

**PUBLIC**

**AI Index: EUR 59/002/2006**

**03 May 2006**

**UA 111/06**

**Torture**

**MOLDOVA**

**Vitalii Kolibaba (m), aged 27**

---

Vitalii Kolibaba has reportedly been tortured at Buiucani district police station in the capital of Moldova, Chişinău. Amnesty International believes that he is at risk of being tortured again.

Vitalii Kolibaba was arrested at his home early on 21 April, accused of injuring a policeman during a drunken brawl the night before and taken to Buiucani district police station. Vitalii Kolibaba denies this and claims that he had been in a bar, and that when a policeman refused to pay for a drink he had taken the side of the barman in the ensuing argument.

On 25 April, three police officers tortured him at Buiucani police station to force him to confess. They tied his arms to his legs, stuck a crowbar under his elbows and hung him like this from the crowbar for 40 minutes. They beat him about the head and neck with a stool while suspended, until he passed out from the pain. After he was taken back to his cell, Vitalii Kolibaba tried to commit suicide by cutting his wrists. An ambulance was called and his wounds were stitched, but the medics left him in the police station.

On 27 April, six days after he had been arrested, Vitalii Kolibaba was allowed to see a lawyer for the first time. He told the lawyer that he had been tortured. The lawyer immediately wrote a complaint to the Procuracy. Unfortunately, the police officers from Buiucani district police station who had tortured him found out that he had complained and that day they beat him again. This time the three police officers beat him on the head with a plastic bottle full of water, so as to leave no marks, and punched him in the kidney area.

On 29 April, police took Vitalii Kolibaba for a forensic medical examination. The examination was carried out in the presence of the three officers who had tortured him and the forensic expert reportedly only looked at his hands and reported that there was no evidence of torture. The lawyer reported that he could see marks on Vitalii Kolibaba's arms that were consistent with his allegations that he had been suspended from a crowbar. The lawyer also noted that his eyes were bloodshot which is one symptom of having been beaten on the head.

Vitalii Kolibaba is being detained at the remand centre (IVS) in Chişinău central police station, but he is taken to Buiucani district police station every day for questioning. There are no facilities for providing food at Buiucani district police station and as Vitalii Kolibaba's mother is not allowed to pass on packages to him, he is forced to beg food from other prisoners. His lawyer is allowed to meet him only in the presence of the procurator or of the police officers. Amnesty International is concerned that he will again be subjected to torture or other ill-treatment.

## **BACKGROUND INFORMATION**

Moldova is a state party to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment. Despite this, torture and ill-treatment are widespread in police custody in the country, aggravated by factors including a system of quotas and rewards for police based on the number of crimes resolved. Conditions in temporary holding facilities, where detainees are usually held for up to 30 days, but in some cases longer, remain well below international standards. All such facilities are underground, inadequately ventilated and detainees do not have access to adequate toilet facilities. In its report on its last visit to Moldova in September 2004, published in February 2006, the European Committee for the Prevention of Torture and Inhuman and Degrading Treatment or Punishment reported that torture

was still widespread in Moldova and that there were reports of cases where detainees had been tortured by hanging from bars.

**RECOMMENDED ACTION:**

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

- expressing concern at the allegations that Vitalii Kolibaba has been tortured while in custody at Buiucani district police station;
- asking for a full medical examination to be carried out by an independent expert, who has the necessary equipment to determine the extent of Vitalii Kolibaba's injuries;
- calling for an immediate and impartial investigation into these, 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;
- asking for assurances that Vitalii Kolibaba will be granted private meetings with his lawyer;
- urging the authorities to ensure that all those responsible are brought to justice;
- calling on them to make sure that Vitalii Kolibaba receives full reparation and compensation for any injuries sustained in police custody, in accordance with article 14 of the UN Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

**APPEALS TO:**

Procurator General

Valeriu BALABAN

26, Mitropolit Banulescu-Bodoni Str., MD-2005, Chişinău, Republic of 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, Republic of 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, 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 14 June 2006.