

The Prosecutor General is merely simulating respect for the rulings of the European Court of Human Rights concerning inhabitants of the Transnistrian region

The Prosecutor General is ignoring a decision of the European Court of Human Rights (ECHR), made in the case of 'Ilașcu and others against the Republic of Moldova and the Russian Federation', in which the reservation that Moldova made upon ratifying the European Convention of Human Rights was declared void by the High Court.

In its decision, the Court said specifically that "the reservation is limited in space and time, the effect of which would be to exclude from the Convention's protection, completely and for an indefinite period of time, the people who live on this "territory"; ... for this reason, the Court considers that the declaration made by the Republic of Moldova cannot be accepted as a reservation to the Convention, and, therefore, should be considered invalid".

Defying the provisions of the European Convention and of the High Court's decisions, the Prosecutor General of the Republic of Moldova continues to neglect its core functions concerning the investigation of cases of torture, and refuses to defend inhabitants of the Transnistrian region when their rights are violated, covering itself formally with the reservation to the Convention, which is in fact considered invalid.

On February 18, 2010, the relatives of Iurii Matcenco, who was illegally deprived of liberty and is being held in the No.3

prison in Tiraspol, submitted a complaint to the ECHR alleging violations of articles 1, 3, 5, 8 and 13 of the European Convention of Human Rights. The plaintiff (Iurii Matcenko) claims that MGB agents role-played an execution in order to scare him, and that he was beaten by agents in the MGB offices, and later by members of the separatist militia. As a result of the maltreatment he felt compelled to declare a hunger strike, this being the only way to draw attention to the maltreatment to which he was being subjected, and to receive medical attention.

This case highlights the important problem of jurisdiction and responsibility vis-à-vis the situation of detainees' rights in places of detention in the Transnistrian region of the Republic of Moldova.

Legal assistance was offered to the plaintiff by lawyers of the Public Association 'Promo-LEX'. For additional information you can contact us by telephone on: 24-35-78