

# PUBLIC APPEAL

Moldova

## **Allegations of arbitrary detention and police torture and ill-treatment of Roma**

Amnesty International is concerned for the safety of three Roma, all of whom are reportedly being held incommunicado by police in the capital, Chişinău following an armed raid on the Romani community in the town of Yedintsy, in the north of the country, in or around 18 July 2005. Mikhail Kaldarar was detained on 18 July and Vasili Kodrian and his wife, Anna Kodrian, were detained on 18 August. All three are believed to be at risk of torture or ill-treatment and there are concerns for the health of Anna Kodrian.

The armed raid on the Romani homes was carried out in connection with an investigation into several murders in Chişinău. During the raid, police reportedly beat men, women and children. The police initially detained more than 30 Romani men and boys, some as young as 12 years old. Most of the men and boys were held for two days in Yedintsy before a court in the town ordered their release. During that time they were allegedly repeatedly and severely beaten in order to force them to incriminate themselves or others. Most were released without charge.

According to his lawyer, Mikhail Kaldarar was detained on the day of the raid and transferred to the Ministry of Interior temporary holding facility in Chişinău shortly after his detention. An appeal court in the regional capital, Beltsy, ordered his release on 25 July because of the lack of evidence against him. On 27 July, police officers reportedly told Mikhail Kaldarar's mother and representatives of the non-governmental organization, the United Alliance of Roma in Moldova, that he had been released that day, although his mother had waited all day outside the temporary holding facility in Chişinău without seeing him leave. On 3 August, an official of the Ministry of the Interior confirmed to Mikhail Kaldarar's father that his son was still being detained and that Mikhail Kaldarar would be released only if the real culprits of the murder were handed over by the Romani community. However, the authorities have not confirmed Mikhail Kaldarar's whereabouts, and neither his lawyer nor his family have been allowed to see him.

Vasili Kodrian was detained by police in Yedintsy on 5 August, allegedly on the grounds that his son, who the police have not yet apprehended, is a suspect in the investigation into the murders in Chişinău. Vasili Kodrian was released on the same day although he and his wife were subsequently both taken into detention on 18 August. Neither has been charged with any offence, and both are thought to be being held along with Mikhail Kaldarar in the temporary holding facility in Chişinău, although once again, the authorities have not confirmed their whereabouts. Anna Kodrian is recovering from a series of operations and was reportedly taken into detention without her medication. Their eight-year-old daughter is being cared for by relatives.

## **BACKGROUND INFORMATION**

Torture and ill-treatment in police custody is widespread in Moldova. The problem is aggravated by the high number of detentions resulting from the failure to use alternative methods such as provisional release and from a system of quotas and rewards for police based on the number of crimes resolved. In this case Amnesty International is also greatly concerned by reports that the three Roma are being held incommunicado. According to the UN Special Rapporteur on torture, "Torture is most frequently practised during incommunicado detention. Incommunicado detention should be made illegal and persons held incommunicado should be released without delay."

Members of the Romani community are frequent targets for police ill-treatment and torture. In its second report on Moldova, published in April 2003, the Council of Europe's Commission against Racism and Intolerance (ECRI), raised concerns about discrimination

against Roma in Moldova and highlighted the frequent ill-treatment of Roma by members of the police force.

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

- expressing concern that Mikhail Kaldarar, Vasili Kodrian and Anna Kodrian are being held incommunicado at the temporary holding facility in Chişinău, effectively as hostages while police seek suspects from the Roma community;
- expressing further concern for the safety of the three individuals, given their incommunicado detention and that members of the Romani community are frequent targets for police torture and ill-treatment;
- calling for the immediate release of all three individuals if the police are not in a position to charge them with a recognizably criminal offence;
- in the meantime urging the authorities to inform their families and lawyers of their whereabouts, and grant the three individuals immediate access to their relatives, and a lawyer of their choice;
- expressing concern for the health of Anna Kodrian and calling for her to be given immediate access to appropriate medical assistance and treatment if necessary;
- urging the authorities to ensure that Mikhail Kaldarar, Vasili Kodrian and Anna Kodrian are not subjected to torture or ill-treatment, pointing out that Moldova is bound by its obligations under the Convention against Torture to prevent acts of torture and ill-treatment on its territory;
- urging the authorities to conduct prompt, thorough and impartial investigations into the allegations of torture and ill-treatment, and arbitrary detention of members of the Romani community during the raid on the town of Yedintsy. The results of such investigations should be made public, and anyone reasonably identified as responsible brought to justice.

**APPEALS TO:**

Procurator General of the Republic of Moldova

Valeriu BALABAN

Mitropolit Benulesku-Bodoni Str. 26

277012 Chişinău

Moldova

**Fax: + 373 22 22 14 70 (fax may be switched off outside office hours; 2 hours ahead of GMT. If someone answers say "fax please")**

**Salutation: Dear Procurator General**

Minister of Internal Affairs

Gheorghe PAPUC

Stefan cel Mare, 75

Chişinău

Moldova

**Fax: + 373 22 22 27 23 (If someone answers say "fax please")**

**Salutation: Dear Minister**

Minister of Foreign Affairs

Andrei STRATAN

31 August 80

277033 Chişinău

Moldova

**Fax: (373 22) 23 23 02**

**Salutation: Dear Minister**

**COPIES TO:** diplomatic representatives of Moldova accredited to your country.

**PLEASE SEND APPEALS IMMEDIATELY.** Check with the International Secretariat on +44 (0)207 413 5795, or your section office, if sending appeals after 20 September 2005.

