detention in penitentiary no. 13, and, according to a medical assessment, she needs permanent care by another person.

According to the young woman, she is detained in a cell on the second floor, in a bloc of the penitentiary, and she needs the help of other inmates to move around. The cell conditions have not been adapted for the needs of impaired Tatiana cannot do the most basic things by herself, such as take care of her personal hygiene or get food.

The young woman also believes that the administration of Penitentiary no. 13 did not take sufficient measures to ensure that she receives her disability allowance, which is guaranteed by law, although she submitted multiple requests in that regard to the administration.

In September 2014, Tatiana Machina submitted a complaint with the Council for the Prevention and Elimination of Discrimination and Ensuring Equality (CPEDEE) on the failure of the Department of Penitentiary Institutions and the administration of Penitentiary no. 13 to ensure reasonable accommodation and accessibility. The complaint also claims indirect discrimination by the local office of the National Social Insurance House for their refusal to pay the applicant her disability allowance on the grounds that she was already in the state's care, that is, in detention.

On 11 December 2014, CPEDEE established the fact that Tatiana Machina was discriminated on both these criteria.

The full text of the Council's decision is available [here](#).

The applicant was represented by lawyers from the Promo-LEX Association.

The legal assistance in this case was provided under the Project "Strengthening the Capacities of the Civil Society from Moldova, Including the Transnistrian Region, to Fight Discrimination via Advocacy", implemented by The Equal Rights Trust and the Promo-LEX Association and funded by the European Union.

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