

# AMNESTY INTERNATIONAL

## PUBLIC STATEMENT

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### **Moldova: Ernest Vardanyan must be given a fair trial**

Amnesty International is concerned about the journalist, Ernest Vardanyan, who is in detention in Transdniestria, charged with “treason in the form of espionage”. The organization believes that the airing of a statement on 12 May by the Minister of State Security of Transdniestria is in violation of Ernest Vardanyan’s right to the presumption of innocence which is an essential element of the right to a fair trial.

Ernest Vardanyan was reportedly detained on 7 April 2010 by a group of armed men outside his home in Tiraspol. On 9 April, Ernest Vardanyan was remanded in pre-trial detention by the Tiraspol Court, a decision which was upheld by the Supreme Court of Transdniestria on 16 April. No date has been set for his trial.

On 11 May, a video was broadcast by the main television station of Transdniestria and subsequently became available on the internet which shows the Minister of State Security of Transdniestria, Vladimir Antyufeyev, stating that Ernest Vardanyan is guilty of committing ‘high treason in the form of espionage’, an offence which carries a sentence of between 12 and 20 years of imprisonment. Ernest Vardanyan also appears in the video apparently corroborating the claims of the Minister, going on to express his regret for this “terrible error.”

Amnesty International regards the airing of the video as a violation of Ernest Vardanyan’s right to be presumed innocent until proved guilty according to law, and his right not to be compelled to testify against himself or to confess guilt, which are essential elements of the right to a fair trial, enshrined in Article 14 of the International Covenant on Civil and Political Rights. It is one of the requirements of the presumption of innocence that public authorities should not make statements about the guilt or innocence of an accused before the outcome of the trial. This also means that the authorities have a duty to prevent the news or media or other powerful social groups from making such statements which might influence the outcome of a trial.

Amnesty International is calling on the Transdniestrian authorities to ensure that the Minister’s statement and Ernest Vardanyan’s statement apparently corroborating it are completely discarded during all stages of Ernest Vardanyan’s trial. They should not be presented in evidence or made use of in any other way that would give weight to the prosecution case. The organization is also calling on the authorities to ensure that the video is immediately removed from and remains unavailable on official websites and is not aired again on Transdniestrian television channels. The authorities should also ensure that other news media are aware of their responsibility not to carry material which would interfere with Ernest Vardanyan’s right to be presumed innocent until proved guilty according to law.

Amnesty International is also concerned that following his arrest Ernest Vardanyan has not been given access to a lawyer of his choice and that in the 42 days which elapsed between his detention and the airing of the video, he had almost no contact with the outside world. The organization has been informed that since the video was aired, Ernest Vardanyan has not been allowed to receive visits from his family at all. In light of this, Amnesty International is concerned that Ernest Vardanyan may continue to be at risk of being subjected to

psychological pressure by the National Security Service, such as extensive periods of questioning and sleep deprivation, and other forms of ill-treatment.

Amnesty International reiterates its calls to the Prosecutor General to ensure that Ernest Vardanyan is able immediately to exercise his right to a lawyer of his choice, ensure that his family is able to visit him regularly and ensure that he is not subjected to torture or other ill-treatment while in detention in line with international human rights law and standards.

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