

URGENT ACTION

ILLEGAL DETENTION OF TORTURE VICTIM

Eugen Fedoruc has been arbitrarily detained for almost a year in a psychiatric hospital near Chişinău, Moldova, after alleging that he was tortured to force him to confess to murder. The doctors have now stated publicly that there is no reason to hold him.

Eugen Fedoruc was first detained on 2 April 2011 in Buicani district of Chişinău in connection with four murders that had taken place in September 2010. He was held at the General Commissariat of Police in Chisinau for 2 months, and claims that he was tortured several times during this period. He told his lawyer that police officers bound his hands and legs together behind his back and lifted him up by a rope tied to his legs. They attached wires to his legs, and the soles of his feet, and then turned a crank on the generator giving him intense electric shocks. A forensic medical examination stated that the injuries on his body were self-inflicted. In April 2012 the General Prosecutor's office replied to Amnesty International that there was no evidence of torture having been inflicted.

In June 2011, after 60 days in police detention he was transferred to a psychiatric hospital for assessment by court order for an initial period of 10 days. This was followed by a further court order for 60 days' in-patient psychiatric observation dated 13 July 2011. However, inexplicably the Director of the Psychiatric Hospital was sent a second copy of the court order dated 13 July 2011, identical in all respects to the one sent to the lawyer, but giving no expiration date. Eugen Fedoruc's lawyer has challenged his detention in the Supreme Court and the Appeal court on the basis that his detention expired on 11 September 2011 and that he has been arbitrarily detained since then. On 8 May 2012 the Supreme Court rejected his appeal and on 12 June 2012 the Appeal Court also rejected the appeal as unfounded. The courts have consistently referred to the second version of the court order which gives no expiration date, and have not questioned the existence of two contradictory court orders. Eugen Fedoruc has been diagnosed as suffering from Schizophrenia, but has never before required long periods of in-patient treatment and has no history of violent behaviour. The Director of the Psychiatric Hospital told Eugen Fedoruc's lawyer in June 2012 that he is calm and presents no threat, and that there is no reason for him to be held as an in-patient.

Please write immediately in Romanian or your own language:

- Calling on the authorities to investigate the legality of Eugen Fedoruc's continuing detention in Chişinău Psychiatric Hospital;
- Calling on the authorities to initiate an investigation into the allegations that Eugen Fedoruc was subjected to torture and other ill-treatment at the General Police Commisariat in Chişinău, for two months starting in April 2011;
- Reminding the authorities that as a state party to the European Convention on Human Rights and the Convention against Torture, Moldova has an obligation to impartially investigate all allegations of torture and other ill-treatment.

PLEASE SEND APPEALS BEFORE 18 SEPTEMBER 2012 TO:

Prosecutor General

Valeriu Zubco

str. Banulescu - Bodoni 26

Chisinau, MD 2005

Republica Moldova

Email: procuror@procuratura.md

Salutation: **Dear Prosecutor General**

Minister of Internal Affairs

Recean Dorin Pavel

bd. Ştefan cel Mare 75

Chişinău, MD 2012

Republica Moldova

Fax: +373 22 22 12 01 (say "fax")

Email: dorin.recean@mai.gov.md

Salutation: **Dear Minister**

And copies to:

Minister of Health

Andrei Usatii

Vasile Alecsandri 2

Chişinău, MD 2009

Republica Moldova

Fax: +373 22 72 97 47

Email: office@ms.gov.md

Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date.

**AMNESTY
INTERNATIONAL**



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ADDITIONAL INFORMATION

Eugen Fedoruc alleges that he was tortured on the second floor of the General Police Commisariat and that in the office where he was interrogated there was a small generator. He also claimed that he was beaten and punched on the head, and that police officers put a gas mask over his face and cut off the air supply to suffocate him. His lawyer saw him while he was at the General Police Commisariat, and witnessed that he could not sit down, and had bruises on his wrists. The lawyer also asked him to remove his shirt and he had bruises on his shoulders. In May 2011 his lawyer requested that a forensic medical examination be carried out. The forensic expert concluded that Eugen Fedoruc's injuries were self-inflicted.

Amnesty International raised the Eugen Fedoruc's case with the Prosecutor General in April and received the reply that he was legally detained and that there was no evidence of torture. Amnesty International has repeatedly raised the problem of torture and other ill-treatment and impunity for such acts in Moldova. In its reports Amnesty International has highlighted systemic problems and an entrenched culture among police officers in Moldova that hampered efforts to eradicate torture and other ill-treatment in police detention. The Moldovan government has taken steps to address some of the structural causes of torture and other ill-treatment, but it has not gone far enough to tackle the underlying problems of impunity and inadequate safeguards for detainees.

As a state party to the International Covenant on Civil and Political Rights, the European Convention for the Protection of Human Rights and Fundamental Freedoms, the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, the Optional Protocol to the Convention against Torture and the European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment Moldova has committed itself to eradicate torture and other ill-treatment.

Name: Eugen Fedoruc

Gender m/f: M

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