

STATEMENT of Moldovan Human Rights Organizations on the detainment methods and conditions of persons suspected to have participated in violent actions on April, 6th and 7th 2009, in Chisinau, Republic of Moldova

Chisinau, April 9th, 2009 – STATEMENT of Moldovan Human Rights Organizations

The signed organizations express their concern about the methods and conditions of detainment of persons suspected to have participated in violent actions that took place on April, 6th – 7th 2009.

We reiterate that:

Any liable action with regards to criminal liability shall be fully and objectively investigated with respect to all procedural safeguards;

No one shall be subjected to torture, punishment, inhuman or degrading treatment, regardless of the circumstances (Article 3 European Convention);

In such situations, any person has the right to liberty and security and can only be detained according with appearance in the front of the relevant judicial authority (Art.5 European Convention);

We ascertain that:

In the morning of April 8, 2009, the Ministry of Internal Affairs announced the restraining of approximately 200 persons;

The detention of persons "in the act" and ill-treatment by unidentified persons (in civilian clothing) in public places under the view of indifferent police officers;

Detention occurred outside "the place of the crime" (home, place of study etc...) with the violation of proper legal proceedings;

The detention of persons who have not participated in the violent action

Detention forces utilised vehicles with suspicious registration numbers (Transnistrian region registration car plates);

Aggression and mistreatment of journalists with the destruction of video cameras, as well as their content and pictures taken.

Misinformation has been given to relatives about the detention of persons and / or refusal (prohibition) to communicate the place of detention.

All of these facts create an anxious atmosphere with regards to the situation and status of persons in the custody of law enforcement authorities, raising obvious question marks about the respect and guarantee of democratic principles by authorities. These facts may confuse the effort of law enforcement institutions to establish the circumstances of the investigated facts, and raise doubts as to the use of forceful means for intimidation.

In this context, the signatory organizations require:

Strict observance of the provisions of Article 3 and 5 ECHR;

The detention of people guilty of violence at the place of the event occurrence only, and with the action of police officers in uniform, in order to avoid unfounded accusations or insinuations;

Respect of all procedural guarantees and rights, increased attention of the right to defense;

Refrain from the practice of detaining people without sufficient concrete evidence as to their involvement in the violent actions;

Inspection and monitoring by Moldovan ombudsmen, members of the National Council for the Prevention of Torture in all places of preventive detention under the Ministry of Internal Affairs, Center for Combating Economic Crimes and Corruption, Informational and Security Service and the Ministry of Justice, both in the capital and in the rest of the country; Concerned specialized authorities shall monitor the created situation.

“Promo-LEX” Association

Amnesty International Moldova

CReDO

RCTV “Memoria”

Institute for Human Rights in Moldova

Association “Lawyers for Human Rights”

9 April 2009