

ECtHR communicates a new cause of ill-treatment in Transnistrian

Andrew Rezanov, a resident of the city of Bender, was arrested on 11 April 2009 by representatives of the Bender "militsia", on accusations "illegal sale of narcotics" to a person and of "illegal possession of cartridges and a firearm". The applicant was locked up in a preventive detention facility in Bender for a period of 42 days.

According to the applicant, the cell where he was kept in preventive custody was a basement room with no light or ventilation, no basic water supply or sewage, without fresh air and with a persistent pungent odor. The room was very humid and was equipped with a makeshift cell toilet, in absence of any form of disinfection. The cell floor was made of concrete and lacked other coverage, and there were no conditions for maintaining hygiene.

On 22 May 2009, the applicant was transferred to the preventive detention facility no.3 in Tiraspol, and on 12 May 2010, to prison no.1 in Hlinaia, where detention conditions were as unbearable.

On 12 May 2010, "the court of justice of the city of Bender" sentenced the applicant to 15 years in prison with the confiscation of property. On 6 July 2010, the "supreme court of the MRT" in Tiraspol dismissed the appeal filed by the applicant and his lawyer. According to the "judgment", Rezanov is to be detained in such miserable conditions until 2025.

On 30 May 2011, the applicant's mother submitted complaints to the Russian and Moldovan Prosecutor General Offices demanding that persons who deprived her son of liberty be criminally prosecuted. The Prosecutor General office forwarded the

complaint to the Prosecution of Bender, arguing that they do not have the competence to examine it. On 27 June 2011, the latter ordered criminal proceedings, but suspended them on 16 September 2011 on grounds that the person charged could not be identified.

On 8 December 2011, the investigating judge found that the criminal prosecution failed to take all the operative measures of investigation. The judge admitted the complaint and overruled the order of suspension from 16 September 2011, forcing the prosecution to continue the investigation. From 8 December 2011, no measures of criminal prosecution were taken.

In the applicant took the case to the ECtHR, alleging a violation of Article 3 of the European Convention, ill treatment on behalf of police, detention in inhuman and degrading conditions, lack of medical care while in detention, and failure to effectively investigate the ill treatment complaints. The applicant also claims he did not have an effective remedy before a national authority to invoke violation of Article 3 of the Convention and further alleges a violation of Article 13 of the European Convention.

A case was filed with the European Court of Human Rights against Moldova and the Russian Federation and is represented by Promo-LEX lawyers and legal counsels.

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