

# The European Court of Human Rights delivered a judgment on case Petru Rosca v. Moldova

On 6 October 2009, The European Court of Human Rights delivered a judgment on case Petru Rosca v. Moldova ((Application no. 2638/05))

The case originated in an application (no. 2638/05) against the Republic of Moldova lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms ("the Convention") by a Moldovan national, Mr Petru Roșca ("the applicant"), on 29 November 2004.

1. The applicant was represented by Mr A. Postica from Promo-LEX, a non-governmental organisation based in Chișinău. The Moldovan Government ("the Government") were represented by their Agent, Mr V. Grosu.

2. The applicant alleged, in particular, that the police had made excessive use of force during his arrest and detention, and that he had been convicted of an administrative offence without having had sufficient time and facilities to prepare his defence or to use the assistance of a lawyer.

FOR THESE REASONS, THE COURT UNANIMOUSLY

1. Declares admissible the complaints under Article 3 of the Convention (except for the complaint concerning the conditions of detention) and Article 6 § 1 taken in conjunction with Article 6 § 3 (c) and (d) of the Convention, and the remainder of the application inadmissible;

2. Holds that there has been a violation of Article 3 of the Convention;

3. Holds that there has been a violation of Article 6 § 1

taken in conjunction with Article 6 § 3 (c) and (d) of the Convention;

4. Holds

(a) that the respondent State is to pay the applicant, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, EUR 2,500 (two thousand five hundred euros) in respect of non-pecuniary damage and EUR 1,000 (one thousand euros) in respect of costs and expenses.

Source: <http://www.lhr.md/news/154.html>