

PUBLIC

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27 April 2006

UA 106/06

Health concern/Torture

MOLDOVA

Sergei Gurgurov (m)

Sergei Gurgurov, who was arrested in October 2005 but released on bail, was arrested again on 18 April by officers from the same police station, and accused of violating his bail conditions. He was tortured in custody after his previous arrest, and had been undergoing medical treatment for the injuries he sustained. In police custody he is at risk of further torture and unable to receive medical treatment.

He was arrested for the second time by officers from Ryzhkan police station in the capital, Chişinău, and is now held at Benderovskii district police station, also in the capital.

Sergei Gurgurov had been detained on 25 October by police officers from Ryzhkan police station, and accused of stealing a mobile phone. He was later transferred to a temporary holding facility at Chişinău police headquarters where he was severely tortured: this included being beaten and subjected to electric shocks. A video taken on 3 November, when he was arriving for trial at the District Court in Ryzhkan, shows Sergei Gurgurov being brought into the court building by two officers, his feet dragging as they pull him, and clearly unable to walk or stand without support. We issued a UA on his behalf on 18 November (UA 292/05, EUR 59/006/2005), and he was released on bail on 9 December.

Police are now claiming that Sergei Gurgurov violated his bail conditions because he did not present himself at the police station when summoned. His lawyer contacted the police station at the time to explain that he could not go because he was undergoing medical treatment in hospital. The arrest order was drawn up by the district court in February 2006, without Sergei Gurgurov or his lawyer being informed, but police did not act on the order until two months later. The police have claimed that Sergei Gurgurov was intending to leave the country; his lawyer denies that he had any intention of doing so because he is in the process of receiving medical treatment. His lawyer has complained to the appeal court about his recent arrest and the case will be heard on 28 April. His lawyer reports that now he is in custody police have threatened Sergei Gurgurov again, and told him to withdraw the allegations he has made that he was tortured following his first arrest.

Sergei Gurgurov had been undergoing treatment for the injuries caused by the torture and ill-treatment that he sustained in custody. He has a spinal injury which initially prevented him walking; since late March he had been able to walk with a cane. Both of his eardrums are damaged and he has total loss of hearing in one ear. The head injuries he received caused a brain injury which has impaired his speech. The director of the *Memoria* rehabilitation centre for torture victims in Chişinău, where Sergei Gurgurov had been having psychiatric treatment, told Amnesty International that she is also very concerned for his mental health. When she saw him a month ago he was suffering from post-traumatic stress disorder and was deeply depressed, fearful and unable to trust anybody. He talked constantly about the fact that he was being persecuted by the police and feared that they would try to kill him. He is refusing food in the police station out of fear that he will be poisoned.

Following the previous UA, Amnesty International received a letter dated 9 March from the General Prosecutor's office of Moldova. This stated that the accusations of torture and other ill-treatment of Sergei Gurgurov were groundless and that a medical examination had found no bodily injuries. The letter claimed that the version of events given in the UA "does not correspond to the reality, generates image crisis for our state [sic]". The letter also states that the General Prosecutor's office received and continues to receive "thousands of demands from Belgium, USA, Ukraine, Greece, Poland and other states".

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in Moldovan, Romanian, Russian, English or your own language:

- expressing concern that Sergei Gurgurov has been arrested again and is being detained despite reports of his serious physical and mental ill-health;
- urging the authorities to release Sergei Gurgurov on bail immediately so that he can continue with his medical treatment;
- calling for an immediate and impartial investigation into the allegations that Sergei Gurgurov was tortured and ill-treated in custody, in accordance with article 13 of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, to which Moldova is a state party;
- urging the authorities to ensure that anyone found responsible for torturing and ill-treating Sergei Gurgurov is brought to justice;
- calling for Sergei Gurgurov to receive full reparation and compensation for any injuries sustained while in police detention, in accordance with article 14 of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

APPEALS TO:

Procurator General of the Republic of Moldova

Valeriu BALABAN

26, Mitropolit Banulesku-Bodoni Str., MD-2005, Chişinău, Moldova

Fax: +373 22 21 20 32

Salutation: Dear Procurator General

COPIES TO:

Minister of Internal Affairs

Gheorghe PAPUC

75, Stefan cel Mare Blvd, MD-2012, Chişinău, Moldova

Fax: +373 22 22 27 23

Salutation: Dear Minister

Parliamentary Human Rights Advocate

Mrs Raisa APOLSCHII

Director of Centre for Human Rights in the Republic of Moldova, 16 Sfatul Tarii Str., MD-2012, Chişinău, Moldova

Fax: +373 22 22 54 42

Salutation: Dear Minister

and to diplomatic representatives of Moldova accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 8 June 2006.