

PUBLIC

AI Index: EUR 59/001/2009

04 March 2009

UA 57/09 **Enforced Disappearance / fear of torture and other ill-treatment**

MOLDOVA **Gheorghe Ionel**

On 27 February 2009, the whereabouts of Gheorghe Ionel, became unknown. Gheorghe Ionel is mayor of Vorniceni, a village about 35km from the capital of Moldova, and a member of an opposition coalition. It is believed that he may have been abducted by law enforcement officers as he was last seen being forced by police officers into a car outside the court in Straşeni, where he had just been cleared of the charge of misusing his official position. Amnesty International fears that he may have been subjected to enforced disappearance and is at risk of torture or other ill-treatment.

Seconds after the judge had pronounced the judgement clearing him of the charge of misusing his official position, about 20 officers of the Department for Combating Economic Crimes and Corruption forced their way into the court room and pushed their way through the 100 or so members of the public to reach Gheorghe Ionel. As they did so they reportedly punched and kneed people out of their way. Witnesses say that they saw him being forced into a car outside the court building by the same officers, and this was also documented on Moldovan television. Since that time his whereabouts have been unknown. His lawyer has received no response to her numerous requests for information from the Prosecutor General, and Gheorghe Ionel's family do not know where he is.

On 3 March 2009, in a phone conversation with his lawyer, an investigator of the Department for Combating Economic Crimes and Corruption denied that Gheorghe Ionel was being detained. However, he informed the lawyer that an order for the compulsory presence of Gheorghe Ionel at the Department for Economic Crimes and corruption had been drawn up on 27 February 2009, because of his refusal to sign a notification that he had been charged with a third offence of misusing his official position for financial gain.

Amnesty International is continuing to try to ascertain exactly what happened to Gheorghe Ionel. There is a high risk that Gheorghe Ionel is being held in incommunicado detention in line with other instances where police officers have disregarded judicial decisions and detained people in court rooms.

BACKGROUND INFORMATION

Gheorghe Ionel, a member of the opposition coalition, Nasha Moldova (Our Moldova), was elected mayor of Vorniceni, a village about 35km from the capital, Chisinau, by a large majority in June 2007. According to his lawyer he was very popular because he took measures to combat crime and improve life in the village, but in doing so may have made enemies. Gheorghe Ionel had been in detention since 3 September 2007 when the Department for Combating Economic Crimes and Corruption charged him with misuse of state powers by acquiring state land illegally. His Lawyer has stated that the charges were fabricated by the Department in an attempt to prevent him from carrying out his duties as mayor. He was also charged in October 2007 with organizing illegal migration and for the possession of firearms. He was cleared of these charges at an appeal court hearing on 19 February 2009.

Amnesty International and other NGOs continue to receive reports of torture and ill-treatment in police custody. In the report of a visit to Moldova in November 2005, published in December 2008, the Council of Europe Committee for the Prevention of Torture found that a significant proportion of the detainees that they visited in police detention facilities alleged that they had been ill-treated. Amnesty International has also received reports that police officers have ignored judicial decisions and detained people in court before they had a chance to leave in order to charge them with other offences.

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

- expressing concern that Gheorghe Ionel may have been abducted by officers of the Department for Combating Economic Crimes and Corruption on 27 February outside the court room in Straşeni, that he may be being held in incommunicado detention;
- expressing concern that Gheorghe Ionel may be subjected to torture or other ill-treatment while he is being detained;
- calling on the authorities to immediately inform Gheorghe Ionel's lawyer and members of his family where he is being detained if he is in their custody;
- urging the Prosecutor General to carry out immediate and impartial investigations into allegations that Gheorghe Ionel was abducted by officers of the Department for Combating Economic Crimes and Corruption.

APPEALS TO:

Procurator General of the Republic of Moldova

Valeriu Gurbulea

26, Mitropolit Banulescu-Bodoni Str., MD-2005, Chişinău

Republic of Moldova

Fax: +373 22 21 20 32

E-mail: prokuror@gov.md

Salutation: Dear Procurator General

COPIES TO:

Minister of Internal Affairs

Gheorghe Papuc

Stefan cel Mare Bld., 75, MD-2012, Chişinău

Republic of Moldova

Fax: + (373-22) 22-27-23

E-mail: mai@mai.md

Salutation: Dear Minister

COPIES TO:

Parliamentary Human Rights Advocate

Ana Munteanu

Centre for Human Rights in the Republic of Moldova

16 Sfatul Tarii Str., MD-2012, Chişinău

Republic of Moldova

Fax: +373 22 22 54 42

Salutation: Dear Parliamentary Human Rights Advocate

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 15 April.