

# **Detainees Continue to Complain about the Poor Conditions in Penitentiaries to the European Court of Human Rights**

The European Court of Human Rights informed the Government of the Republic of Moldova about Mocanu ([Case File No 14566/14](#)) and Gavrilita ([Case File No 22741/06](#)) cases. The complaints were filed on the grounds of Article 3 (Prohibition of torture) and Article 13 (Right to an effective remedy) of the Convention and refer to bad conditions of detention and inadequate medical assistance in detention facilities.

The complaints submitted to the European Court of Human Rights invoked the following: small, narrow, cold cells with poor or even inexistent ventilation, overcrowded cells, poor lighting, limited access to the toilet, lack of access to medical assistance, no food for several days or low-calorie food, limited access to water, exposure to infections, etc.

**The issue of bad conditions of detention of the penitentiary system of the Republic of Moldova was discussed during the Universal Periodic Review of the UN, in autumn 2016, when the Republic of Moldova received and accepted 12 recommendations with regard to the right not to be subjected to torture and inhuman or degrading treatment.** The recommendation to improve the conditions of detention and medical assistance in penitentiaries was among the key ones formulated by the United Nations.

Promo-LEX Association urges the Moldovan Government to urgently implement the Action Plan submitted on 21 October

2013 to the Committee of Ministers of the Council of Europe for the execution of the judgments in *Becciev, Ciorap and Paladi* (DH-DD (2013)1168) groups of cases, by urgently adjusting the legal provisions on the penitentiary and detention system, increasing penitentiary funding, reviewing the current ways and practices in applying detention on remand in order to reduce the number of arrested persons, introducing effective remedies for bad conditions of detention, as well as accelerating the build of the new penitentiary in Chisinau municipality.

Bearing in mind the fact that the complaints refer to the violations that took place in Penitentiary No 13, Promo-LEX Association urges the Government to take the priority measures needed to reduce the overcrowding in penitentiaries, including by transferring the convicted detainees from Penitentiary No 13 to other penitentiaries, to introduce effective remedies for detention in bad conditions and non-provision of medical assistance, to allocate additional financial resources for detainees' medical assistance.

The latest Report of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment<sup>[1]</sup> (CPT) mentions that the current number of detainees in the penitentiary system exceeds the number of available places. The Report also notes that since the last visit in 2011, the penitentiary population grew up by about 1,300 detainees. Currently, based on the latest census data, the rate of imprisonment in the Republic of Moldova is one of the highest in Europe, being 260 detainees per 100,000 inhabitants. The average rate of imprisonment in Europe is 135 detainees per 100,000 inhabitants.

The applicants are represented before the High Court by lawyers of Promo-LEX Association. More information is available [here](#) and [here](#).

For more details, please contact: Carolina Bondarciuc, Promo-

LEX Press Officer: GSM 060280980, Tel./Fax (+373 22) 45-00-24,  
e-mail: [pr@promolex.md](mailto:pr@promolex.md)

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[\[1\]European Committee for the Prevention of Torture and  
Inhuman or Degrading Treatment or Punishment \(CPT\)](#)