



Torture and Ill-Treatment in the Republic of Moldova

Alternative Report to the United Nations Committee against Torture on the Fourth
Periodic Report of the Republic of Moldova (CAT/C/MDA/4)

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Joint submission by the Rehabilitation Centre for Torture Victims "Memoria" (RCTV Memoria), the
Promo-LEX Association, the World Organisation Against Torture (OMCT) and the International
Rehabilitation Council for Torture Victims (IRCT)

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Executive summary

Nine years after the Committee last reviewed the Republic of Moldova, the architecture of prevention has grown while the practice of accountability and reparation has stalled. The State party has adopted standard operating procedures for police custody, a new mental health law, an electronic register of injuries in prisons and a roadmap for its penitentiaries. It has also ratified the Istanbul Convention and opened the first cluster of accession negotiations with the European Union. Yet of the three priority recommendations the Committee selected for follow-up in 2017 (the safeguards in police custody, the outcome of the Brăguță prosecutions and the budget and independence of the Council for the Prevention of Torture), none was assessed as implemented, the recommendation on the national preventive mechanism was graded "not implemented", and the State never submitted the implementation plan the Committee requested.¹ The fourth periodic report, received in March 2022, describes the situation as it stood in 2021. This submission brings the record up to October 2026.

Four findings run through the report. First, the filter between a complaint and a prosecution remains closed for most victims. Prosecutors registered 511 allegations of torture or ill-treatment in 2021 and 299 in 2025; they opened an investigation in roughly one case in four, and in 2025 they classified only three of 76 investigations as torture.² First-instance judgments fell from 34 in 2021 to 14 in 2024, when eight of 18 accused were acquitted and three received a custodial sentence.³ The European Court of Human Rights has found 199 violations of article 3 of the European Convention against Moldova since 1997, on the count kept by the Legal Resources Centre, and the Committee of Ministers still supervises the Levința group on ill-treatment in police custody under its enhanced procedure.⁴

Second, Moldovan prisons are run, in substantial part, by informal prisoner hierarchies. In June 2025 a delegation of the European Committee for the Prevention of Torture (CPT) was obstructed at Prison No. 15 in Cricova by higher-caste prisoners who refused to leave interview rooms, an interference the CPT called "unprecedented".⁵ The CPT renewed its warning that it may issue a public statement under article 10(2) of the European Convention for the Prevention of Torture. In March 2026 the European Court held in *Petrov v. the Republic of Moldova* that the authorities' inaction towards the "outcast" caste amounted to "tolerance, or even condoning" of degrading treatment (article 3 of the European Convention, taken together with article 14) and of forced labour (article 4), and that the problem is structural.⁶ Prisoners who ask for protection under article 206 of the Execution Code are held for years in former disciplinary cells at 2 to 3.5 square metres per person. The prison that was to replace Prison No. 13 in Chișinău has not been started; in May 2026 the Court of Accounts found that no works had begun and the Ministry of Justice moved to end its agreement with the implementing agency.⁷

Third, the right to redress exists on paper and nowhere else. Law No. 137/2016 on the rehabilitation of victims of crime names torture among the offences that qualify for State compensation, but it makes compensation conditional on a final judgment and civil-party status, excludes moral damage, caps counselling at three months and requires a criminal complaint before any State-funded psychological help

¹ Committee against Torture, Rapporteur for Follow-up to Concluding Observations, letter to the Permanent Mission of the Republic of Moldova, INT/CAT/FUL/MDA/39765 (Geneva: OHCHR, 29 November 2019), https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=INT%2FCAT%2FFUL%2FMDA%2F39765&Lang=en.

² Procuratura Generală a Republicii Moldova, *Raport privind activitatea Procuraturii pentru anul 2025* [Report on the Activity of the Prosecution Service for 2025] (Chișinău: Procuratura Generală, March 2026), 34–35, <https://procuratura.md/web/sites/default/files/2026-03/1-1-raportul-de-activitate-procuratura-2025.pdf>.

³ Promo-LEX Association and World Organisation Against Torture (OMCT), *Joint Submission to the Universal Periodic Review of the Republic of Moldova, Fourth Cycle, 54th Session* (Chișinău and Geneva: Promo-LEX and OMCT, July 2026), para. 10, https://promolex.md/wp-content/uploads/2026/07/upr_promo_lex_omct-1.pdf.

⁴ Centrul de Resurse Juridice din Moldova (CRJM), *Notă analitică: Republica Moldova la CtEDO în 2025* [Analytical Note: The Republic of Moldova at the ECtHR in 2025] (Chișinău: CRJM, February 2026), 7, https://crjm.org/wp-content/uploads/2026/02/2026-NA-Republica-Moldova-la-CtEDO-in-2025_ro_fin.pdf; Council of Europe, Department for the Execution of Judgments, "Republic of Moldova: Country Factsheet," 11 June 2026, <https://rm.coe.int/republic-of-moldova-eng/488029d958>.

⁵ European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), *Report to the Government of the Republic of Moldova on the Ad Hoc Visit to the Republic of Moldova Carried Out by the CPT from 3 to 12 June 2025*, CPT/Inf (2025) 38 (Strasbourg: Council of Europe, 4 December 2025), para. 24, <https://rm.coe.int/4880299ae1>.

⁶ *Petrov v. the Republic of Moldova*, no. 38066/18 (ECtHR, 5 March 2026); European Court of Human Rights, "Judgment Concerning the Republic of Moldova: Petrov," press release ECHR 058 (2026), 5 March 2026, <https://hudoc.echr.coe.int/app/conversion/pdf?library=ECHR&id=003-8475030-12011493>.

⁷ NewsMaker, "Întârzieri și cheltuieli suplimentare de peste 160 mii euro la construcția penitenciarului din Chișinău. Raportul Curții de Conturi" [Delays and Extra Costs of over 160,000 Euros in the Construction of the Chișinău Penitentiary: The Court of Accounts Report], 12 May 2026, <https://newsmaker.md/ro/intarzieri-si-cheltuieli-suplimentare-de-pest-160-mii-euro-la-construcia-penitenciarului-din-chisinau-raportul-curtii-de-conturi>.

can start. Between the entry into force of the compensation chapter on 1 January 2018 and today, no victim of any crime has applied for or received State compensation.⁸ A replacement law, Draft Law No. 352, meant to transpose the EU directives on victims' rights and on compensation to crime victims and to simplify the procedure by which victims claim compensation, passed its first reading in Parliament on 24 September 2026, but its final provisions postpone its entry into force to the date of Moldova's EU accession treaty.⁹ The only specialised rehabilitation service in the country, RCTV Memoria, assisted 819 survivors of torture and ill-treatment between 2021 and 2025 and thousands of refugees from Ukraine, on a budget that fell by 44 per cent in 2025 and contains no public money.¹⁰ The State has never contributed to the United Nations Voluntary Fund for Victims of Torture. The Charter of Rights of Victims and Survivors of Torture (the Survivors' Charter), presented by the Special Rapporteur to the Human Rights Council in 2026, is used throughout this report as the measure of what survivors are owed.

Fourth, the Transnistrian region remains outside the reach of every safeguard in this report. In 2025 the de facto authorities fixed a detention norm of two square metres per person, removed foreign lawyers from "criminal" proceedings and introduced wage deductions that can leave prisoners without savings to purchase food.¹¹ Until 16 September 2022, when Russia ceased to be a party to the European Convention, the European Court held Russia responsible for violations in the region, because its military, economic and political support kept the de facto administration in place, and judged Moldova only on its positive obligations. No Convention remedy against Russia exists for later events. Moldova's positive obligations are now the only Convention protection left to people detained in the region, and how far they reach after 2022 has yet to be settled (section V).

The report closes with consolidated recommendations. They name the law, the article, the institution and the date each measure requires, because the record since 2017 shows that general recommendations are acknowledged and then shelved.

About the submitting organisations and this report

The Rehabilitation Centre for Torture Victims "Memoria" (RCTV Memoria) has provided medical, psychological, social and legal rehabilitation to survivors of torture in Moldova since 2000 and remains the only specialised torture rehabilitation service in the country. It documents cases under the Istanbul Protocol, supports survivors' families and has assisted more than 6,500 persons, including survivors from the Transnistrian region, asylum seekers tortured abroad and, since February 2022, refugees from Ukraine. It is a member of the IRCT.

The Promo-LEX Association, founded in 2002, defends human rights and monitors democratic processes in Moldova, including the Transnistrian region, through strategic litigation, monitoring, research and advocacy. It has represented victims of torture before domestic courts and the European Court of Human Rights and publishes the annual retrospective on human rights in the Transnistrian region.

The World Organisation Against Torture (OMCT) is the largest global coalition of civil society organisations working against torture. It co-authored the Moldova factsheets of the Global Torture Index in 2025 and 2026 and, with Promo-LEX, submitted a joint report to the fourth cycle of the Universal Periodic Review in July 2026.

⁸ Christa Pelikan and Arina Țurcan-Donțu, *Raport de analiză a Legii nr. 137/2016 cu privire la reabilitarea victimelor infracțiunilor din Republica Moldova* [Analysis Report on Law No. 137/2016 on the Rehabilitation of Victims of Crime of the Republic of Moldova] (Strasbourg and Chișinău: Council of Europe, June 2024), 20, <https://rm.coe.int/raport-de-analiza-a-legii-nr-137-cu-privire-la-reabilitarea-victimelor/1680b1c8e0>; Ministerul Justiției, "Nota de fundamentare la proiectul de lege pentru modificarea unor acte normative (îmbunătățirea mecanismului de acordare de către stat a compensației financiare victimelor infracțiunilor)" [Explanatory Note to the Draft Law Amending Certain Normative Acts (Improving the Mechanism for Granting State Financial Compensation to Victims of Crime)], February 2025, https://particip.gov.md/ro/download_attachment/28424.

⁹ Ministerul Justiției, "Victimele infracțiunilor vor avea acces mai simplu la sprijin și despăgubiri" [Victims of Crime Will Have Simpler Access to Support and Compensation], 22 September 2026, <https://www.justice.gov.md/ro/content/victimele-infracțiunilor-vor-avea-acces-mai-simplu-la-sprijin-si-despagubiri>; Ministerul Justiției, "Proiectul de lege cu privire la reabilitarea victimelor infracțiunilor" [Draft Law on the Rehabilitation of Victims of Crime] and "Nota de fundamentare," 2026, https://particip.gov.md/ro/download_attachment/42978 and https://particip.gov.md/ro/download_attachment/42977; Nicoleta Hriplivii, "Noua Lege privind reabilitarea victimelor infracțiunilor: un pas important pentru victimele persecutate de regimul de la Tiraspol și o provocare pentru crearea unui mecanism eficient de aplicare" [The New Law on the Rehabilitation of Victims of Crime: An Important Step for Victims Persecuted by the Tiraspol Regime and a Challenge for Creating an Effective Implementation Mechanism], Promo-LEX, 29 September 2026, <https://promolex.md/articol-noua-lege-privind-reabilitarea-victimelor-infracțiunilor-un-pas-important-pentru-victimele-persecutate-de-regimul-de-la-tiraspol-si-o-provocare-pentru-crearea-unui-mecanism-eficient-de-aplic/>.

¹⁰ RCTV Memoria, *Activity Report 2025* (Chișinău: RCTV Memoria, 2026), 3–5, <https://memoria.md/ro/publicatii>.

¹¹ Promo-LEX Association, *Human Rights in the Transnistrian Region of the Republic of Moldova: Retrospective of 2025* (Chișinău: Promo-LEX, February 2026), 39–42, https://promolex.md/wp-content/uploads/2026/02/raport-dort_2026_eng.pdf.

The International Rehabilitation Council for Torture Victims (IRCT) is a global network of rehabilitation centres and experts that supports survivors of torture through medical, psychological, legal and social rehabilitation, forensic documentation and advocacy for the right to rehabilitation.

This report follows the structure of the Committee's list of issues prior to reporting (CAT/C/MDA/QPR/4) and responds to the fourth periodic report (CAT/C/MDA/4). It relies on official statistics of the Prosecutor General's Office, the National Administration of Penitentiaries (ANP), the People's Advocate and the Council for the Prevention of Torture, on reports of the CPT, the European Court of Human Rights, the Committee of Ministers, the Human Rights Committee, the European Commission, GRETA and GREVIO, on legislation consulted on the State legal register, and on the casework and monitoring of the submitting organisations. Every figure is referenced to its source. Where official data contradict each other, both figures are given and the Committee is invited to ask the State party to reconcile them. Citations follow the Chicago notes and bibliography system.

Introduction

General situation and impacts on human rights

Moldova acceded to the Convention on 28 November 1995, ratified the Optional Protocol on 24 July 2006 and accepted the competence of the Committee under articles 21 and 22 on 2 September 2011. Torture, a distinct offence since 2005 under article 309¹ of the Criminal Code, was recast as article 166¹ by Law No. 252/2012, which also removed limitation periods, amnesty and sentences below the statutory minimum for that offence.¹² The legal framework is, as the European Commission put it in November 2025, "adequate"; the Commission added in the same paragraph that "progress in combating and investigating ill treatment and torture remains limited" and that inter-prisoner violence "continues to be unaddressed".¹³

Several mechanisms have already told the Committee what it will hear from the State party and what it will not. In its concluding observations of 2 April 2026, the Human Rights Committee recorded "underreporting of instances of torture and ill-treatment, including owing to fear of retaliation, the reclassification of acts of torture and ill-treatment as lesser criminal offences, and the gap between the number of complaints of torture and ill-treatment and the number of convictions", noted that "many aspects of the daily management and effective control of prisons are left in the hands of informal criminal hierarchies", and regretted that "full accountability for the abuses committed during the protests in April 2009 has not yet been achieved".¹⁴ The OMCT Global Torture Index classified Moldova as a country of "moderate" overall risk in 2025 and 2026, with the impunity pillar rated "high" in 2025 and "considerable" in 2026. In the Index methodology a moderate risk "demonstrates progress toward aligning with international human rights standards, however implementation remains inconsistent";¹⁵ Promo-LEX warned that the moderate label "can be misleading".¹⁶ The United States Department of State listed "torture or cruel, inhuman, or degrading treatment or punishment" among the significant human rights issues in Moldova in 2024.¹⁷

The Committee's own follow-up procedure sets the baseline. The State party's reply to the 2017 concluding observations was due on 6 December 2018 and arrived on 31 July 2019. The Rapporteur's letter of 29 November 2019 graded the information on fundamental legal safeguards as partly satisfactory with initial steps taken (2/B2), the information on the Brăguț case as satisfactory with substantive steps taken (3/B1), and the information on the national preventive mechanism as absent, with the recommendation not implemented (0/C). The Committee "regrets that the State party has not provided

¹² Legal Resources Centre from Moldova (LRCM), *Trial and Punishment of Torture and Ill-Treatment: Case Law Analysis* (Chișinău: LRCM, December 2022), 11, https://crjm.org/wp-content/uploads/2023/01/Judecarea-si-sanctionarea-torturii_ENG.pdf.

¹³ European Commission, *Republic of Moldova 2025 Report*, SWD(2025) 758 final (Brussels: European Commission, 4 November 2025), 36, https://enlargement.ec.europa.eu/document/download/23fa6af0-89b3-4532-a3d9-d1638727d14c_en?filename=moldova-report-2025.pdf.

¹⁴ Human Rights Committee, *Concluding Observations on the Fourth Periodic Report of the Republic of Moldova*, CCPR/C/MDA/CO/4 (2 April 2026), paras. 25 and 29, https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=CCPR%2F4%2FMDA%2FCO%2F4&Lang=en.

¹⁵ OMCT, "The Global Torture Index: Methodology," <https://www.omct.org/en/global-torture-index-methodology>.

¹⁶ OMCT and Promo-LEX, *Global Torture Index 2025: Moldova Factsheet* (Geneva: OMCT, June 2025), <https://www.omct.org/site-resources/files/factsheets/Factsheet-Moldova-EN.pdf>; IPN, "Republic of Moldova: Moderate Risk in the Global Torture Index, but with Persistent Structural Problems," 29 June 2026, <https://ipn.md/en/republic-of-moldova-moderate-risk-in-the-global-torture-index-but-with-persistent-structural-problems/>.

¹⁷ United States Department of State, *2024 Country Reports on Human Rights Practices: Moldova* (Washington, DC: Department of State, 12 August 2025), <https://www.state.gov/reports/2024-country-reports-on-human-rights-practices/moldova/>.

information about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations".¹⁸ Seven years on, the same three issues, the safeguards in police custody, the outcome of the Brăguță prosecutions and the budget and independence of the Council for the Prevention of Torture, remain open, and this report treats each in turn.

The human cost is measurable. The incarceration rate was 245 prisoners per 100,000 inhabitants on 31 January 2025, the third highest among Council of Europe members after Türkiye and Azerbaijan, with 2.8 prisoners per staff member against a European median of 1.4.¹⁹ By April 2025 the rate had reached 255 per 100,000.²⁰ Prisons recorded 1,148 injuries in 2025, 27 deaths and 641 acts of self-harm; psychiatric hospitals recorded 82 deaths and 328 cases of restraint; the police received 1,156 complaints of physical force.²¹ Moldovans applied to the European Court 468 times in 2025, 4.6 times the European average per capita.²² And the State does not control the Transnistrian region, where about 1,325 persons were held in detention on 1 January 2026 at a rate of 296 per 100,000, under "laws" that the Supreme Court of Justice of Moldova has declared void and that no independent monitor has been able to verify on site since 2022.²³ Behind each figure are the survivors whose recovery RCTV Memoria documents in section VII: former prisoners who return to their families poorer, traumatised, more withdrawn and more violent; residents of the left bank reduced to silence; asylum seekers whose trauma goes unrecognised; refugees from the occupied regions of Ukraine with no means to pay for treatment.

Political context

Moldova went through the period under review next to a war. The full-scale invasion of Ukraine on 24 February 2022 brought more than one million people across the Moldovan border, of whom roughly 100,000 remained, and led Parliament to declare a state of emergency that was renewed through December 2023.²⁴ Russian troops have stayed in the Transnistrian region since 1992, although the United Nations General Assembly has called for their "complete and unconditional withdrawal".²⁵ On 1 January 2025 Gazprom stopped delivering gas to Moldova, which left the region without central heating and shut most of its industry.²⁶ ODIHR found the campaign for the 2024 presidential election and constitutional referendum "marred by interference from abroad and active disinformation efforts", which Moldovan authorities and other interlocutors told the mission came predominantly from the Russian Federation.²⁷ Security has dominated the public agenda since 2022, and it shaped several measures examined in this report: the emergency powers of 2022 and 2023, the separatism offences of 2023 and the heavy use of remand against electoral corruption.

The European Union granted Moldova candidate status on 23 June 2022, opened accession negotiations on 25 June 2024, concluded screening on 22 September 2025 and opened Cluster 1 on fundamentals on 15 June 2026. The Reform Agenda that conditions EUR 1.9 billion of EU financing for 2025 to 2027 contains no step on prisons, the national preventive mechanism, victim compensation or the execution of

¹⁸ Committee against Torture, letter INT/CAT/FUL/MDA/39765, 29 November 2019.

¹⁹ Marcelo F. Aebi and Lorena Cocco, *Prisons and Prisoners in Europe 2025: Key Findings of the SPACE I Report* (Strasbourg and Lausanne: Council of Europe and University of Lausanne, 26 June 2026), https://wp.unil.ch/space/files/2026/06/260626_key-findings-space-i-prisons-europe-2025.pdf.

²⁰ World Prison Brief, "Republic of Moldova" (London: Institute for Crime and Justice Policy Research, Birkbeck, University of London), <https://www.prisonstudies.org/country/moldova-republic>.

²¹ Oficiul Avocatului Poporului, *Rezumat în cifre: domeniul prevenirea torturii și situația în detenție, 2025* [Summary in Figures: Torture Prevention and the Situation in Detention, 2025] (Chișinău: Oficiul Avocatului Poporului, June 2026), <https://ombudsman.md/wp-content/uploads/2026/06/rezumat-in-cifre-domeniul-prevenirea-torturii-si-situatia-in-detentie-2025.pdf>; Administrația Națională a Penitenciarelor (ANP), *Bilanț 2025* [Annual Report 2025] (Chișinău: ANP, 2026), 12, <https://dip.gov.md/sites/default/files/DPAM/Bilanț%2C%20rapoarte%20analitice/BILAN%C8%9A%202025.pdf>.

²² CRJM, *Notă analitică 2025*, 3.

²³ Promo-LEX Association, *Situația drepturilor omului în regiunea transnistreană a Republicii Moldova: Raport de monitorizare, 1 aprilie – 30 iunie 2026* [The Human Rights Situation in the Transnistrian Region of the Republic of Moldova: Monitoring Report, 1 April to 30 June 2026] (Chișinău: Promo-LEX, July 2026), 9–11, https://promolex.md/wp-content/uploads/2026/07/raport-dort-2026_2_ro.pdf.

²⁴ Council of Europe, Treaty Office, "Note verbale JJ9326C Tr./005-288, Republic of Moldova, Derogation under Article 15 of the Convention," 4 March 2022, <https://rm.coe.int/1680a5b609>; United Nations High Commissioner for Refugees, *Moldova Operations Update, October 2025* (Chișinău: UNHCR, 2025), <https://www.unhcr.org/sites/default/files/2026-02/moldova-operations-update-oct-2025.pdf>.

²⁵ United Nations General Assembly, *Complete and Unconditional Withdrawal of Foreign Military Forces from the Territory of the Republic of Moldova*, A/RES/72/282 (22 June 2018), <https://digitallibrary.un.org/record/1630737>.

²⁶ William H. Hill, "Russia's Energy Cutoff of Moldova: Crisis or Opportunity," Kennan Institute, Wilson Center, 8 January 2025, <https://www.wilsoncenter.org/blog-post/russias-energy-cutoff-moldova-crisis-or-opportunity>.

²⁷ OSCE Office for Democratic Institutions and Human Rights (ODIHR), *Republic of Moldova, Presidential Election and Constitutional Referendum, 20 October and 3 November 2024: ODIHR Election Observation Mission Final Report* (Warsaw: ODIHR, 14 March 2025), sect. VIII, <https://osce.org/files/f/documents/3/9/587451.pdf>.

judgments of the European Court.²⁸ The parliamentary elections of September 2025 and the preceding campaign against electoral corruption brought a wave of searches, arrests and remand orders that pushed the remand population to 1,212 in May 2025, its highest level since at least 2020.²⁹ The same parliamentary majority has governed since July 2021 and was returned in September 2025.³⁰ The gaps this report describes cannot therefore be put down to political instability: the drafts still awaiting adoption have been in the hands of one majority throughout. Section X returns to the accession process and to the lever it offers the Committee's recommendations.

I. Prevention and fundamental legal safeguards (article 2; list of issues, paragraphs 1 to 3)

Lawyer access, family notification, registers and the 72-hour police isolation cells

The State party's answer to paragraph 2 of the list of issues is a catalogue of orders of the General Police Inspectorate (GPI): Order No. 527/2017 on minimum standards for detention facilities, Order No. 47/2019 approving a letter of rights, Order No. 380/2019 on the functioning of temporary detention isolators (IDPs), Order No. 444/2019 on medical assistance to detainees and Order No. 129/2020 on apprehension, escort and placement.³¹ None of these is a law, and none changed the rules that the Committee asked the State party to change. Article 166(5) of the Criminal Procedure Code still allows the police to hold an adult for 72 hours before a judge sees him. No law adopted between 2022 and 2026 amended articles 64 or 165 to 175 of the Code, Law No. 218/2012 on the use of force, or created the central register of detained persons that the Committee requested in paragraph 9(c) of its 2017 observations.³² A Ministry of Justice draft of July 2026 would, for the first time, oblige the police to inform a detainee in writing of the maximum period of custody before presentation to a judge and to record in the detention record that a third person was notified; its explanatory note admits that the comparison with the EU *acquis* "revealed normative and institutional deficiencies requiring legislative intervention".³³ As of October 2026 that draft has not been adopted.

A Council of Europe review co-authored in 2021 by one of the authors of this report found that the 72-hour limit "operates as a norm, rather than a maximum, which has been routinely overstepped": in 2020, 2,816 of 7,064 persons placed in police isolators (39.9 per cent) were held beyond 72 hours, and in the first nine months of 2021 the figure was 2,701 of 3,550 (76.1 per cent), most often because of pandemic rules (58 per cent of cases) and because the penitentiary accepted transfers only on specified days (37 per cent).³⁴ The Council for the Prevention of Torture, which is the national preventive mechanism (NPM), counted 1,476 persons held beyond 72 hours in 2021, 1,097 in 2022 and 229 in 2023.³⁵ The improvement is real but not complete. In 2025 the police placed 5,153 persons in isolators; 60 were held for more than three days and seven for more than seven days.³⁶ The NPM found three recent cases of persons held at

²⁸ Government of the Republic of Moldova, *Reform Agenda under the Republic of Moldova's Growth Plan for the Years 2025–2027* (Chişinău, May 2025), 102–107, https://mded.gov.md/wp-content/uploads/2025/05/Agenda-_260-en.pdf.

²⁹ CPT, *Report on the June 2025 Visit*, para. 12; CPT, *Report to the Government of the Republic of Moldova on the Ad Hoc Visit Carried Out from 5 to 13 December 2022*, CPT/Inf (2023) 27 (Strasbourg: Council of Europe, 13 September 2023), para. 15, <https://rm.coe.int/1680ac59d8>.

³⁰ Moldpres, "CEC Approved Final Results of 28 September Parliamentary Elections," 5 October 2025, <https://moldpres.md/eng/politics/cec-approved-final-results-of-28-september-parliamentary-elections>.

³¹ Republic of Moldova, *Fourth Periodic Report Submitted under Article 19 of the Convention pursuant to the Simplified Reporting Procedure*, CAT/C/MDA/4 (5 October 2022), paras. 7, 13–26, <https://digitallibrary.un.org/record/3990866>.

³² The authors searched the State legal register (legis.md), the Parliament's register of draft laws and the Ministry of Justice's consultation pages for the period 2022 to 2026. The only adopted acts touching the field are Law No. 128 of 29 May 2025 on partially free legal aid and the package of 30 July 2026 on electronic monitoring and bail, discussed below.

³³ Ministerul Justiției, "Proiectul de lege pentru modificarea unor acte normative (sporirea garanțiilor procesuale ale persoanelor supuse urmăririi penale)" [Draft Law Amending Certain Normative Acts (Strengthening the Procedural Guarantees of Persons under Criminal Investigation)] and "Nota informativă," NU-244-MJ-2026 (Chişinău: Government of the Republic of Moldova, July 2026), https://gov.md/sites/default/files/media/documents/sedinte-de-guvern/2026-07/NU-244-MJ-2026_2.pdf.

³⁴ Radu Geamanu, Graham Smith and Vadim Vieru, *Review of the Normative Framework with Regard to the Detention and Escort of Persons in Police Custody in the Republic of Moldova* (Strasbourg: Council of Europe, 2021), 15 and table 3ii(a), <https://rm.coe.int/report-review-of-the-normative-framework-detention-and-escort-of-perso/1680aad4b1>.

³⁵ Consiliul pentru Prevenirea Torturii, *Raport anual de activitate 2022* [Annual Activity Report 2022] (Chişinău: Oficiul Avocatului Poporului, 2023), 28, <https://ombudsman.md/wp-content/uploads/2023/11/raport-anual-de-activitate-2022.pdf>; Consiliul pentru Prevenirea Torturii, *Raport anual de activitate a Consiliului pentru Prevenirea Torturii (Mecanismul Național de Prevenire a Torturii) în anul 2023* [Annual Activity Report 2023] (Chişinău: Oficiul Avocatului Poporului, 2024), 17, <https://ombudsman.md/wp-content/uploads/2024/10/raport-anual-de-activitate-a-consiliului-pentru-prevenirea-torturii-mecanismului-national-de-prevenire-a-torturii-in-anul-2023.pdf>.

³⁶ Oficiul Avocatului Poporului, *Rezumat în cifre 2025*.

least 15 days in the Chişinău isolator and, at Căuşeni, a convicted man held in the police isolator from 23 November 2023 to 10 December 2024 because he had no identity document.³⁷ The State party's explanation that exceptions occur "in connection with the completion of identity documents" describes the problem rather than a justification.³⁸

Article 167 of the Criminal Procedure Code requires the investigating body to request an ex officio lawyer within an hour of apprehension, and the National Council for State-Guaranteed Legal Aid recorded 4,066 cases of urgent legal aid in 2024.³⁹ Two reforms widened access: Law No. 298/2022 raised the income ceiling from 2,926 to 5,000 lei from 1 January 2024, and Law No. 128 of 29 May 2025 deleted the condition that mandatory defence be granted only where "the interests of justice so require" and created partially free aid for persons earning up to 30 per cent above the minimum wage.⁴⁰ Quality is another matter. The Council monitored 296 lawyers internally in 2024 and carried out no external monitoring at all in 2025.⁴¹ In the Chişinău inspectorates the NPM found that detainees meet their lawyers in corridors because no rooms exist, and the visitors' registers showed detainees seen only by a prosecutor, or by a prosecutor and an interpreter, before any lawyer arrived.⁴²

Notification of relatives depends on the goodwill of officers. The NPM reported in 2023 that police isolators "do not have a telephone", and its visits of 2024 to 2026 found the same at the Chişinău, Soroca, Căuşeni, Anenii Noi, Orhei and Ungheni isolators, where contact with the outside world is "declarative and formal"; at Ungheni "there is no register or other instrument attesting" that a third person was informed.⁴³ Registers are kept in a "non-uniform practice"; at Soroca some registers "were empty"; in Chişinău the visitors' register for 2 to 5 May 2025 contained no visitor's signature on any line.⁴⁴ Information about the Ombudsman and the NPM is "generally missing at the entrance to the inspectorates", and no isolator visited offers a confidential channel for complaints: at Ungheni all outgoing petitions are read by isolator staff.⁴⁵ The e-Detention information system whose concept the State approved in March 2018, and the automated register of detained, arrested and convicted persons listed in the State report's abbreviations, do not exist. The transfer of police isolators to the Ministry of Justice, which the Committee recommended in paragraph 14(e) of its 2017 observations, has not taken place; the State report describes only a 2020 policy study that advised against transferring the judicial police as being "not financially and administratively reasonable".⁴⁶

³⁷ Consiliul pentru Prevenirea Torturii, *Raport în baza vizitelor preventive la inspectoratele de poliție subordonate Direcției de Poliție Chişinău, 22 iunie 2025* [Report on the Preventive Visits to the Police Inspectorates of the Chişinău Police Directorate, 22 June 2025] (Chişinău: Oficiul Avocatului Poporului, 15 December 2025), 9, https://ombudsman.md/wp-content/uploads/2025/12/4.cppt_raport_dp-chisinau_15.12.2025.signed.pdf; Consiliul pentru Prevenirea Torturii, *Raport în baza vizitei preventive de monitorizare efectuate la IDP din cadrul IP Căuşeni la data de 23 decembrie 2024* [Report on the Preventive Monitoring Visit to the IDP of the Căuşeni Police Inspectorate, 23 December 2024] (Chişinău: Oficiul Avocatului Poporului, 2025), 3–4, <https://ombudsman.md/wp-content/uploads/2025/03/raport-in-baza-vizitei-preventive-de-monitorizare-efectuate-la-izolatorul-de-detentie-provizorie-din-cadrul-inspectoratului-de-politie-causeni-la-data-de-23-decembrie-2024.pdf>.

³⁸ CAT/C/MDA/4, para. 48.

³⁹ Consiliul Național pentru Asistență Juridică Garantată de Stat (CNAJGS), *Raport anual de activitate al CNAJGS 2024* [Annual Activity Report 2024] (Chişinău: CNAJGS, 2025), 7–9, https://cnaigs.md/uploads/asset/file/ro/2805/Raport_anual_de_activitate_al_CNAJGS_2024_final.pdf.

⁴⁰ Parlamentul Republicii Moldova, *Legea nr. 128 din 29 mai 2025 pentru modificarea unor acte normative (asistența juridică garantată de stat parțial gratuită)* [Law No. 128 of 29 May 2025 Amending Certain Normative Acts (Partially Free State-Guaranteed Legal Aid)], Monitorul Oficial no. 320, art. 358 (18 June 2025), <https://www.legis.md/cautare/downloadpdf/148993>.

⁴¹ CNAJGS, *Raport anual 2025 (performanță)* [Annual Report 2025 (Performance)] (Chişinău: Ministerul Justiției, 2026), https://www.justice.gov.md/sites/default/files/document/attachments/cnajgs_anual_2025.pdf.

⁴² Consiliul pentru Prevenirea Torturii, *Raport, Direcția de Poliție Chişinău*, 10.

⁴³ Consiliul pentru Prevenirea Torturii, *Raport anual 2023*, 21; Consiliul pentru Prevenirea Torturii, *Raport privind vizita preventivă/de monitorizare la IDP al IP Soroca* [Report on the Preventive Monitoring Visit to the IDP of the Soroca Police Inspectorate] (Chişinău: Oficiul Avocatului Poporului, 7 July 2025), 7–8, https://ombudsman.md/wp-content/uploads/2025/07/1.cppt_raport_idp_soroca_07.07.25.pdf; Consiliul pentru Prevenirea Torturii, *Raport privind vizita preventivă la IDP al IP Ungheni, 11 martie 2026* [Report on the Preventive Visit to the IDP of the Ungheni Police Inspectorate, 11 March 2026] (Chişinău: Oficiul Avocatului Poporului, 14 April 2026), 7, https://ombudsman.md/wp-content/uploads/2026/04/1.raport_cppt_idp-ungheni_11.03.2026_aprobat_14.04.26.signed.pdf; Consiliul pentru Prevenirea Torturii, *Raport în baza vizitei preventive de monitorizare efectuate la IDP din cadrul IP Anenii Noi, 4 noiembrie 2024* [Report on the Preventive Monitoring Visit to the IDP of the Anenii Noi Police Inspectorate, 4 November 2024] (Chişinău: Oficiul Avocatului Poporului, 2025), 7, <https://ombudsman.md/wp-content/uploads/2025/02/raport-in-baza-vizitei-preventive-de-monitorizare-efectuate-la-izolatorul-de-detentie-provizorie-din-cadrul-inspectoratului-de-politie-anenii-noi-la-data-de-4-noiembrie-2024-1.pdf>.

⁴⁴ Consiliul pentru Prevenirea Torturii, *Raport anual 2023*, 22; Consiliul pentru Prevenirea Torturii, *Raport, IDP Soroca*, 5; Consiliul pentru Prevenirea Torturii, *Raport, Direcția de Poliție Chişinău*, 10.

⁴⁵ Consiliul pentru Prevenirea Torturii, *Raport, Direcția de Poliție Chişinău*, 4; Consiliul pentru Prevenirea Torturii, *Raport, IDP Ungheni*, 11.

⁴⁶ CAT/C/MDA/4, paras. 131–132.

Medical examination on entry and the reform of 2022 and 2023, in law and in practice

The Committee asked in 2017 for an independent medical examination within 24 hours of apprehension. The authors' submission to the Universal Periodic Review in July 2026 described the amendments of 2022 and 2023 to the rules on police detention as introducing mandatory registration of injuries, standardised documentation of medical findings, an obligation to report signs of ill-treatment and improved access to medical staff, with examination procedures aligned on the Istanbul Protocol.⁴⁷ No law adopted between 2022 and 2026 amended the provisions of the Criminal Procedure Code on apprehension and medical examination; the instruments that give the reform its content are departmental: GPI Order No. 444/2019 on medical assistance to detained persons, with its body chart and mandatory photographing of injuries; the electronic register of bodily injuries in prisons introduced by the Ministry of Justice in 2024, with automatic transmission of each entry to the prosecutor's office within 24 hours, which the Human Rights Committee noted in 2026;⁴⁸ GPI Order No. 45 of 10 February 2026, whose annex 19 is a register for recording and reporting cases of torture in police isolators; and Joint Order No. 77/2013 of the Prosecutor General, the Ministers of Justice, Internal Affairs and Health, the Customs Service and the National Anti-Corruption Centre, which remains the operative rule on the identification, recording and reporting of alleged torture.⁴⁹ What the reform did not do is move the examining staff out of the police. The State maintains one feldsher per Detention and Escort Service, employed by the Ministry of Internal Affairs and working office hours; outside those hours, detainees are taken to a public hospital.⁵⁰

In practice the NPM found in 2025 and 2026 that at Soroca "no medical assistance is provided at night or on Saturdays and Sundays", that the Orhei post "continues to be unattractive" and is filled at half time by a substitute, and that at Ungheni two half-time feldshers provide no round-the-clock cover.⁵¹ Examinations are recorded with the single word "satisfactory"; the Ungheni feldsher "seems not to know sufficiently the provisions of the Istanbul Protocol"; a camera covers the medical room; the isolators' medical units are not accredited under national law; and examination "does not take place in all cases immediately at each entry and exit".⁵² The NPM condemned the practice under which a newly placed person "refuses the medical examination and signs a declaration on his own responsibility that he has no injuries", and asked that such declarations be abolished.⁵³ In December 2025 it recommended that the Ministry of Internal Affairs and the Ministry of Health "resume discussions" on removing isolator medical staff from police subordination, in line with the Committee's 2017 call for examination by an independent doctor.⁵⁴ During the dialogue with the Human Rights Committee in March 2026, the Committee member Ivan Šimonović observed that this subordination "could compromise the independence of doctors within the meaning of the Istanbul Protocol".⁵⁵ Prison paramedics "limit themselves to a formal description of bodily injuries, without reporting their origin", and complaints of psychological torture are neither registered nor investigated, as the NPM found in 2022.⁵⁶

The consequences are measurable. In 2025 the Ombudsman registered 1,156 complaints of physical force by the police, of which 15 met the criteria of torture, and the prison system recorded 1,148 injuries on admission or in custody.⁵⁷ In early 2026 a person died in the Ungheni isolator; the death was "not initially reported by facility leadership", did not appear in either injury register, and the criminal investigation

⁴⁷ Rehabilitation Centre for Torture Victims Memoria, Promo-LEX, LRCM and IRCT, *Torture, Ill-Treatment and Victims' Rights in Moldova: Joint Stakeholders' Report to the 4th Cycle of the UPR* (Chişinău, 10 July 2026), 4, on file with the authors.

⁴⁸ OMCT and Promo-LEX, "Global Torture Index 2026: Republic of Moldova," country page (Geneva: OMCT, June 2026), <https://www.omct.org/en/global-torture-index?country=moldova>.

⁴⁹ CAT/C/MDA/4, paras. 13–14; Human Rights Committee, CCPR/C/MDA/CO/4, para. 25; Inspectoratul General al Poliției, "Răspuns din partea IGP cu privire la raportul de vizită al CpPT la IDP Hîncești" [Reply of the GPI to the NPM's Visit Report on the Hîncești IDP], 24 February 2026, <https://ombudsman.md/wp-content/uploads/2026/01/raspuns-din-partea-igp-cu-privire-la-raportul-de-vizita-al-cppt-la-idp-hincesti-24-februarie-2026.pdf>.

⁵⁰ CAT/C/MDA/4, paras. 15–16.

⁵¹ Consiliul pentru Prevenirea Torturii, *Raport, IDP Soroca*, 7; Consiliul pentru Prevenirea Torturii, *Raport privind vizita preventivă de monitorizare efectuată la IDP din cadrul IP Orhei, 22 mai 2025* [Report on the Preventive Visit to the IDP of the Orhei Police Inspectorate, 22 May 2025] (Chişinău: Oficiul Avocatului Poporului, 2025), 8–9, <https://ombudsman.md/wp-content/uploads/2025/07/raport-privind-vizita-preventiva-de-monitorizare-efectuata-la-izolatorul-de-detentie-provizorie-din-cadrul-inspectoratului-de-politie-orhei-22-mai-2025.pdf>; Consiliul pentru Prevenirea Torturii, *Raport, IDP Ungheni*, 9.

⁵² Consiliul pentru Prevenirea Torturii, *Raport, IDP Ungheni*, 9; Consiliul pentru Prevenirea Torturii, *Raport anual 2023*, 20.

⁵³ Consiliul pentru Prevenirea Torturii, *Raport, Direcția de Poliție Chişinău*, 12.

⁵⁴ Consiliul pentru Prevenirea Torturii, *Raport, Direcția de Poliție Chişinău*, 16–18.

⁵⁵ UN Geneva, "In Dialogue with the Republic of Moldova, Experts of the Human Rights Committee Commend Efforts to Combat Violence against Women, Raise Issues Concerning Journalistic Freedom in Transnistria and Corruption," meeting summary, 10 March 2026, <https://www.ungeneva.org/en/news-media/meeting-summary/2026/03/examen-de-la-republique-de-moldova-au-ccpr-des-progres-sont>.

⁵⁶ Consiliul pentru Prevenirea Torturii, *Raport anual 2022*, 23 and 32.

⁵⁷ Oficiul Avocatului Poporului, *Rezumat în cifre 2025*.

opened on 12 February 2026 was being "conducted by the same subdivision under scrutiny".⁵⁸ The State report had assured the Committee that "no deaths have been registered in IDP during 2019 until now".⁵⁹

Pretrial detention, children and persons with psychosocial disabilities

The State party told the Committee that preventive arrest is an exceptional measure.⁶⁰ The figures say otherwise. The CPT recorded 964 remand prisoners in 2022, 1,123 in 2024 and 1,212 on 26 May 2025, an increase the authorities attributed to persons remanded on corruption charges.⁶¹ The ANP's share of remand prisoners grew from 16.9 per cent of the prison population at the end of 2023 to 22.4 per cent at the end of 2025, and the Ombudsman's summary for 2025 records 3,310 persons remanded, against 2,999 in 2024.⁶² Council of Europe statistics put the untried share at 19.4 per cent on 31 January 2025 and the average length of imprisonment at 25.9 months;⁶³ conditional release reaches 5.1 per cent of probationers against a European average of 16.4 per cent.⁶⁴ The two remand prisons carry the load: Prison No. 13 in Chişinău held 939 persons for 570 places in December 2025, and Prison No. 11 in Bălţi held 366 for 258 in July 2026, including 193 persons without a final sentence, 16 of them for more than 24 months.⁶⁵ The European Commission's 2025 assessment is blunt: "Abuses of pre-trial detention persist."⁶⁶ Bail is almost never used; court statistics for 2022 to September 2023 show five requests for release on bail examined and one granted.⁶⁷ Parliament adopted in second reading on 30 July 2026 a package extending electronic monitoring to persons under judicial control and raising bail to between 50,000 and 150,000 lei; it enters into force three months after publication and its effect remains to be seen.⁶⁸

Children are better protected on paper, with a 24-hour limit in police custody and eight months of maximum remand, and in practice juveniles on remand were still held at Prison No. 13 in December 2022 "under an impoverished regime" until the CPT issued an immediate observation, and they were transferred to Prison No. 10 at Goian during 2023.⁶⁹ Thirty-two children were held in penitentiaries in 2024,⁷⁰ and the Ombudsman documented at Goian "destroyed cells, missing windows, non-working lighting, dirty bedding and lack of water" for more than a month.⁷¹

The State party admits, twice, that police isolators "do not have protocols and qualified persons to interact with people with mental disorders and psychosocial disabilities".⁷² The NPM confirmed in 2025 and 2026 that nothing has changed and added that the Chişinău psychiatric hospital "refuses admission for lack of a court decision", so that persons in acute crisis stay in police cells, a practice the NPM considers "may be

⁵⁸ Consiliul pentru Prevenirea Torturii, *Raport, IDP Ungheni*, 4–6 and 11.

⁵⁹ CAT/C/MDA/4, para. 164.

⁶⁰ CAT/C/MDA/4, para. 56.

⁶¹ CPT, *Report on the June 2025 Visit*, para. 12.

⁶² ANP, *Bilanţ 2025*, 5; Oficiul Avocatului Poporului, *Rezumat în cifre 2025*.

⁶³ Promo-LEX Association, *Rapoartele SPACE 2025 pe Republica Moldova* [The SPACE 2025 Reports on the Republic of Moldova] (Chişinău: Promo-LEX, May 2026), 3–10, https://promolex.md/wp-content/uploads/2026/05/rapoartele-space-2025-pe-republica-moldova_promo-lex_final-1.pdf.

⁶⁴ Promo-LEX Association, Oficiul Avocatului Poporului and European Prison Litigation Network, *Joint Submission in Accordance with Rule 9.2 of the Rules of the Committee of Ministers: I.D. v. the Republic of Moldova Group of Cases* (Chişinău: Promo-LEX, 25 October 2024), 32–33, <https://ombudsman.md/wp-content/uploads/2024/11/joint-submission-in-accordance-with-rule-9.2-of-the-rules-of-the-committee-of-ministers-for-the-supervision-of-the-execution-of-judgements-and-the-terms-of-friendly-settlements.pdf>.

⁶⁵ Consiliul pentru Prevenirea Torturii, *Raport în baza vizitelor preventive la Penitenciarul nr. 13 Chişinău, 12–13 iunie şi 15 decembrie 2025* [Report on the Preventive Visits to Penitentiary No. 13 Chişinău, 12–13 June and 15 December 2025] (Chişinău: Oficiul Avocatului Poporului, 29 December 2025), sect. II, https://ombudsman.md/wp-content/uploads/2026/01/6.cppt_raport-p-13_12-13-iunie_15.12.2025_29.12.2025.signed.pdf; Consiliul pentru Prevenirea Torturii, *Raport în baza vizitei preventive la Penitenciarul nr. 11 Bălţi, 16 iulie 2026* [Report on the Preventive Visit to Penitentiary No. 11 Bălţi, 16 July 2026] (Chişinău: Oficiul Avocatului Poporului, 29 September 2026), 3–4, https://ombudsman.md/wp-content/uploads/2026/10/5.raport_cppt_p11_final_29.09.26.signed.pdf.

⁶⁶ European Commission, *Republic of Moldova 2025 Report*, 44.

⁶⁷ Agenţia de Administrare a Instanţelor Judecătoreşti, "Demersuri de emitere a mandatelor de arest, 01.01.2022–30.09.2023" [Requests for Arrest Warrants, 1 January 2022 to 30 September 2023] (Chişinău: Agenţia de Administrare a Instanţelor Judecătoreşti, 2024), <https://adjaj.justice.md/wp-content/uploads/2024/03/15.-Demersuri-de-emitere-a-mandatelor-de-arest--141516.pdf>.

⁶⁸ Moldpres, "Convicted Persons to No Longer Escape Punishment in Moldova: Parliament Tightens Rules, Expands Electronic Monitoring," 30 July 2026, <https://moldpres.md/eng/politics/convicted-persons-to-no-longer-escape-punishment-in-moldova-parliament-tightens-rules-expands-electronic-monitoring>.

⁶⁹ CPT, *Report on the December 2022 Visit*, paras. 9 and 48; CPT, *Report on the June 2025 Visit*, para. 9.

⁷⁰ People's Advocate for the Rights of the Child, *Written Inputs to the List of Issues prior to Reporting of the Committee on the Rights of the Child* (Chişinău: Oficiul Avocatului Poporului, 2026), <https://ombudsman.md/wp-content/uploads/2026/05/moldova-written-inputs-to-the-list-of-issues-prior-to-reporting-loipr-prepared-by-the-peoples-advocate-for-the-rights-of-the-child-ombudsperson.pdf>.

⁷¹ Avocatul Poporului, *Raport anual privind respectarea drepturilor şi libertăţilor omului în Republica Moldova în anul 2024* [Annual Report on the Observance of Human Rights and Freedoms in the Republic of Moldova in 2024] (Chişinău: Oficiul Avocatului Poporului, 2025), 17–18, <https://ombudsman.md/wp-content/uploads/2025/04/raport-anual-privind-respectarea-drepturilor-si-libertatilor-omului-in-anul-2024.pdf>.

⁷² CAT/C/MDA/4, paras. 49 and 66.

contrary to the standards prohibiting torture".⁷³ This is the gap that killed Andrei Brăguță in 2017, and it is open.

The safeguards that do not reach the Transnistrian region at all are treated in section V.

Recommendations

1. Amend article 166(5) of the Criminal Procedure Code to reduce the maximum period of police custody before presentation to a judge to 48 hours, as recommended in the Council of Europe review of 2021, and require the General Police Inspectorate to publish quarterly, disaggregated data on the number of hours each person spent in custody.
2. Adopt the Ministry of Justice draft NU-244-MJ-2026 before the end of 2026, with amendments requiring that notification of a relative be made by the detainee personally, by telephone, within one hour of apprehension and recorded with the time and the name of the person notified, and equip every police isolator with a telephone for that purpose.
3. Transfer the feldshers of the Detention and Escort Services from the Ministry of Internal Affairs to the Ministry of Health by Government decision in 2027; until then, issue a joint order of the two ministries providing for an examination by a doctor within 24 hours of apprehension, documentation under the Istanbul Protocol with a body chart and photographs, examination out of the hearing and sight of police officers, registration of complaints of psychological ill-treatment, and a prohibition of self-declarations of absence of injuries.
4. Approve by Government decision the automated information system "Register of detained, arrested and convicted persons" announced in 2018, with mandatory entries at the moment of apprehension, each transfer, each interrogation outside the isolator and each visit, accessible to lawyers and the NPM, and transfer the police isolators to the Ministry of Justice as recommended in 2017.
5. Install sealed complaint boxes emptied only by the People's Advocate's staff in every police isolator, and display in each cell, in Romanian, Russian and English, the contact details of the NPM.
6. Approve a protocol, drafted with the Ministry of Health, for the management of persons with mental health conditions in police custody, including immediate transfer to a psychiatric facility without a prior court order where a physician certifies an acute condition, and amend articles 185 and 186 of the Criminal Procedure Code to require courts to state why bail, house arrest or electronic monitoring cannot replace remand in each decision.

II. Non-refoulement and asylum-seeking survivors (article 3; list of issues, paragraph 7)

Identification of torture survivors in asylum procedures

The State report describes an asylum system that received 513 applications in five years.⁷⁴ Since then Moldova has registered 11,218 applications in 2022, 4,101 in 2023, about 8,000 in 2024 and 2,587 in 2025, granted temporary protection to 88,355 displaced persons from Ukraine between March 2023 and 31 January 2026 and extended that protection to 1 March 2027.⁷⁵ The authors acknowledge the scale of that effort. In 2025, however, four persons were granted refugee status, 66 received humanitarian protection, 161 applications were rejected on the merits and 2,590 cases were closed because the applicant left or did not appear.⁷⁶ Law No. 297/2024 transposed the EU asylum directives and created the category of applicants with special needs, which expressly includes victims of torture; the EUAA nonetheless found that "border police and other first-contact authorities often rely on the presence and expertise of non-

⁷³ Consiliul pentru Prevenirea Torturii, *Raport, Direcția de Poliție Chișinău*, 15–16; Consiliul pentru Prevenirea Torturii, *Raport, IDP Ungheni*, 15.

⁷⁴ CAT/C/MDA/4, para. 108.

⁷⁵ European Union Agency for Asylum (EUAA), *EUAA–Republic of Moldova Roadmap for Cooperation* (Valletta: EUAA, October 2026), 32, <https://euaa.europa.eu/sites/default/files/publications/2026-10/EUAA-MD-Roadmap-FINAL.pdf>; Government of the Republic of Moldova, "Moldova Extends Temporary Protection for Displaced Persons from Ukraine until 1 March 2027," 28 January 2026, <https://gov.md/en/press-releases/moldova-extends-temporary-protection-displaced-persons-ukraine-until-1-march-2027>.

⁷⁶ EUAA, *Roadmap*, 32.

governmental organisations to identify vulnerable applicants" and that the General Inspectorate for Migration (IGM) has only 30 staff positions across its asylum, integration and regional directorates.⁷⁷

The State report, written in 2021, says that "all asylum seekers entering the asylum procedure are referred" to RCTV Memoria.⁷⁸ The State had thus left the identification and treatment of torture survivors among asylum seekers entirely to one foreign-funded NGO, without a procedure, a budget, a screening form or a referral contract. Even that practice ended in 2022: since the arrival of refugees from Ukraine, who took up most of the centre's capacity that year, the IGM has referred no asylum seeker to RCTV Memoria.⁷⁹ No forensic documentation of torture at State expense exists for asylum seekers, who are also excluded from compulsory health insurance during the procedure.⁸⁰

Detention of foreigners adds a second layer of risk. The State party told the Committee that "the national legal framework of the Republic of Moldova does not provide for alternative methods of detention for migrants".⁸¹ That remains true. The Temporary Placement Centre for Foreigners held 78 persons in 2022, 133 in 2023 and 148 in 2024, for an average of 26.6 days in 2024; custody may last 30 days, six months cumulatively and twelve months for persons declared undesirable.⁸² Law No. 287/2024, in force since 30 January 2025, introduced a 72-hour "preventive placement" that the Ombudsman found "operationally unclear" and no alternative to custody; no child or family has been placed since 2022, and a draft Government decision would convert that practice into a prohibition.⁸³

RCTV Memoria's caseload of refugees from Ukraine and other countries; refoulement risk, with evidence

Since 24 February 2022 RCTV Memoria has assisted 3,050 refugees from Ukraine in 2022, 3,458 in 2023, 1,202 in 2024 and 540 in 2025, mainly from the occupied territories, alongside 70 non-Ukrainian refugees and asylum seekers in 2022 and 54 in 2023, with no State contribution.⁸⁴ Survivors from occupied Ukraine describe deprivation of food, water and medical care, threats, extortion and forced witnessing of mass terror by Russian military and paramilitary forces. Survivors tortured in third countries report beatings, falaka and death threats by police and prison staff in Türkiye, India, Central Asian and African States; after arrival they face poor integration, untreated trauma and, in the centre's assessment, a refoulement risk that "is very high in Moldova".⁸⁵

The evidence for that risk now comes from three independent bodies. The European Commission asked Moldova to improve "access to information and legal counselling for asylum seekers at Chişinău international airport to prevent any potential cases of refoulement".⁸⁶ The Human Rights Committee was "concerned about reports indicating poor conditions of detention and barriers to access to asylum procedures at Chisinau Eugen Doga International Airport, including time-limited asylum interviews and inadequate interpretation and translation services".⁸⁷ The People's Advocate's thematic report on 2025 supplies the facts. The Border Police refused entry to 4,010 foreigners at the airport in 2025, 1,068 of them (26.63 per cent) on the basis of "suggestions, recommendations or notifications" of the Security and Intelligence Service. Persons whose entry was denied must wait in "a transparent, sound-insulated glass

⁷⁷ EUAA, *Roadmap*, 30–33.

⁷⁸ CAT/C/MDA/4, para. 109.

⁷⁹ RCTV Memoria, referral records for 2022 to 2026, on file with the authors.

⁸⁰ Avocatul Poporului, *Raport special privind evaluarea procedurilor de preluare a cererilor de azil în Punctul de Trecere a Frontierei de Stat "Aeroportul Internațional Chişinău" și asigurarea drepturilor solicitanților de azil* [Special Report on the Evaluation of Procedures for Receiving Asylum Applications at the Chişinău International Airport Border Crossing Point] (Chişinău: Oficiul Avocatului Poporului, July 2024), 15–33, <https://ombudsman.md/wp-content/uploads/2024/07/raport-special-evaluarea-procedurilor-de-preluare-a-cererilor-de-azil-si-asigurarea-drepturilor-solicitantilor-de-azil-.pdf>.

⁸¹ CAT/C/MDA/4, para. 110.

⁸² Avocatul Poporului, *Raport tematic: Respectarea drepturilor omului la Centrul de Plasament Temporar al Străinilor* [Thematic Report: Respect for Human Rights at the Temporary Placement Centre for Foreigners] (Chişinău: Oficiul Avocatului Poporului, 14 January 2026), 18 and 27, <https://ombudsman.md/wp-content/uploads/2026/01/raport-tematic-respectarea-drepturilor-omului-la-centrul-de-plasament-temporar-al-strainilor.pdf>.

⁸³ Avocatul Poporului, *Raport tematic, Centrul de Plasament Temporar al Străinilor*, 18; Government of the Republic of Moldova, "Proiect HG 453/MAI/2025 privind modificarea unor hotărâri ale Guvernului (îndepărtarea și luarea în custodie publică a străinilor)" [Draft Government Decision 453/MAI/2025 Amending Certain Government Decisions (Removal and Public Custody of Foreigners)], June 2025, <https://gov.md/sites/default/files/media/documents/sedinte-de-guvern/2025-06/453%20MAI.pdf>.

⁸⁴ RCTV Memoria, *Activity Report 2022* (Chişinău: RCTV Memoria, 2023), 3; RCTV Memoria, *Activity Report 2023* (Chişinău: RCTV Memoria, 2024), 6; RCTV Memoria, *Activity Report 2024* (Chişinău: RCTV Memoria, 2025), 3; RCTV Memoria, *Activity Report 2025*, 3.

⁸⁵ RCTV Memoria et al., *Joint Stakeholders' Report to the UPR*, 3 and 7–8.

⁸⁶ European Commission, *Republic of Moldova 2025 Report*, 53.

⁸⁷ Human Rights Committee, CCPR/C/MDA/CO/4, para. 33.

box about 3 metres by 6 metres"; no food or drinking water is provided; their passports are taken; records of the duration of placement "have not been kept since 2022"; and communication takes place "in English, Russian or through Google Translate". Article 6(4) of Law No. 200/2010 on foreigners excludes the transit zone from the law's scope, so that "any detention of persons refused entry at the airport may be considered an arbitrary form of detention". UNHCR's lawyers "do not have effective access to the restricted zone", and of 14 first-instance judgments on challenges to refusals of entry in 2024 and 2025, one was upheld. The report's conclusion is that compliance with non-refoulement at the airport "is not properly implemented".⁸⁸ At land borders, 7,910 persons were refused entry in 2023 and 4,756 in the first nine months of 2024; the Ombudsman objected to the automatic prosecution under article 362 of the Criminal Code of persons who could not lodge an asylum claim "immediately".⁸⁹

Removal on national security grounds remains a concern after the expulsion of seven Turkish teachers in 2018. The Committee of Ministers still supervises *Ozdil and Others v. the Republic of Moldova*: the former head of the Security and Intelligence Service was fined 88,000 lei in 2020, no higher-level official has been charged in the investigation opened on 16 February 2022, and Yasin Özdil remains in prison in Türkiye.⁹⁰ In 2023 the authorities declared 69 foreigners undesirable, and in February 2023 two foreign citizens were expelled for ten years at the request of the intelligence service without any reported court review.⁹¹

Recommendations

7. Amend article 6(4) of Law No. 200/2010 and article 23 of Law No. 28/2024 on the State Border so that the transit zone of Chişinău airport is a place of deprivation of liberty with a 24-hour maximum, a register of entry and exit, food and water, access for UNHCR and its partner lawyers at all hours, and a written, reasoned decision with suspensive appeal before any return.
8. Require by order of the Minister of Internal Affairs that the Security and Intelligence Service's notifications used to refuse entry be justified, time-limited and subject to review by the administrative court, and publish annually the number of refusals based on them.
9. Adopt in 2027 the Government regulation implementing Law No. 297/2024 with a mandatory screening form for torture survivors at registration, completed by IGM staff trained on the Istanbul Protocol, and with the referral of every applicant so identified to specialised medical, psychological and forensic documentation services funded from the State budget.
10. Introduce alternatives to custody in Law No. 200/2010 (reporting, designated residence, bail) and enact the prohibition of custody of children and families now contained in draft Government decision 453/MAI/2025.
11. Charge the officials responsible for the September 2018 removals in case no. 2022924006 or publish a reasoned decision, and adopt the regulation on parliamentary oversight of the Security and Intelligence Service required by the *Ozdil* judgment.

⁸⁸ Avocatul Poporului, *Raport tematic: Respectarea garanțiilor drepturilor omului în cazurile de refuz al intrării la Aeroportul Internațional Chişinău*, 2025 [Thematic Report: Compliance with Human Rights Guarantees in Cases of Refusal of Entry at Chişinău International Airport, 2025] (Chişinău: Oficiul Avocatului Poporului, June 2026), 17–21, https://ombudsman.md/wp-content/uploads/2026/06/dpt_raport_tematic_do_garantii-refuz_aic_2025_final.pdf.

⁸⁹ Avocatul Poporului, *Raport tematic: Respectarea drepturilor persoanelor ce au nevoie de protecție internațională la punctele de trecere a frontierei, situația anului 2024* [Thematic Report: Respect for the Rights of Persons in Need of International Protection at Border Crossing Points, 2024] (Chişinău: Oficiul Avocatului Poporului, 1 March 2025), 30, <https://ombudsman.md/wp-content/uploads/2025/03/raport-tematic-respectarea-drepturilor-persoanelor-ce-au-nevoie-de-protectie-internationala-la-punctele-de-trecere-a-frontierei-situatia-anului-2024.pdf>.

⁹⁰ *Ozdil and Others v. the Republic of Moldova*, no. 42305/18 (ECtHR, 11 June 2019); LRCM and Promo-LEX, *Rule 9.2 Communication: Ozdil and Others v. the Republic of Moldova* (Chişinău: LRCM and Promo-LEX, January 2026), paras. 6–7, 35 and 48, https://crjm.org/wp-content/uploads/2026/01/2026-01-LRCM-PromoLEX-submission-Ozdil-and-others_F.pdf.

⁹¹ Inspectoratul General pentru Migrație, *Raport de activitate IGM 2023* [IGM Activity Report 2023] (Chişinău: IGM, July 2024), 22, https://igm.gov.md/wp-content/uploads/2024/07/Raport-de-activitate-IGM_2023.pdf; G4Media, "Doi cetățeni străini expulzați din Republica Moldova pe motiv că au cules informații pentru executarea unui plan de destabilizare a situației interne" [Two Foreign Citizens Expelled from the Republic of Moldova for Collecting Information for a Destabilisation Plan], 27 February 2023, <https://www.g4media.ro/doi-cetateni-straini-expulzati-din-republica-moldova-pe-motiv-ca-au-cules-informatii-pentru-executarea-unui-plan-de-destabilizare-a-situatiei-interne.html>.

III. Training of officials (article 10; list of issues, paragraph 8)

Istanbul Protocol training for prosecutors, police, prison and medical staff

The State report lists 1,678 police officers trained in courses that range from the prevention of torture to COVID-19 protection and first aid, 585 prison staff trained in 33 courses between 2016 and 2021, and two Council of Europe sessions on the documentation of injuries for 55 doctors, nurses and regime staff.⁹²

The National Institute of Justice trained 27 prosecutors and five judges in 2020, and 14 prosecutors and four judges in 2021, on international standards against torture.⁹³ The People's Advocate's Office carried out 42 training activities in 2024 for 658 prison staff, 61 police officers, 29 carabinieri, 40 judicial and prosecution staff and 43 border police officers.⁹⁴ The Government's monitoring report on UPR recommendations states that 111 detention and escort staff trained by 2024 represented 30.7 per cent of the relevant personnel.⁹⁵

What is missing is any evidence that training changes practice. The State report describes two sessions for 55 prison staff on the documentation of injuries and "additional study" of the Istanbul Protocol during police in-service training hours; it does not say that the Protocol, in its 2022 edition, forms part of the mandatory curriculum of the "Ștefan cel Mare" Academy, the National Institute of Justice or the ANP training centre, and the GPI's activity plan for 2026 lists Istanbul Protocol training as a new action.⁹⁶ In 2026 the NPM met a police feldsher unfamiliar with the Protocol and with Joint Order No. 77/2013 on the reporting of torture; in 2025 the CPT found injury descriptions "still lacking detail" and a prison where no photographs had been taken for months "because the camera had broken"; in 2026 the NPM found at Prison No. 11 that documentation "remains at the level of technical description" without any assessment of consistency with the detainee's account.⁹⁷ No training on the Protocol is evaluated against outcomes, and the State report mentions no training at all for the forensic doctors of the Centre of Legal Medicine, whose reports decide most torture cases. RCTV Memoria, which translated the Protocol into Romanian in 2009 and prepared 13 Istanbul Protocol documentation reports in 2024, delivers training to penitentiary and probation staff without any State contract or payment.⁹⁸

Recommendations

12. Make the Istanbul Protocol (2022 edition) a compulsory, examined module in the initial training of police officers, prison officers, prosecutors, investigating judges, medical professionals and forensic doctors, by amending the curricula approved by the Ministry of Internal Affairs, the National Institute of Justice and the Ministry of Health in 2027, and publish annual numbers trained and the results of a two-year outcome evaluation measuring its impact and the quality of injury documentation.
13. Finance in the 2027 State budget an accredited continuing medical education course on the Istanbul Protocol, taught with clinicians experienced in documenting torture, and require at least 30 forensic doctors of the Centre of Legal Medicine and all medical staff of the ANP and the Detention and Escort Services to complete it by the end of 2028.

⁹² CAT/C/MDA/4, paras. 112, 116–118.

⁹³ CAT/C/MDA/4, paras. 124 and 126.

⁹⁴ People's Advocate Office, *Annual Report 2024* (Chișinău: People's Advocate Office, 2025), 22, <https://ombudsman.md/wp-content/uploads/2025/10/annual-report-2024.pdf>.

⁹⁵ Guvernul Republicii Moldova, *Raport privind monitorizarea Setului de măsuri privind implementarea recomandărilor EPU, 2024* [Report on Monitoring the Set of Measures to Implement UPR Recommendations, 2024] (Chișinău, 2025), https://gov.md/sites/default/files/users-media/media-15/Raport%20privind%20monitorizarea%20Setului%20de%20masuri%20privind%20implementarea%20recomandarilor_EPU_2024.pdf.

⁹⁶ CAT/C/MDA/4, paras. 112 and 165; Inspectoratul General al Poliției, "Răspuns, IDP Hîncești," 24 February 2026.

⁹⁷ Consiliul pentru Prevenirea Torturii, *Raport, IDP Ungheni*, 9; CPT, *Report on the June 2025 Visit*, paras. 68–70; Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 11*.

⁹⁸ RCTV Memoria, *Activity Report 2024*, 3; RCTV Memoria, "Acord de parteneriat strategic cu Inspectoratul Național de Probațiune" [Strategic Partnership Agreement with the National Probation Inspectorate], 16 January 2026, https://memoria.md/ro/news_item/151.

IV. Conditions and treatment in detention (articles 11 and 16; list of issues, paragraphs 9 to 11)

Overcrowding, infrastructure and staffing

The prison population fell from 6,716 at the end of 2019 to 5,695 at the end of 2023, mainly through the amnesty law of 2021, and then rose to 5,844 at the end of 2024 and 6,334 at the end of 2025.⁹⁹ The system's official capacity of 6,622 places is computed by dividing floor area by four square metres, a method the authorities themselves acknowledged to the CPT created "a need to re-calculate the official capacity".¹⁰⁰ The aggregate hides the two remand prisons the Committee named in 2017. Prison No. 13 ran at 151 per cent in May 2025 and 165 per cent in December 2025, when the NPM counted 939 prisoners "369 more than the maximum allowed", in cells with bunk beds stacked "from 1 to 20 persons", no mechanical ventilation, basement cells without daylight, infested with bedbugs, lice and cockroaches, showers once a week, and a daily regime of 23 hours locked in; quarantine cells held 52 persons without bedding, conditions the NPM qualified as ill-treatment.¹⁰¹ Prison No. 11 held 366 persons for 258 places in July 2026 at temperatures of 35 to 38 degrees, with vermin, no ventilation and weekly bathing.¹⁰² Even in prisons running below capacity, the CPT found dormitories at Lipcani with 2.5 square metres per person and two dormitories at Cricova of 45 and 54 square metres holding 25 and 26 persons, "thus providing 2 and 1.8 m² per person", which "gives rise to a strong presumption of a violation of Article 3".¹⁰³

The I.D. group of judgments on conditions of detention, final since 2011, remains under the enhanced supervision of the Committee of Ministers, and the compensatory remedy introduced by Law No. 163/2017 produced 29,200 complaints and 14.86 million lei in awards by September 2023, an average of about 2,000 lei per admitted complaint over the life of the scheme, falling from about 1,300 lei in 2021 to under 900 lei in the first nine months of 2023.¹⁰⁴

The replacement for Prison No. 13 has been promised since a Council of Europe Development Bank loan was approved in 2013. The capacity was cut from 1,536 to 1,050 places, the deadline moved from 2018 to 2023 and then to 31 December 2028, and an agreement with UNOPS was signed on 16 January 2025 for a project valued at EUR 71.7 million.¹⁰⁵ In May 2026 the Court of Accounts reported that no works had started, that UNOPS personnel costs were 6.4 times the approved level, that the planned 2025 transfers of EUR 28 million had not been made and that the State was paying interest on EUR 18.1 million already drawn; the Ministry of Justice "initiated the procedure to end cooperation with UNOPS".¹⁰⁶ The NPM concluded in December 2025 that the new prison "remains an aspiration", with no budget line for 2026.¹⁰⁷ Construction had not begun by April 2026.¹⁰⁸ The Bălți House of Arrest, begun in 2014 with 650 places, is still not operational; a phase II tender of 315.9 million lei was issued in June 2026.¹⁰⁹

Of 2,942 authorised posts in the prison system, 315.5 were vacant at the end of 2025 and 205 were frozen by a Government moratorium on recruitment; the Ombudsman counts one staff member for six prisoners, 405 departures in 2025, and shifts of 24 hours that in places extend to 72.¹¹⁰ The CPT counted four to

⁹⁹ ANP, *Bilanț 2023* [Annual Report 2023] (Chișinău: ANP, 2024), 5, <https://anp.gov.md/sites/default/files/DPAM/Bilant%2C%20rapoarte%20analitice/BILAN%C8%9A%202023.pdf>; ANP, *Bilanț 2025*, 5.

¹⁰⁰ CPT, *Report on the June 2025 Visit*, para. 14.

¹⁰¹ Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 13*, sects. II and III.

¹⁰² Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 11*, 3 and 14–15.

¹⁰³ CPT, *Report on the June 2025 Visit*, para. 59.

¹⁰⁴ Council of Europe, "Republic of Moldova: Country Factsheet," 11 June 2026; Government of the Republic of Moldova, *Response to the Report of the CPT on Its Visit to the Republic of Moldova from 5 to 13 December 2022*, CPT/Inf (2023) 32 (Strasbourg: Council of Europe, 3 November 2023), 3–4, <https://rm.coe.int/1680ad1e00>.

¹⁰⁵ Ministerul Justiției, "Nota informativă la proiectul de lege pentru ratificarea Acordului de proiect dintre Ministerul Justiției și UNOPS" [Explanatory Note to the Draft Law Ratifying the Project Agreement between the Ministry of Justice and UNOPS], NU-46-MJ-2025 (Chișinău, 2025), <https://gov.md/sites/default/files/document/attachments/nu-46-mj-2025.pdf>; UN Moldova, "Moldova Advances Justice Reform with New European Standards-Compliant Penitentiary in Chisinau," 16 January 2025, <https://moldova.un.org/en/node/287490>.

¹⁰⁶ NewsMaker, "Întârzieri și cheltuieli suplimentare," 12 May 2026; Zugo, "Proiectul Penitenciarului din Chișinău, blocat de 10 ani: Statul plătește dobânzi de milioane de euro" [The Chișinău Penitentiary Project, Blocked for 10 Years: The State Pays Millions of Euros in Interest], 24 April 2026, <https://zugo.md/toate-stirile/proiectul-penitenciarului-din-chisinau-blocat-de-10-ani-statul-plateste-dobanzi-de-milioane-de-euro/251310/toate-stirile>.

¹⁰⁷ Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 13*, sect. II.

¹⁰⁸ OMCT and Promo-LEX, "Global Torture Index 2026: Republic of Moldova."

¹⁰⁹ Administrația Națională a Penitenciarelor, "Anunț de participare: Construcția casei de arest din mun. Bălți cu capacitatea de 650 locuri (et. II)" [Contract Notice: Construction of the Bălți House of Arrest, 650 Places (Phase II)], MTender, 5 June 2026, <https://storage.mtender.gov.md/get/9b237ecc-6c06-45f1-a0f1-f9dc27e7ebb4-1780981567691>.

¹¹⁰ Oficiul Avocatului Poporului, *Rezumat în cifre 2025*; Consiliul pentru Prevenirea Torturii, *Raport tematic: Siguranța și securitatea deținuților în sistemul penitenciar al Republicii Moldova, realități și perspective* [Thematic Report: Safety and Security of Detainees in the Penitentiary System of the Republic of Moldova, Realities and Perspectives] (Chișinău: Oficiul Avocatului Poporului, 10 January

seven custodial officers on a 24-hour shift for 311 prisoners at Lipcani and concluded that staff "were not in a position to have effective control".¹¹¹ Integrity is a related problem: in July 2026 the director of Prison No. 9 at Pruncul was detained on allegations including corruption, abuse of subordinates and sexual offences, and two ANP employees were suspected of facilitating contraband in a case concerning money "collected illegally inside and outside prisons" to finance a criminal organisation.¹¹²

Informal prison hierarchies and inter-prisoner violence (CPT 2025, Petrov)

The CPT has raised informal prisoner hierarchies with Moldova since 1998 and warned in its 2023 and 2025 reports that continuing failure could lead it to make a public statement under article 10(2) of the European Convention for the Prevention of Torture, a step reserved for States that fail to cooperate or refuse to improve the situation in the light of its recommendations.¹¹³ Its June 2025 findings describe a system of government by caste. Prisoners must pay a monthly "nalog" into an illegal fund, the "obshchak", or face "severe beatings with a wooden shovel or a wooden mop stick to the buttocks, backs and thighs, that is, to parts of the body hidden by clothing", inflicted in front of others "to spread fear".¹¹⁴ Victims are kept away from roll calls "until their injuries had healed" and, at Cricova, higher-caste prisoners "remained present during medical examinations".¹¹⁵ The lowest caste, the "humiliated", must walk along walls, cannot use the laundry or sports facilities, clean toilets for free and, at Lipcani, used outside dry toilets that were "filthy, overflowing with human waste" and "unfit to be used by human beings".¹¹⁶ Informal leaders occupied "spacious rooms or even flats consisting of several rooms" with double beds, leather armchairs, coffee machines, game consoles and fish tanks, "interviewed" newcomers to assign their caste, used an outdoor swimming pool at Cricova and stored a pile of fresh tobacco in a gym; the staff's explanations were "clearly misleading" and raised "a serious issue of cooperation".¹¹⁷ At Cricova, higher-caste prisoners "actively interfered in the interviews being carried out by the delegation", refused to leave the room "claiming that this was not in line with 'their prison rules'", while staff "remained astonishingly passive"; the CPT called the interference "unprecedented".¹¹⁸ At Lipcani the up-to-date lists of prisoners "were not maintained by the staff, but by informal prison leaders".¹¹⁹

The State's own figures confirm the scale. Injury reports sent from prisons to prosecutors rose from 569 in 2022 to 852 in 2023 and 930 in 2024, yet prisons received no feedback on what prosecutors do with them, and in 2022 the CPT found that "in none of the cases of reported injuries was an investigation initiated".¹²⁰ The NPM reported in 2024 that the subculture "is tolerated and actively used by staff to maintain order in prisons", that at Bender prisoners of the humiliated caste "may not approach the water filter", and in 2026 that staff at the same prison favour segregation through their "different attitude" to the castes.¹²¹

The European Court has now said so in law. In *Petrov*, decided on 5 March 2026, the applicant had spent years in the "outcast" caste at Cricova and Pruncul, forbidden to touch other prisoners, fed last from plates on the floor, barred from church and gym, and made to carry loads, clean toilets and collect refuse without pay. The Court found a violation of article 3 taken with article 14 and a violation of article 4 § 2: the authorities' inaction "had not constituted a mere failure to protect him ... but indeed a tolerance, or even condoning, of such treatment". It held that the phenomenon "is present in all Moldovan penitentiary establishments" and "resembles a structural problem of the prison system", rejected the Government's

2025), 28–29, <https://ombudsman.md/wp-content/uploads/2025/01/raport-tematic-siguranta-si-securitatea-detinutilor-in-sistemul-penitenciar-al-republicii-moldova-realitati-si-perspective.pdf>.

¹¹¹ CPT, *Report on the June 2025 Visit*, paras. 49–51.

¹¹² TVR Moldova, "Şeful Penitenciarului nr. 9 Pruncul a fost transferat în arest la domiciliu. Ce i se încredinţează?" [The Head of Penitentiary No. 9 Pruncul Moved to House Arrest: What Is He Accused Of?], 7 September 2026, <https://tvr Moldova.md/article/9dcff2226d200830/seful-penitenciarului-nr-9-pruncul-a-fost-transferat-in-arest-la-domiciliu-ce-i-se-incrimineaza.html>; Ziarul de Gardă, "Patru persoane au fost reţinute într-un dosar privind finanţarea organizaţiilor conduse de 'hoţi în lege'" [Four Persons Detained in a Case on Financing Organisations Led by "Thieves in Law"], 2 July 2026, <https://www.zdg.md/stiri/stiri-justitie/video-patru-persoane-au-fost-retinute-intr-un-dosar-privind-finantarea-organizatiilor-conduse-de-hoti-in-lege-printre-suspecti-un-condamnat-cautat-de-interpol/>.

¹¹³ CPT, *Report on the June 2025 Visit*, para. 9; CPT, *Report on the December 2022 Visit*, para. 8.

¹¹⁴ CPT, *Report on the June 2025 Visit*, para. 25.

¹¹⁵ CPT, *Report on the June 2025 Visit*, para. 27.

¹¹⁶ CPT, *Report on the June 2025 Visit*, paras. 31–33 and 62.

¹¹⁷ CPT, *Report on the June 2025 Visit*, paras. 43–46 and 58.

¹¹⁸ CPT, *Report on the June 2025 Visit*, para. 24.

¹¹⁹ CPT, *Report on the June 2025 Visit*, para. 8.

¹²⁰ CPT, *Report on the June 2025 Visit*, paras. 28–30; CPT, *Report on the December 2022 Visit*, para. 23.

¹²¹ Consiliul pentru Prevenirea Torturii, *Raport tematic: Siguranţa şi securitatea deţinuţilor*, 12 and 32; Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 8 Bender, vizita din 17 februarie 2026* [Report on the Visit to Penitentiary No. 8 Bender, 17 February 2026] (Chişinău: Oficiul Avocatului Poporului, 30 April 2026), 9, https://ombudsman.md/wp-content/uploads/2026/06/3.raport_cppt_p8_17.02.26_aprobat_30.04.26.signed.pdf.

objection that the applicant should have used domestic remedies because the Government produced no "action plan intended to combat the problem at the structural level", and invited the State under article 46 "to take appropriate general measures to resolve the systemic issue".¹²² The Government's answer so far is the "SAFE Roadmap", approved by Order of the Minister of Justice No. 244/2024 as the action plan on aligning penitentiary institutions with European standards and combating the criminal subculture for 2024 to 2027: 43 actions, of which ten were completed, 29 ongoing and four suspended at the end of 2025.¹²³ The plan to create separate protection units in three prisons by the end of 2023 "had still not been implemented" in June 2025, and the progressive system of sentence execution "will require a new legal framework and significant funding".¹²⁴ Two developments recorded in the Global Torture Index 2026 go the other way: enrolment of prisoners in vocational training doubled from 204 in 2023 to 437 in 2024, and a digitisation programme for the corrections system, launched with the United Nations Development Programme in October 2024, is modernising case management and sentence planning.¹²⁵ Section X returns to the roadmap's place in the accession process.

Protective isolation under article 206 of the Execution Code

Prisoners who refuse the informal rules have one legal escape: a request for personal security under article 206 of the Execution Code. The number of beneficiaries during the year has grown from 525 or 719 in 2021, depending on which ANP report is read, to 893 in 2023 and 930 in 2024, with 477 persons under protection on 31 December 2025.¹²⁶ The Government told the CPT in 2023 that 218 of 400 such prisoners were held in disciplinary isolation facilities.¹²⁷ In 2025 the CPT found them in former disciplinary isolators and quarantine cells at Sorooca and Cricova at between two and 3.5 square metres per person, in a regime it described as "very impoverished", in exercise yards that are "bare concrete boxes", with no work and therefore no days earned towards early release, and concluded that "due to the simple fact that they refused to follow the rules imposed by the informal prison leaders and requested protection, these persons were subjected, for years on end, to extremely poor material conditions and impoverished regime; these conditions ... are incompatible with human dignity".¹²⁸ Informal leaders learn of protection requests and press detainees to withdraw them; at Cricova they themselves "placed in segregation" newcomers they did not accept, "purportedly under Article 206".¹²⁹ The NPM found 52 protection-seekers in a 27-place disciplinary isolator at Brănești in 2024 and concluded that the article 206 regime "entails a drastic worsening of detention conditions"; at Bender, requesting protection is "perceived by them as the only way to avoid abuses" and functions as "de facto punishment for seeking protection".¹³⁰ Under rules 43 to 45 of the Nelson Mandela Rules, the conditions documented here amount to prolonged solitary confinement imposed on persons who committed no disciplinary offence.

Healthcare in detention and the transfer of medical staff to the Ministry of Health

The State party reports that "responsibility for prison medical units has not been transferred" to the Ministry of Health.¹³¹ As the authors recalled in their submission to the Universal Periodic Review, the Government accepted that transfer in its response to the CPT published in 2008 and at the Committee's review of its second periodic report; in June 2025 the CPT recorded that "discussions were still ongoing"; in September 2026 the Ministry of Justice opened consultations on integrating prison medical services into the public health system.¹³² The Human Rights Committee asked in 2026 for "the functional independence

¹²² *Petrov v. the Republic of Moldova*, paras. 40–53 (judgment available in French only; the authors' translation); ECtHR, press release ECHR 058 (2026).

¹²³ ANP, *Bilanț 2025*, 4; CPT, *Report on the June 2025 Visit*, para. 22 and fn. 15.

¹²⁴ CPT, *Report on the June 2025 Visit*, paras. 17 and 42.

¹²⁵ OMCT and Promo-LEX, "Global Torture Index 2026: Republic of Moldova."

¹²⁶ ANP, *Bilanț 2021* [Annual Report 2021] (Chișinău: ANP, 2022), 10, <https://anp.gov.md/sites/default/files/DPAM/Bilanț%2C%20rapoarte%20analitice/BILAN%C8%9A%202021.pdf>; ANP, *Bilanț 2022* [Annual Report 2022] (Chișinău: ANP, 2023), 12, <https://anp.gov.md/sites/default/files/DPAM/Bilanț%2C%20rapoarte%20analitice/BILAN%C8%9A%202022%20.pdf>; ANP, *Bilanț 2023*, 12; ANP, *Bilanț 2024* [Annual Report 2024] (Chișinău: ANP, 2025), 13, <https://dip.gov.md/sites/default/files/DPAM/Bilanț%2C%20rapoarte%20analitice/BILAN%C8%9A%202024.pdf>; ANP, *Bilanț 2025*, 13.

¹²⁷ Government of the Republic of Moldova, *Response*, CPT/Inf (2023) 32, 12.

¹²⁸ CPT, *Report on the June 2025 Visit*, paras. 36–41.

¹²⁹ CPT, *Report on the June 2025 Visit*, para. 35.

¹³⁰ Consiliul pentru Prevenirea Torturii, *Raport tematic: Siguranța și securitatea deținuților*, 19; Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 18 Brănești, vizita din 25 octombrie 2025* [Report on the Visit to Penitentiary No. 18 Brănești, 25 October 2025] (Chișinău: Oficiul Avocatului Poporului, 29 December 2025), 10, https://ombudsman.md/wp-content/uploads/2026/01/7.cppt_raport_p18_29.12.2025.signed.pdf; Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 8*, 8.

¹³¹ CAT/C/MDA/4, para. 145.

of medical personnel" and the extension of compulsory health insurance to all prisoners.¹³³ In the meantime "the only post of a medical doctor in each of the establishments" visited by the CPT in 2025 was vacant, the Soroca psychiatrist came "only once every three months", at Cricova "on every fourth day there was no nurse present in the establishment at all", and nurses were "de facto obliged ... to assume responsibility for medical acts ... outside the scope of their professional competence".¹³⁴ Prison No. 11 lacked a head of medical service and a psychiatrist in July 2026; only 21 of 36 prison psychologist posts were filled in 2025.¹³⁵ The shortage is national: in September 2026 the Minister of Health put the deficit of medical staff at 1,225, with one doctor in two aged 55 or over, and announced five-year placements for young doctors from 2027.¹³⁶ Medical files remain accessible to non-medical staff and examinations are not always confidential, which the CPT called "a severe breach of medical ethics" where higher-caste prisoners attended them.¹³⁷ Three terminally ill prisoners died in 2025 before courts decided on their release under article 95 of the Criminal Code; nine died waiting in 2021.¹³⁸ The Cosovan group on inadequate medical treatment in prisons is under enhanced supervision by the Committee of Ministers, and in 2025 the Court found a further violation in *Platon* for insufficient medical treatment of a remand prisoner held in solitary confinement.¹³⁹ Opioid substitution therapy reaches 190 prisoners in 13 institutions, an improvement, though the NPM found methadone administered "in the presence of the duty officer, with a search of the mouth".¹⁴⁰

Deaths in custody

The State party's reply to paragraph 11 of the list of issues gives no annual figures. The ANP reported 41 deaths in 2021, 23 in 2022, 22 in 2023, 23 in 2024 and 27 in 2025, with two to six suicides a year; its medical section gives different totals for 2023 (29) and 2024 (27), and the Ombudsman found that only 16 of 22 deaths officially recorded to 1 December 2025 had been notified to his office.¹⁴¹ By the authors' calculation the 2025 figure corresponds to about 426 deaths per 100,000 prisoners. The Commission for the analysis of mortality announced in 2021 has left no published trace, and the outcomes of investigations into deaths are not reported. In February 2024 at Prison No. 1 in Taraclia a prisoner killed a fellow inmate with a metal object; staff and other prisoners had noticed signs of mental illness and "no necessary measures were taken".¹⁴² Self-harm remains at 641 recorded cases in 2025, 221 of them classified as critical, and hunger strikes at 494.¹⁴³

Use of force, discipline and groups at particular risk

Physical force was applied in 475 cases in 2021 and 212 in 2025, special means in 389 and 135; tear gas was used in nine cases in 2025 across eight prisons, and force was used on minors in 12 cases.¹⁴⁴ The NPM found disciplinary cells at Prison No. 13 of 4.5 to 6.8 square metres including the toilet, without daylight or seating, where prisoners "had no means of rest during the day, being obliged to remain standing or on the concrete", and demanded their decommissioning; at Cricova it found tear gas "chosen by certain employees" and the only functioning isolation cell "unheated, infested with rats".¹⁴⁵ Self-harm

¹³² RCTV Memoria et al., *Joint Stakeholders' Report to the UPR*, 4; CPT, *Report on the June 2025 Visit*, para. 79; Ministerul Justiției, "Integrarea serviciilor medicale din penitenciare în sistemul public de sănătate: consultări" [Integration of Prison Medical Services into the Public Health System: Consultations], 18 September 2026, <https://www.justice.gov.md/ro/content/integrarea-serviciilor-medicale-din-penitenciare-sistemul-public-de-sanatate-consultari-cu>.

¹³³ Human Rights Committee, CCPR/C/MDA/CO/4, para. 30(c)–(d).

¹³⁴ CPT, *Report on the June 2025 Visit*, para. 71.

¹³⁵ Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 11*, 20; Oficiul Avocatului Poporului, *Rezumat în cifre 2025*.

¹³⁶ Constantin Tcaci, "Criză de cadre medicale în Republica Moldova? Specialitățile în care se înregistrează cel mai mare deficit" [A Crisis of Medical Staff in the Republic of Moldova? The Specialties with the Largest Deficit], TV8, 15 September 2026, <https://tv8.md/2026/09/15/criza-de-cadre-medicale-in-republica-moldova-specialitatile-in-care-se-inregistreaza-cel-mai-mare-deficit/> 309070.

¹³⁷ CPT, *Report on the June 2025 Visit*, para. 76.

¹³⁸ Oficiul Avocatului Poporului, *Rezumat în cifre 2025*; ANP, *Bilanț 2021*, 26.

¹³⁹ Council of Europe, "Republic of Moldova: Country Factsheet," 11 June 2026; *Platon v. the Republic of Moldova*, no. 74995/17 (ECtHR, 9 October 2025).

¹⁴⁰ ANP, *Bilanț 2025*, 31; Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 18*, 24.

¹⁴¹ ANP, *Bilanț 2021*, 24–25; ANP, *Bilanț 2023*, 10 and 29; ANP, *Bilanț 2024*, 11 and 30; ANP, *Bilanț 2025*, 12 and 31–32; Oficiul Avocatului Poporului, *Raport tematic anual: Siguranța în instituțiile penitenciare, 2025* [Annual Thematic Report: Safety in Penitentiary Institutions, 2025] (Chișinău: Oficiul Avocatului Poporului, December 2025), <https://ombudsman.md/wp-content/uploads/2025/12/raport-tematic-anual-siguranța-in-instituțiile-penitenciare-in-anul-2025.pdf>.

¹⁴² Consiliul pentru Prevenirea Torturii, *Raport tematic: Siguranța și securitatea deținuților*, 25.

¹⁴³ ANP, *Bilanț 2025*, 12; Oficiul Avocatului Poporului, *Rezumat în cifre 2025*.

¹⁴⁴ ANP, *Bilanț 2022*, 12; ANP, *Bilanț 2025*; Oficiul Avocatului Poporului, *Raport tematic anual: Siguranța în instituțiile penitenciare, 2025*.

was removed from the list of disciplinary offences, a step the CPT welcomed.¹⁴⁶ Women are 5.3 per cent of prisoners. At Prison No. 13 the 57 women held in December 2025 had larger cells but the same insects, rodents and humidity and saw a doctor "every 2 to 3 days"; at Prison No. 7 in Rusca products for a detained mother's child "are not budgeted".¹⁴⁷

Minors were involved in 120 incidents in 2025, including 46 cases of self-harm and three suicide attempts, and the Ombudsman recorded an alarming rise in self-harm and suicide attempts among detained children in 2024.¹⁴⁸ In 2025, 323 prisoners had a disability, 23 of them with reduced mobility, in prisons that "are not adapted to the needs of detainees with disabilities".¹⁴⁹ Video surveillance of places of detention is required by law but patchy in practice, and LGBTQIA+ prisoners face documented sexual violence and placement in solitary confinement, with no protective protocol specific to them.¹⁵⁰ Prison No. 8 in Bender, in the security zone controlled by the de facto structures, has had no central water, sewerage or heating since 2003 and electricity for three hours a day; the delivery of goods has been restricted by the de facto structures since 2008.¹⁵¹

Recommendations

14. Adopt, by Government decision in 2027, a national strategy against informal prisoner hierarchies that gives legal force to the measures in paragraph 55 of the CPT's 2025 report: an end to the use of informal leaders to maintain order, segregation of leaders after individual risk assessment, removal of their privileges, exclusion of their access to newcomers, accommodation in small living units, and disciplinary sanction of any staff member who facilitates their control; report to the Committee of Ministers under article 46 in *Petrov* by the same date.
15. Amend article 206 of the Execution Code to provide that persons under protection are held in dedicated living units with at least four square metres per person, daylight, out-of-cell time and paid work equal to the general regime, and that former disciplinary isolators and quarantine cells may not be used for this purpose; set a deadline of 31 December 2027 for the three protection units announced in 2023.
16. Lift the recruitment moratorium for the 205 frozen custodial posts in the 2027 budget law, raise the salary reference value by at least 20 per cent as the People's Advocate recommended, and abolish the 24-hour shift pattern by order of the ANP Director.
17. Transfer prison medical services to the Ministry of Health by a law adopted in 2027, extend compulsory health insurance to all prisoners, and fill the vacant general practitioner and psychiatrist posts in Prisons Nos. 2, 6, 11, 15 and 18 by including them in the placements of young doctors from 2027 and paying a supplement for prison service, with contracts for regular visits by specialists from public hospitals until the posts are filled.
18. Approve a binding Government timetable and budget line for the new Chişinău prison following the termination of the UNOPS agreement, introduce the automatic "gate-keeping" alert recommended by the NPM when Prison No. 13 exceeds 110 per cent of capacity, and complete the Bălţi House of Arrest by the end of 2028.
19. Publish annual statistics on deaths in custody with cause, institution and the outcome of each investigation, give autopsy reports to families as the Committee asked in 2017, and reconcile the diverging figures of the ANP's security and medical sections.

V. The Transnistrian region: Moldova's positive obligations and the absence of effective safeguards

The Transnistrian region is a narrow strip of land on the left bank of the Dniester, along the border with Ukraine, together with the city of Bender and several villages on the right bank; about 447,000 people

¹⁴⁵ Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 13*, sect. IV; Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 15 Cricova, vizita din 27 aprilie 2023* [Report on the Visit to Penitentiary No. 15 Cricova, 27 April 2023] (Chişinău: Oficiul Avocatului Poporului, 2023), <https://ombudsman.md/wp-content/uploads/2023/11/raportul-p-d-vizita-la-p-15-din-27.04.2023.pdf>.

¹⁴⁶ CPT, *Report on the June 2025 Visit*, para. 9.

¹⁴⁷ Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 13*, sect. II; Avocatul Poporului, *Raport anual 2024*, 17–18.

¹⁴⁸ Oficiul Avocatului Poporului, *Rezumat în cifre 2025*; Avocatul Poporului, *Raport anual 2024*, 18.

¹⁴⁹ Oficiul Avocatului Poporului, *Rezumat în cifre 2025*.

¹⁵⁰ OMCT and Promo-LEX, "Global Torture Index 2026: Republic of Moldova."

¹⁵¹ Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 8*, 14 and 22.

lived there at the start of 2026.¹⁵² Its leaders proclaimed a separate republic in September 1990. After armed clashes with Moldovan forces in 1992, in which troops of the Russian 14th Army took part, a ceasefire agreement signed in Moscow on 21 July 1992 froze the conflict.¹⁵³ Since then the region has been run by de facto authorities with their own "president", "parliament", "courts", "militia" and prison service, which adopt their own "laws". No member State of the United Nations recognises them, and Russian troops remain in the region.¹⁵⁴ The European Court of Human Rights found in 2004 that the regime "survives by virtue of the military, economic, financial and political support" of Russia, which brought the region within Russia's jurisdiction, while Moldova kept jurisdiction over its territory and, with it, positive obligations towards the people living there.¹⁵⁵ Moldovan law treats the region as part of the State, to receive a special legal status through a political settlement,¹⁵⁶ but no Moldovan authority can enforce its laws there or enter its places of detention.

The absence of effective safeguards

The Committee noted in 2017 that the State party lacks effective control over the Transnistrian region.¹⁵⁷ None of the safeguards described in section I exists there. The de facto structures held 1,806 persons on 1 January 2023, a rate of 451.5 per 100,000, the highest in Europe; after 812 releases in 2025, including a so-called amnesty, 1,325 remained on 1 January 2026, still 296 per 100,000.¹⁵⁸ Local "law" does not define torture with the special quality of the perpetrator required by article 1 of the Convention; the number of "extremist" offences was raised from eight to 29 in June 2023, with sentences of six to ten years; a "law" in force since 29 May 2023 criminalises complaints to foreign States or international bodies.¹⁵⁹ The "law on arrest" amended on 30 April 2024 allows minors to be held with adults "in exceptional cases", routes complaints to central bodies "exclusively through the administration of the place of detention", permits censorship of complaints to public organisations within three days, and allows a person to be returned from a penitentiary to a militia isolator for up to ten days each month after the initial 72 hours.¹⁶⁰ In 2022, 96.7 per cent of 1,217 "sentences" were convictions; of 60 appeals against detention, 55 were rejected, and of 67 appeals against extension, 66.¹⁶¹

The year 2025 removed the remaining safeguards one by one. An order of the de facto leader of 26 September 2025 struck out every provision allowing lawyers from outside the region to take part in "criminal" proceedings; a draft "law" of 13 October 2025 allows law students and persons without legal education to be hired as "investigators" of the "state security ministry" and the militia; a "law" of 24 December 2025 extended for all of 2026 the suspension of the publication of "judges'" names and income declarations; Order No. 232 of 1 September 2025 fixed the detention norm in the "state security ministry's" isolators at two square metres per person, with lights on at night, painted windows and medical provision "reduced to a first-aid kit"; and an order of 26 November 2025 allows deductions from prisoners' wages "up to 100 per cent of the cost of food", in a system where food parcels are already withheld as a disciplinary sanction.¹⁶² Promo-LEX concludes that these measures "taken together, diminish safeguards against abuse on the left bank of the Nistru".¹⁶³ Appointed lawyers "remain passive, do not challenge procedural violations" and do not report ill-treatment.¹⁶⁴ The penitentiary medical service filled 42 of 76 posts in 2025, the daily cost per detainee was 157 lei against 410 lei on the right bank, and the 2024 medical budget actually spent came to about USD 12 per detainee per year.¹⁶⁵ Seventeen persons died in

¹⁵² Promo-LEX, *Monitoring Report, April to June 2026*, 9–11.

¹⁵³ *Ilașcu and Others v. Moldova and Russia* [GC], no. 48787/99 (ECtHR, 8 July 2004).

¹⁵⁴ United Nations General Assembly, A/RES/72/282.

¹⁵⁵ *Ilașcu*, paras. 333 and 392–93.

¹⁵⁶ Parlamentul Republicii Moldova, *Legea nr. 173 din 22 iulie 2005 cu privire la prevederile de bază ale statutului juridic special al localităților din stînga Nistrului (Transnistria)* [Law No. 173 of 22 July 2005 on the Basic Provisions of the Special Legal Status of the Localities on the Left Bank of the Dniester (Transnistria)].

¹⁵⁷ Committee against Torture, *Concluding Observations on the Third Periodic Report of the Republic of Moldova*, CAT/C/MDA/CO/3 (21 December 2017), para. 6, <https://docs.un.org/en/CAT/C/MDA/CO/3>.

¹⁵⁸ Promo-LEX Association, *Human Rights in the Transnistrian Region of the Republic of Moldova: 2023 Retrospective* (Chișinău: Promo-LEX, 7 December 2023), 15, https://promolex.md/wp-content/uploads/2023/12/Report-HRT_2023.pdf; Promo-LEX, *Monitoring Report, April to June 2026*, 9.

¹⁵⁹ Promo-LEX, *2023 Retrospective*, 19 and 25–26.

¹⁶⁰ Asociația Promo-LEX, *Drepturile omului în regiunea transnistreană a Republicii Moldova: Retrospectiva anului 2024* [Human Rights in the Transnistrian Region of the Republic of Moldova: 2024 Retrospective] (Chișinău: Promo-LEX, February 2025), 27–28, https://promolex.md/wp-content/uploads/2025/02/raport-dort_2024_ro.pdf.

¹⁶¹ Promo-LEX, *2023 Retrospective*, 16–17.

¹⁶² Promo-LEX, *Retrospective of 2025*, 39–42.

¹⁶³ Promo-LEX, *Retrospective of 2025*, 42.

¹⁶⁴ Promo-LEX, *Retrospective of 2025*, 40.

¹⁶⁵ Promo-LEX, *Monitoring Report, April to June 2026*, 12–13; Asociația Promo-LEX, *Retrospectiva anului 2024*, 23–24.

the region's detention facilities in 2022, all recorded as natural causes; no figures were disclosed for later years, and a Promo-LEX request of 12 December 2024 for mortality data received no answer.¹⁶⁶

Documented torture and ill-treatment

Testimonies collected by Promo-LEX and RCTV Memoria describe methods long documented in the practice of Russian police and military personnel, used to cause severe pain and extract confessions: the "lastochka" ("swallow") stress position, electric shocks and asphyxiation with a gas mask (the "slonik"). They also describe beatings by masked guards on the soles of the feet "to avoid bruises", a year of solitary confinement without mattress or outdoor exercise at Prison No. 3 in Tiraspol, an 8 square metre cell shared by 13 persons including a man with open tuberculosis, infestation with bedbugs and mice, food smelling of diesel, and threats against relatives.¹⁶⁷ A Russian journalist held for two days in the Bender militia isolator in July 2024 received no food, had a bucket for bodily needs and was threatened with sexual violence.¹⁶⁸ On 20 January 2023 militia officers in Bender beat a 15-year-old boy and held him for two hours; Moldovan prosecutors opened cases for kidnapping and torture of a minor.¹⁶⁹ On 23 July 2023 Russian "peacekeepers" held three villagers of Molovata Nouă face down with hands tied for half an hour; Moldovan prosecutors opened what Promo-LEX describes as the first criminal case for torture against members of the peacekeeping mission.¹⁷⁰

The political prisoners are known by name. Victor Pleșcanov, sentenced in September 2022 to three years and two months for "extremism" over a Facebook post and a Ukrainian flag, was "diagnosed" with cancer in detention and scheduled for surgery, which he and his family refused. He was released by "pardon" in May 2024 after international pressure.¹⁷¹ A full medical check at RCTV Memoria found no cancer, and he and his family believe the operation would have killed him.¹⁷² Mihail Ermurachi, aged 74, imprisoned for calling the de facto leader a "puppet" in a private conversation, was released on 19 February 2025 as one of the conditions set by Chișinău for the continuation of gas transit during the energy crisis, after two years and two months in which his health "deteriorated".¹⁷³ Vadim Pogorletchi, a journalist and human rights defender arrested on 25 August 2022 for photographing a paramilitary unit and sentenced to 16 years, has been held in Prison No. 3 in Tiraspol in "total isolation from the outside world, without the right to send or receive letters", repeatedly placed in disciplinary isolation and deprived of drinking water and medical assistance; his mother died during his detention and he was not allowed to attend the funeral; his release was among Chișinău's conditions of February 2025 and he remained in detention in September 2025, when Promo-LEX alerted three Special Rapporteurs.¹⁷⁴ Emilian Ceban, detained in 2022 at the age of 18 after refusing a ten-year contract with the de facto "defence ministry", was charged with "treason" on the basis of a single photograph of a fuel truck sent to a supposed journalist who was an agent of the "state security ministry"; on 21 May 2026, hours after his case was raised in the Moldovan Parliament, he was placed for 15 days in a windowless punishment cell of about one by 2.5 metres whose floor the guards deliberately flooded.¹⁷⁵ Evghenii Pancioha, about eight years in "UIN-2" on a "treason" charge, lives with HIV treated by non-medical staff and the consequences of a stroke for which the prescribed treatment is not provided.¹⁷⁶ Alexandr Dimov was held and tortured from May 2022 to February 2025.¹⁷⁷ Oleg Horjan, the opposition leader who served four and a half years after the peaceful meeting of 2 June 2018 and described abuse and inhuman conditions after his release, was found dead in his home on 17 July 2023.¹⁷⁸

¹⁶⁶ Promo-LEX, 2023 *Retrospective*, 23; Asociația Promo-LEX, *Retrospectiva anului 2024*, 10–11.

¹⁶⁷ Promo-LEX, 2023 *Retrospective*, 22–24; Asociația Promo-LEX, *Retrospectiva anului 2024*, 21.

¹⁶⁸ Asociația Promo-LEX, *Retrospectiva anului 2024*, 28.

¹⁶⁹ Promo-LEX, 2023 *Retrospective*, 21–22.

¹⁷⁰ Promo-LEX, 2023 *Retrospective*, 22–23.

¹⁷¹ Promo-LEX, 2023 *Retrospective*, 28–29; Radio Moldova, "Activistul Victor Pleșcanov, deținut ilegal din 2022 într-o închisoare din regiunea transnistreană, a fost eliberat" [Activist Victor Pleșcanov, Illegally Detained since 2022 in a Prison in the Transnistrian Region, Has Been Released], 17 May 2024, <https://radiomoldova.md/p/34697>.

¹⁷² RCTV Memoria, case file, 2024, on file with the authors.

¹⁷³ Government of the Republic of Moldova, Bureau for Reintegration Policies, "Personal Reception of Mihail Ermurachi in the Government," 18 March 2025, <https://gov.md/en/comunicate-de-presa-bpr/personal-reception-mihail-ermurachi-government>.

¹⁷⁴ Promo-LEX Association, "Promo-LEX Launches the Campaign 'Freedom for Vadim Pogorletchi,'" 29 July 2025, <https://promolex.md/en/promo-lex-launches-the-campaign-freedom-for-vadim-pogorletchi-2-years-and-11-months-of-illegal-detention-in-total-isolation/>; Radio Moldova, "Promo-LEX alertează raportorii ONU cu privire la situația critică a deținutului Vadim Pogorletchi" [Promo-LEX Alerts UN Rapporteurs to the Critical Situation of Detainee Vadim Pogorletchi], 15 September 2025, <https://radiomoldova.md/p/59168>.

¹⁷⁵ Promo-LEX, *Monitoring Report, April to June 2026*, 14–16.

¹⁷⁶ Promo-LEX, *Monitoring Report, April to June 2026*, 13–14.

¹⁷⁷ Promo-LEX and OMCT, *Joint Submission to the UPR*, 6 and 8.

¹⁷⁸ Promo-LEX, 2023 *Retrospective*, 26–27.

Moldova's positive obligations

In *Mozer* the European Court held that the "courts" of the region cannot order lawful detention within the meaning of article 5, and in the line of judgments that followed it examined what Moldova did for each applicant.¹⁷⁹ In *Lypovchenko and Halabudenco*, *Urusbiev and Others* and *Zubco and Others*, decided between February 2024 and February 2026, the Court found that Moldova had fulfilled its positive obligations because it opened criminal cases, had the Supreme Court annul the de facto judgments and "repeatedly requested the applicant's release", while Russia, which "exercised effective control and a decisive influence" over the de facto authorities, bore responsibility for events before 16 September 2022.¹⁸⁰ Russia pays nothing and does not participate. In *Filin* and *Negruța*, the Court had earlier found Moldova itself in breach for transferring persons to the de facto structures or for passivity, and those judgments remain under supervision.¹⁸¹ For everything that happened after 16 September 2022, which covers the detention of Pogorlețchi, Ceban, Pancioha and Dimov, Moldova stands alone, and the measure of its diligence will change: a State that is the sole respondent cannot discharge its obligations by annulments and letters.

The domestic record is thin. Of 130 criminal cases opened by Moldovan prosecutors between 2018 and 2022 for crimes committed by the de facto structures, most were suspended and two reached trial.¹⁸² In the case of Andrei Samonii, a de facto "militia" officer convicted of torture by a Moldovan court, the Chișinău Court of Appeal held on 11 October 2022 that an employee of an unrecognised structure cannot be the subject of the offence of torture under article 166¹ of the Criminal Code, reduced the sentence from 15 to six years and later applied the amnesty; he was released on 7 April 2023.¹⁸³ The Anenii Noi prosecutor closed the case of the activist Anatol Mătășaru, held for five hours by Russian "peacekeepers" at Gura Bîcului on 5 May 2023, on the ground that filming without the consent of the Joint Control Commission made the detention lawful.¹⁸⁴ The Bureau for Reintegration Policies was contacted by only 18 victims of abuses in the region in 2024; it has no hotline, no standard procedure and no annual report, and its reply to Promo-LEX was "general, incomplete and evasive".¹⁸⁵ The action plan adopted in 2013 on the recommendations of the UN Senior Expert Thomas Hammarberg has no published follow-up.¹⁸⁶ The European Commission repeats each year that "the legislative framework still lacks a specific mechanism to assist residents from the Transnistrian region exposed to human rights violations", and the Human Rights Committee asked in 2026 that the State "continue to review and strengthen its policies, in line with its due diligence obligations".¹⁸⁷ Released persons "do not receive information support, temporary financial support or access to medical and psychological services", and some must move to the right bank because intimidation continues after release.¹⁸⁸ The communication filed by Promo-LEX and the European Prison Litigation Network with the Human Rights Committee on behalf of Alexandr Dimov engages Moldova's responsibility "for failing to provide him any rehabilitation, medical or psychological care or reintegration support after release".¹⁸⁹ Draft Law No. 352/2026 would create a category of "persecuted victim" for persons subjected to illegal detention, "conviction", confiscation or torture in the region, a welcome step whose limits are examined in section VII.

International cooperation and access for monitors

The Charter of Rights of Victims and Survivors of Torture asks States to "ensure that United Nations, the International Committee of the Red Cross and regional observers, including the Special Rapporteur, are permitted to visit our countries and monitor places where people are deprived of their liberty, listen directly to us and our communities and reflect our realities in their reports and recommendations".¹⁹⁰ In the

¹⁷⁹ *Mozer v. the Republic of Moldova and Russia* [GC], no. 11138/10 (ECtHR, 23 February 2016).

¹⁸⁰ *Lypovchenko and Halabudenco v. the Republic of Moldova and Russia*, nos. 40926/16 and 73942/17 (ECtHR, 20 February 2024), paras. 35, 68, 86 and 115–116; *Urusbiev and Others v. the Republic of Moldova and Russia*, nos. 33519/15 and others (ECtHR, 23 October 2025); *Zubco and Others v. the Republic of Moldova and Russia*, nos. 49508/15 and others (ECtHR, 19 February 2026).

¹⁸¹ *Filin v. the Republic of Moldova and Russia*, no. 48841/11 (ECtHR, 17 September 2019); *Negruța v. the Republic of Moldova and Russia*, no. 3445/13 (ECtHR, 17 September 2019); Promo-LEX, 2023 Retrospective, 17.

¹⁸² Promo-LEX, 2023 Retrospective, 20.

¹⁸³ Promo-LEX, 2023 Retrospective, 20–21.

¹⁸⁴ Promo-LEX, 2023 Retrospective, 33.

¹⁸⁵ Asociația Promo-LEX, *Retrospectiva anului 2024*, 17–19.

¹⁸⁶ Asociația Promo-LEX, *Retrospectiva anului 2024*, 20.

¹⁸⁷ European Commission, *Republic of Moldova 2025 Report*, 35; Human Rights Committee, CCPR/C/MDA/CO/4, para. 8.

¹⁸⁸ Promo-LEX, *Retrospective of 2025*, 6.

¹⁸⁹ Promo-LEX and OMCT, *Joint Submission to the UPR*, 8.

¹⁹⁰ Special Rapporteur on Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, *Charter of Rights of Victims and Survivors of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment*, annex to A/HRC/61/42 (2 January 2026), art. 7(2)(d), <https://docs.un.org/en/A/HRC/61/42>.

Transnistrian region that right is unmet. The access of the People's Advocate (Ombudsman) to the left bank and to Bender "remains restricted", "making direct monitoring impossible"; the NPM has never been able to visit the places of detention run by the de facto structures; in 2023 "no visits by monitoring bodies" took place, and the authors are aware of none since; none of the CPT's visits during the period under review reached the region's prisons; and the Subcommittee on Prevention of Torture has not visited Moldova since 2012.¹⁹¹ The State party cannot open the region's doors itself, but it can ask, publicly and in every format of the settlement process, that they be opened, and it can make verifiable human rights conditions, including access for monitors and the release of persons detained for political reasons, part of every economic or energy arrangement with the region, as it did in February 2025.

Recommendations

20. Adopt, by law in 2027, a mechanism of assistance for victims of torture, ill-treatment and unlawful detention in the Transnistrian region, with a hotline and case officers at the Bureau for Reintegration Policies, immediate medical and psychological rehabilitation financed from the State budget (possibly through RCTV Memoria), temporary financial support and housing for released persons, free legal aid for applications to international bodies, and an annual public report; include these elements in Draft Law No. 352/2026 before its second reading and apply them without waiting for EU accession.
21. Amend article 166¹ of the Criminal Code so that persons exercising de facto public functions in territory outside the State's control are expressly covered as perpetrators of torture, and instruct prosecutors by order of the Prosecutor General to open ex officio investigations into every documented case of ill-treatment in the region, to keep victims informed in writing of each procedural step, and to publish annually the number of cases opened, suspended and sent to trial.
22. Make access for the CPT, the Subcommittee on Prevention of Torture, the NPM and the ICRC to all places of deprivation of liberty in the region, and the release of persons detained for political reasons, a standing condition of every economic, energy and transport arrangement negotiated with the de facto structures, and report to the Committee each year on the requests made and the answers received.
23. Request the Special Rapporteur on torture to seek a visit to the Republic of Moldova that includes the Transnistrian region, and support the examination by the Human Rights Committee of individual communications concerning the region.

VI. Investigations and accountability (articles 12 and 13; list of issues, paragraph 12)

Complaints, investigations and prosecutions 2021 to 2025 (tables 1 and 2)

The Prosecutor General's Office registered 511 allegations of torture or ill-treatment in 2021 and 299 in 2025. The State may present the decline as prevention. The authors read it differently: registrations fell by 41 per cent while the number of investigations opened stayed between 46 and 83 a year, so that three of every four allegations are still closed without an investigation, and in 2025 only ten registrations and three investigations were classified as torture under article 166¹(3) and (4) rather than as inhuman or degrading treatment.¹⁹² Thirty-eight per cent of the investigations opened in 2025 concerned teachers accused of ill-treating pupils, 33 per cent events in public space and 11.8 per cent police inspectorates; prisons accounted for two investigations, although prisons had sent prosecutors 930 injury reports in 2024 alone.¹⁹³ The Prosecutor General's Office annulled seven refusals to investigate in 2025. The Human Rights Committee's reading in April 2026 was underreporting "owing to fear of retaliation" and "the reclassification of acts of torture and ill-treatment as lesser criminal offences".¹⁹⁴ The fall in complaints, against persistently low investigation rates, is more likely to reflect fear of reprisals and a settled public perception that complaints change nothing than a fall in ill-treatment.

Table 1. Allegations of torture and ill-treatment and the prosecutorial response, 2021 to 2025

¹⁹¹ Avocatul Poporului, *Raport anual 2024*, 14; People's Advocate Office, *Annual Report 2024*, 29; Promo-LEX, *2023 Retrospective*, 24; CPT, *Report on the June 2025 Visit*, para. 1.

¹⁹² Procuratura Generală, *Raport 2025*, 34–35.

¹⁹³ Procuratura Generală, *Raport 2025*, 35; CPT, *Report on the June 2025 Visit*, para. 28.

¹⁹⁴ Human Rights Committee, CCPR/C/MDA/CO/4, para. 25.

Year	Allegations registered	Investigations opened	Share investigated	Cases sent to court
2021	511	46	9%	21
2022	485	69	14%	15
2023	397	79	19.9%	not published
2024	319	83	26%	not published
2025	299	76	25%	not published

Source: annual activity reports of the Prosecutor General's Office for 2021 to 2025, as reproduced in the Promo-LEX and OMCT submission to the UPR of July 2026 and verified for 2023 and 2025 against the reports.¹⁹⁵

Table 2. First-instance judgments in torture and ill-treatment cases, 2021 to 2024

Year	Judgments	Accused	Custodial sentence	Suspended sentence	Fine	Discontinued	Acquittals
2021	34	53	5	24	3	9	11
2022	28	37	2	14	7	3	5
2023	25	28	3	13	1	2	9
2024	14	18	3	6	1	0	8

Source: as for table 1. The report for 2025 contains no judgment data; one person in 2021 was sentenced to community work, and the rows do not always sum to the number of accused because other outcomes are omitted from the published figures.¹⁹⁶

Length of proceedings and acquittal rates

The acquittal rate in 2024, 8 of 18 accused, is many times the national rate of 1.75 to 2 per cent in criminal cases.¹⁹⁷ Suspended sentences outnumbered custodial ones every year, although the Court held in *Valeriu and Nicolae Roșca* that lenient and suspended sentences for torture by police officers fail the State's obligation to deter such acts.¹⁹⁸ The LRCM's analysis of all 71 irrevocable judgments of the Supreme Court of Justice between 2013 and 2022 found an average duration of about six years from complaint to final decision against 473 days for an ordinary criminal case, a first-instance acquittal rate of 38 per cent, 13 times the national average, only 20 of 102 accused who actually served a prison term, and suspension from office in one of 71 cases.¹⁹⁹ The Supreme Court sent 28 per cent of cases for retrial and some three or more times, and in at least two cases the limitation period expired before any sentence could be applied.²⁰⁰ Judges, the study observed, showed "a reluctance ... to convict the policemen for ill-treatment", explained by "the harsh penalty" and "past interaction of judges with the accused".²⁰¹ The Global Torture Index 2026 reads the same record: fewer than 5 per cent of complaints end in a conviction, courts very rarely recognise the responsibility of superiors who order or tolerate ill-treatment, and medico-legal examinations are often ordered only at the trial stage, when their evidential value has faded.²⁰²

Suspension of officials under investigation

The Committee asked in 2017 that alleged perpetrators be suspended immediately for the duration of the investigation. The State report does not answer. The LRCM found one suspension in 71 cases; the Prosecutor General's Office told the LRCM that the authorities "do not have information regarding the application of this special coercive measure".²⁰³ The People's Advocate's special report on the Soroca police inspectorate illustrates the practice: on the night of 30 to 31 January 2022 three officers beat two construction workers who had themselves called the emergency number, in a patrol car and for about two hours in an office, on camera; the case was opened under inhuman treatment rather than torture, the

¹⁹⁵ Promo-LEX and OMCT, *Joint Submission to the UPR*, para. 7; Procuratura Generală a Republicii Moldova, *Raportul de activitate al Procuraturii pentru anul 2023* [Activity Report of the Prosecution Service for 2023] (Chișinău: Procuratura Generală, February 2024), 32–35, <https://www.procuratura.md/sites/default/files/2024-02/Raportul%20de%20activitate%20al%20Procuraturii%20pentru%20anul%202023.pdf>; Procuratura Generală, *Raport 2025*, 34.

¹⁹⁶ Promo-LEX and OMCT, *Joint Submission to the UPR*, para. 10; Procuratura Generală, *Raport 2023*, 34.

¹⁹⁷ Promo-LEX Association, *Communication in Accordance with Rule 9.2 of the Rules of the Committee of Ministers: Levintă Group v. the Republic of Moldova* (Chișinău: Promo-LEX, 3 August 2023), 7, https://promolex.md/wp-content/uploads/2023/08/Communication_Levinta-group_in-accordance-with-Rule-9.2-of-the-Rules-of-the-Committee-of-Ministers-for-the-supervision-of-the-execution-of-judgments-and-the-terms-of-friendly-settlements.pdf.

¹⁹⁸ *Valeriu and Nicolae Roșca v. Moldova*, no. 41704/02 (ECtHR, 20 October 2009).

¹⁹⁹ LRCM, *Trial and Punishment of Torture*, 17–27.

²⁰⁰ LRCM, *Trial and Punishment of Torture*, 7 and 33.

²⁰¹ LRCM, *Trial and Punishment of Torture*, 22.

²⁰² OMCT and Promo-LEX, "Global Torture Index 2026: Republic of Moldova."

²⁰³ LRCM, *Trial and Punishment of Torture*, 27.

officers "continued active duty until suspension" twelve days later, and no victim protection measures were granted.²⁰⁴

April 2009 cases, the Brăguță case and the right to truth and accountability

Article 2 of the Charter of Rights of Victims and Survivors of Torture states that States "must publicly acknowledge the truth about what has been done to us and our loved ones" and "ensure that those responsible, including those who ordered or enabled those acts to be carried out, are brought to justice".²⁰⁵ Measured against that standard, the April 2009 cases are the clearest failure of the reporting period. Prosecutors opened 71 investigations; the State reports 22 irrevocable judgments concerning 34 persons, of which nine acquittals concerning 16 persons and eleven convictions concerning 16 persons, of whom four were sentenced to imprisonment.²⁰⁶ The main case file, no. 2009038033, "remains under active investigation" at the Prosecutor's Office for Combating Organised Crime and Special Cases seventeen years after the events, and Amnesty International Moldova noted in April 2025 that the resumption of investigations announced in 2021 produced no publicly communicated result.²⁰⁷ Ion Perju, the only officer convicted for the death of Valeriu Boboc, sentenced to ten years in 2015 after fleeing the courtroom, lived in Chișinău under several identities until 16 September 2025, when he was arrested in the attic of his house during searches targeting the Șor network, for which he laundered cryptocurrency; the police chief explained that an earlier arrest "would have disrupted the entire documentation process", and the Ziarul de Gardă asked why a man located a year earlier had not been detained.²⁰⁸ The same newspaper asked whether the time had come for him to name the other officers of the "Fulger" brigade who beat Valeriu Boboc; no answer has been reported.²⁰⁹ In *Boboc and Others*, decided on 7 June 2022, the Court found Moldova responsible for the death and for the defective investigation.²¹⁰ Because the April 2009 facts predate Law No. 252/2012, the limitation period remains a live risk for every case not yet concluded. No State authority has publicly acknowledged responsibility for the torture of hundreds of protesters, and no memorial or collective measure exists; the Human Rights Committee "regrets" in 2026 that accountability "has not yet been achieved".²¹¹

Andrei Brăguță died on 26 August 2017 after beatings by police officers and cellmates over ten days during which none of the officials who saw his injuries reported them. The first-instance courts convicted one guard and one detainee to custodial sentences and gave suspended terms to four others in 2019, and on 4 June 2021 sentenced five of 13 officers of the Chișinău isolator to imprisonment and eight to suspended terms; the family appealed the leniency.²¹² In August 2023, six years after the death, all three criminal cases were still pending on appeal or at first instance, and the case against the medical staff of the prison hospital had produced no judgment.²¹³ The Committee graded the State's information on this case as satisfactory in 2019 on the strength of a first-instance verdict that was still under appeal four years later.

Independence of investigators; protection of complainants and witnesses against reprisals

Aggravated torture is investigated by a specialised section of the Prosecutor's Office for Combating Organised Crime and Special Cases (PCCOCS); inhuman and degrading treatment by territorial

²⁰⁴ Oficiul Avocatului Poporului, *Raport special privind alegațiile de tortură la Inspectoratul de Poliție Soroca: cazul Guțu și Covalciuc* [Special Report on Allegations of Torture at the Soroca Police Inspectorate: The Guțu and Covalciuc Case] (Chișinău: Oficiul Avocatului Poporului, 26 May 2022), 11, https://ombudsman.md/wp-content/uploads/2023/12/raport_special_cazul-gutu_covalciuc-c-ip-soroca_final.pdf.

²⁰⁵ Special Rapporteur on Torture, *Charter of Rights*, art. 2(1).

²⁰⁶ CAT/C/MDA/4, paras. 207–211.

²⁰⁷ Promo-LEX and OMCT, *Joint Submission to the UPR*, para. 11; Amnesty International Moldova, "Moldova: 7 Aprilie 2009, Justiția care închide ochii în fața adevărului este o justiție complice" [Moldova: 7 April 2009, A Justice That Closes Its Eyes to the Truth Is a Complicit Justice], 7 April 2025, <https://amnesty.md/recente/moldova-7-aprilie-2009-justitia-care-inchide-ochii-in-fata-adevarului-este-o-justitie-complice/>.

²⁰⁸ Ziarul de Gardă, "Ce face Ion Perju, singurul polițist vinovat de moartea lui Valeriu Boboc, la 17 ani de la evenimentele din 7 aprilie 2009" [What Ion Perju, the Only Police Officer Found Guilty of the Death of Valeriu Boboc, Is Doing 17 Years after the Events of 7 April 2009], 7 April 2026, <https://www.zdg.md/stiri/stiri-justitie/ce-face-ion-perju-singurul-polizist-vinovat-de-moartea-lui-valeriu-boboc-la-17-ani-de-la-evenimentele-din-7-aprilie-2009-in-septembrie-2025-a-fost-retinut-in-timp-ce-lucra-pentru-sor/>.

²⁰⁹ Aneta Grosu, "Editorial: 7 întrebări legate de reținerea lui Ion Perju" [Editorial: Seven Questions about the Arrest of Ion Perju], Ziarul de Gardă, 18 September 2025, <https://www.zdg.md/blog/editoriale/editorial-7-intrebări-legate-de-reținerea-lui-ion-perju/>.

²¹⁰ *Boboc and Others v. the Republic of Moldova*, no. 44592/16 (ECtHR, 7 June 2022).

²¹¹ Human Rights Committee, CCPR/C/MDA/CO/4, para. 25.

²¹² Ziarul de Gardă, "Cazul Brăguță. Cei 13 polițiști acuzați de comiterea tratamentului inuman în privința lui Andrei Brăguță, condamnați la închisoare" [The Brăguță Case: The 13 Police Officers Accused of Inhuman Treatment of Andrei Brăguță Sentenced to Imprisonment], 4 June 2021, <https://www.zdg.md/stiri/stiri-justitie/cazul-braguta-cei-13-poliiti-acuzai-de-comiterea-tratamentului-inuman-in-privina-lui-andrei-braguta-condamnati-la-inchisoare/>.

²¹³ Promo-LEX, *Rule 9.2 Communication: Levinga Group*, 15–16.

prosecutors, with a three-prosecutor section at the Prosecutor General's Office exercising methodological control.²¹⁴ In July 2025 the Government proposed deleting torture from the competence of the specialised prosecution, and Draft Law No. 148 of 6 May 2026 would have transferred aggravated torture to territorial prosecutors; eleven human rights organisations objected that territorial prosecutors "cooperate daily with the very persons who would come to be investigated".²¹⁵ Law No. 111 of 11 June 2026 was promulgated on 23 June 2026; the Superior Council of Prosecutors' decision of 17 July 2026 restructuring PCCOCS keeps a section for the investigation of torture offences, so the specialised capacity survives for now, in a form the Committee should ask the State party to guarantee by law.²¹⁶ The independent investigative mechanism outside the Prosecution Service that the Committee recommended in 2017 and that the Council of Europe's 2022 needs assessment again described has not been created.²¹⁷

The forensic service is not independent either. On 6 February 2024 four officers of the "Fulger" brigade forcibly took blood and saliva from a remand prisoner at the Centre of Legal Medicine, in the presence of the prosecutor and without his lawyer, leaving a meniscus injury and handcuff lesions; the criminal case was opened seven days later, closed on 20 August 2024 because "the act does not meet the elements of the offence", and reopened only by court order on 22 November 2024. The Centre first acknowledged the incident and then asserted that no force had been used, which the People's Advocate found gave "the impression of a cover-up".²¹⁸

Article 5 of the Survivors' Charter sets out what victims need to reach justice: the right to complain with protection "from retaliation, intimidation and revictimization", investigations that are prompt, impartial and independent, "free and qualified legal advice and representation", and interviews "by qualified experts trained in trauma-informed and gender- and age-sensitive methods".²¹⁹ Each of those elements is missing in Moldova. The Joint Order No. 77/2013 on the identification, recording and reporting of alleged torture is still the operative instrument; Promo-LEX found that fewer than one per cent of bodily injuries in prisons were registered under it, a third reached prosecutors and fewer than four per cent were examined under the Criminal Procedure Code.²²⁰ Prison No. 18 registered a single petition alleging torture in 2024, and 1,881 petitions of all kinds in the first nine months of 2025, and the NPM noted that the cost of postage "could be a real impediment" to reporting; at Bender all outgoing mail is carried by one employee to the post office in Varnița.²²¹ The ANP's hotline, which the State report presented as a channel for torture complaints, is advertised as an anti-corruption line and publishes no call statistics.²²² In a system where informal leaders control who speaks to doctors and to visiting delegations, the absence of a confidential channel is an invitation to silence; the subculture, Promo-LEX wrote in 2022, "violently discourages detainee-informers".²²³ No witness protection measure has been reported in any torture case, and the Soroca victims had none three months after the beating. Legal aid for victims of torture is unconditional

²¹⁴ Consiliul Superior al Procurorilor, "Anexa nr. 4: Structura și numărul de procurori ai Procuraturii Generale" [Annex 4: Structure and Number of Prosecutors of the Prosecutor General's Office], Decision no. 1-391/2024, 2 December 2024, https://csp.md/sites/default/files/2025-01/anexa_nr_4_structura_si_numar_procurori_pg.pdf.

²¹⁵ Guvernul Republicii Moldova, "Aviz la inițiativa legislativă nr. 40/2025" [Opinion on Legislative Initiative No. 40/2025], July 2025, 6, https://www.gov.md/sites/default/files/media/documents/sedinte-de-guvern/2025-07/il-40-2025_0.pdf; Promo-LEX, Amnesty International Moldova, LRCM, IDOM et al., "Apel public al organizațiilor de drepturile omului privind menținerea competenței exclusive a PCCOCS în urmărirea penală a infracțiunilor de tortură" [Public Appeal of Human Rights Organisations on Maintaining the Exclusive Competence of PCCOCS over the Prosecution of Torture Offences], May 2026, https://crjm.org/wp-content/uploads/2026/05/apel_public_pccocs_tortura_subsemnat.pdf.

²¹⁶ Consiliul Superior al Procurorilor, *Hotărârea nr. 1-228/2026 cu privire la modificarea structurii PCCOCS* [Decision No. 1-228/2026 on Modifying the Structure of PCCOCS], 17 July 2026, https://csp.md/sites/default/files/2026-07/228_hot_modificarea_structurii_pccocs.pdf.

²¹⁷ Ralph Roche, Graham Smith and Victor Zaharia, *Raport de evaluare a necesităților privind investigarea torturii, relexelor tratamente sau tratamentului degradant comise cu intenție în custodia poliției în Republica Moldova* [Needs Assessment Report on the Investigation of Torture, Ill-Treatment or Degrading Treatment Committed Intentionally in Police Custody in the Republic of Moldova] (Strasbourg: Council of Europe, 8 February 2022), 22–24, <https://rm.coe.int/raport-de-evaluare-a-necesitatilor/1680aad4cf>.

²¹⁸ Oficiul Avocatului Poporului, *Raport special: Alegații de tortură în scopul prelevării forțate a probelor biologice într-o cauză penală* [Special Report: Allegations of Torture for the Purpose of Forced Collection of Biological Samples in a Criminal Case] (Chișinău: Oficiul Avocatului Poporului, 27 December 2024), 11–22, https://ombudsman.md/wp-content/uploads/2024/12/raport_special_alegatii-de-tortura_19.12.2024_final_26.12.24.signed.pdf.

²¹⁹ Special Rapporteur on Torture, *Charter of Rights*, art. 5(1)(b)–(f).

²²⁰ Promo-LEX Association, "Leziuni corporale, automutilări, subcultură: cum să combatem relexele tratamente în sistemul penitenciar?" [Bodily Injuries, Self-Harm, Subculture: How to Combat Ill-Treatment in the Penitentiary System?], 9 December 2022, <https://old.promolex.md/23027-leziuni-corporale-automutilari-subcultura-cum-sa-combatem-relexele-tratamente-in-sistemul-penitenciar/?lang=ro>.

²²¹ Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 18*, 12; Consiliul pentru Prevenirea Torturii, *Raport, Penitenciarul nr. 8*, 11.

²²² Administrația Națională a Penitenciarelor, "Linia instituțională anticorupție" [Institutional Anti-Corruption Line], <https://www.penitenciar.gov.md/linia-institutionala-anticoruptie>.

²²³ Promo-LEX, "Leziuni corporale, automutilări, subcultură," 9 December 2022.

under article 11(2) of Law No. 137/2016, but the State publishes no figure on how many torture victims ever received it; RCTV Memoria's lawyers counselled 247 persons in 539 sessions in 2025 and prepared 39 cases for national courts, which is the only measured provision of legal assistance to torture survivors in the country.²²⁴ No protocol for trauma-informed interviewing of victims exists for prosecutors or police, and the Prosecutor General's methodological recommendations of 2013 have not been updated since. The Ombudsman's April 2026 statement observes that "unjustified and disproportionate interventions by the police and other services in the context of public assemblies have increased significantly in recent years" and that "the Government has not initiated legislative and institutional changes in these areas, not even in the form of public consultations".²²⁵

Recommendations

24. Amend article 9(5) of Law No. 3/2016 on the Prosecution Service to guarantee by law the exclusive competence of a specialised torture section of PCCOCS over all offences under article 166¹ and article 309 of the Criminal Code, staffed with at least ten prosecutors and its own investigating officers who are not members of the General Police Inspectorate, and publish annually, per case, the outcome of every injury report received from a place of detention.
25. Amend article 200 of the Criminal Procedure Code and Law No. 288/2016 to make suspension from duty mandatory from the moment a person is recognised as a suspect in a torture or ill-treatment case until the final judgment, and publish annual statistics on suspensions.
26. Conclude the three criminal cases concerning the death of Andrei Brăguță with final judgments in 2027 and pay his family the compensation due.
27. Complete the investigations into the events of April 2009 in case no. 2009038033 before any further limitation period expires, publish a report on the outcome of each of the 71 cases, and address a formal acknowledgement of State responsibility to the victims.
28. Issue, by joint order of the Prosecutor General and the Minister of Justice, a rule that every injury report from a prison or police isolator triggers a registered pre-investigation file with a reasoned decision communicated to the prison and to the detainee within 30 days, adopt a protocol for trauma-informed interviewing of victims, drafted with RCTV Memoria in accordance with international standards, and apply the witness protection programme to complainants in torture cases on request.
29. Transfer the Centre of Legal Medicine from the Ministry of Health's subordination to an independent statutory status with its own budget, prohibit the presence of prosecutors or police in forensic examinations except at the examined person's request, and require documentation in accordance with the Istanbul Protocol in every examination of a detained person.

VII. Redress and rehabilitation (article 14; list of issues, paragraph 13)

In 2017 the Committee asked the State party to amend Law No. 137/2016 so that victims of torture have access to restitution, compensation, rehabilitation, satisfaction and guarantees of non-repetition; to develop a detailed rehabilitation programme with a designated referral mechanism, identified specialised providers, adequate budgetary resources and services "not conditional on the filing of formal administrative or criminal complaints"; and to establish a system of data collection on victims and their needs.²²⁶ The State party's reply to paragraph 13 of the list of issues is one sentence: the prosecution body "is guided by the provisions of the Code of Criminal Procedure and the Interdepartmental Order No 572 of 31.12.2013".²²⁷ That sentence does not mention compensation, rehabilitation or Law No. 137. The authors therefore set out the position in full, measured against the Committee's general comment No. 3 on article 14 of the Convention and against the Charter of Rights of Victims and Survivors of Torture.

²²⁴ RCTV Memoria, *Activity Report 2025*, 5.

²²⁵ Oficiul Avocatului Poporului, "La 17 ani de la 7 aprilie 2009, impunitatea pentru tortură continuă să fie o problemă sistemică în Republica Moldova" [Seventeen Years after 7 April 2009, Impunity for Torture Continues to Be a Systemic Problem in the Republic of Moldova], 7 April 2026, <https://ombudsman.md/la-17-ani-de-la-7-aprilie-2009-impunitatea-pentru-tortura-continua-sa-fie-o-problema-sistemica-in-republica-moldova/>.

²²⁶ Committee against Torture, CAT/C/MDA/CO/3, para. 30.

²²⁷ CAT/C/MDA/4, para. 219.

Law No. 137/2016: conditionality on procedural status and the 45 plus 15 days limit

Law No. 137 of 29 July 2016 on the rehabilitation of victims of crime entered into force on 9 March 2017, and its chapter on State financial compensation on 1 January 2018. It has been amended once, by Law No. 238/2018, which allowed non-governmental organisations to lodge a compensation request on a victim's behalf.²²⁸ It provides four services: information, psychological counselling, State-guaranteed legal aid and State financial compensation. Torture, inhuman or degrading treatment under article 166¹ of the Criminal Code appears in both closed lists of qualifying offences, for counselling in article 9(1) and for compensation in article 12(2), and article 11(2) grants victims of torture legal aid "unconditionally". So far the law meets the Committee's concern. The conditions attached to the services defeat it.

Psychological counselling at State expense lasts "at most 3 months" (six for children) under article 9(3), and article 10(2) provides that the request "may be lodged only after the recording body or the criminal investigation body has been notified of the commission of the crime". Government Decision No. 844/2025, which finally regulated the psychological assistance service for adult victims in December 2025, repeats both limits: admission "only after notification of the recording body or the criminal investigation body", duration "at most 3 months", about 33 psychologists in territorial social assistance structures for all victims of crime, and no reference to torture.²²⁹ State compensation is available only if the victim was recognised as a civil party in the criminal proceedings (article 14), only after a final conviction or a final order terminating or suspending the prosecution, only within three years of that act, only for pecuniary heads of damage listed in article 15 (medical costs, damaged property, lost earning capacity, funeral costs), with moral damage excluded, and at 70 per cent of the calculated damage up to ten average monthly salaries (article 19). The victim must produce a criminal record certificate (article 16(4)(e)) and is excluded if, at the date of the offence, they had a final conviction for a serious crime (article 12(3)(d)), a clause that removes most prisoners, the group most exposed to torture, from the scheme. Article 22 assigned one staff position at the Ministry of Justice to run the whole mechanism. The law contains no reference to the Transnistrian region, and its territorial clauses (articles 9(2), 11(1) and 13) exclude persons tortured abroad who were not legally resident in Moldova at the time, which is the situation of every asylum seeker. The "45 plus 15 days" rule appears in the Ministry of Justice's amending draft of February 2025 and in article 4(2) of Draft Law No. 352/2026: provisional access to support services "for a period of at most 45 days, on the basis of a declaration on one's own responsibility", extendable "in justified circumstances" by at most 15 days. It is a sensible bridge for a victim without documents; it is neither an appropriate nor a sufficient rehabilitation period for a survivor of torture.

The Committee's general comment No. 3 states that "access to rehabilitation programmes should not depend on the victim pursuing judicial remedies" and that the obligation "may not be postponed"; the Survivors' Charter asks States to "ensure that gaining access to rehabilitation is not conditional on the filing of a criminal complaint or the conviction of a perpetrator"; Recommendation CM/Rec(2023)2 of the Committee of Ministers requires that services be "accessible irrespective of whether the victim made a formal complaint"; and article 8(5) of Directive 2012/29/EU, which Moldova is bound to transpose, provides that "access to any victim support services is not dependent on a victim making a formal complaint".²³⁰ Moldovan law contradicts all four.

The reform has been in preparation for four years. The Ministry of Justice announced a revision of Law No. 137 in September 2022, published an amending draft in February 2025 and consulted it in July and August 2025.²³¹ The Government then chose to draft a new law. Draft Law No. 352 on the rehabilitation of victims of crime was approved by the Government on 22 September 2026 and adopted by Parliament in

²²⁸ Parlamentul Republicii Moldova, *Legea nr. 137 din 29 iulie 2016 cu privire la reabilitarea victimelor infracțiunilor* [Law No. 137 of 29 July 2016 on the Rehabilitation of Victims of Crime], Monitorul Oficial nos. 293–305, art. 618 (9 September 2016), consolidated text, https://www.legis.md/cautare/getResults?doc_id=110484&lang=ro.

²²⁹ Guvernul Republicii Moldova, *Hotărârea nr. 844/2025 pentru aprobarea Regulamentului-cadru de organizare și funcționare a Serviciului de asistență psihologică pentru victimele adulte ale infracțiunilor și a Standardelor minime de calitate* [Government Decision No. 844/2025 Approving the Framework Regulation of the Psychological Assistance Service for Adult Victims of Crime and the Minimum Quality Standards], Monitorul Oficial nos. 656–658 (31 December 2025), point 17, <https://monitorul.gov.md/ro/monitor/3203>.

²³⁰ Committee against Torture, *General Comment No. 3 (2012): Implementation of Article 14 by States Parties*, CAT/C/GC/3 (13 December 2012), paras. 12 and 15, <https://docs.un.org/en/CAT/C/GC/3>; Special Rapporteur on Torture, *Charter of Rights*, art. 6(2)(g); Council of Europe, Committee of Ministers, *Recommendation CM/Rec(2023)2 on Rights, Services and Support for Victims of Crime* (15 March 2023), para. 19.3, <https://rm.coe.int/cm-rec-2023-2-victims-of-crime-en/1680aa8263>; Directive 2012/29/EU of the European Parliament and of the Council of 25 October 2012, art. 8(5).

²³¹ Ministerul Justiției, "Legea privind reabilitarea victimelor infracțiunilor va fi revizuită" [The Law on the Rehabilitation of Victims of Crime Will Be Revised], 23 July 2025, <https://www.justice.gov.md/ro/content/legea-privind-reabilitarea-victimelor-infracțiunilor-va-fi-revizuita-0>.

first reading on 24 September 2026.²³² It improves the framework in several respects: a definition of victim that includes moral damage and family members; the 45-day provisional access; an individual needs assessment and a six-monthly statutory record of referred victims (article 8); compensation where the perpetrator is unidentified (article 19); compensation for moral damage (article 20); removal of the prior-conviction exclusion; and the "persecuted victim" category for the Transnistrian region. The explanatory note concedes that the 2016 mechanism "remains excessively rigid and bureaucratic, which considerably limits real access".²³³

Four defects remain. First, articles 34 and 35 of the draft provide that the law enters into force, and Law No. 137 is repealed, "on the date of entry into force of the Treaty of Accession of the Republic of Moldova to the European Union". The Government's own target is to close negotiations provisionally by early 2028; accession is later and uncertain.²³⁴ Until then the non-functioning law stays in force, and the transitional mechanism proposed in committee was unresolved at first reading.²³⁵ Second, psychological assistance at State expense remains limited to "psychological counselling" for three months (articles 11 to 13), while traumatised survivors need comprehensive mental health services; the Prosecutor General's Office proposed an initial period of six months with automatic extension on the psychologist's recommendation, and the People's Advocate observed that "psychological trauma does not heal within arbitrary administrative deadlines of 90 days".²³⁶ Third, medical care beyond emergencies is provided "according to the legislation on mandatory health insurance" (article 15), which leaves uninsured survivors, including most released prisoners and asylum seekers, without the rehabilitation services and treatment they need. Fourth, the compensation cap stays at 70 per cent of damage up to ten average salaries, 174,000 lei or about EUR 8,700 in 2026, and article 17(2)(c) excludes victims who "intentionally refused to contribute to the discovery of the crime", with no exception for persons who fear reprisals against relatives in the Transnistrian region. The clause on State support to non-governmental providers, article 7(2), repeats the 2016 wording almost verbatim and remains programmatic.

Impacts documented by RCTV Memoria

The centre's case records describe four clusters of consequences. Survivors of detention in Moldova present increased poverty, social withdrawal, post-traumatic stress and other mental health conditions, loss of trust in their own capacities and in the authorities, and a higher level of aggression, and of the wish for revenge, that returns to families and communities, with a risk of manipulation of survivors in anti-State mobilisation. Survivors from the Transnistrian region and their families are "scared, threatened, reduced to silence and obedience"; many leave the country; dependency on the de facto regime is widespread. Asylum seekers tortured by police and prison staff in third countries show poor integration, mental health conditions, a reduced capacity to learn the language and a real risk of refolement. Survivors from the occupied territories of Ukraine present broken families, severe health and mental health conditions, no means to pay for treatment and a risk of delayed trauma effects.²³⁷ None of these needs fits a 90-day counselling window, a civil-party certificate or a criminal record check. The centre's clinical work in 2025 gives the measure of what rehabilitation requires: 4,082 medical visits (for diagnosis, documentation, medication and other treatment), 714 referrals to outside specialists for 367 persons, 2,384 mental health visits, 1,844 counselling sessions, 539 individual therapy sessions, 814 social assistance visits and 539 legal counselling sessions.²³⁸

Funding of specialised NGOs and the referral mechanism (MNRV)

The State party has no rehabilitation programme for victims of torture, no State-run service and no budget line. What exists is RCTV Memoria. Between 2021 and 2025 the centre provided comprehensive rehabilitation to 819 survivors of torture and ill-treatment (235, 122, 129, 193 and 140 persons per year), to between 63 and 93 survivors of gender-based violence a year in 2021, 2022, 2024 and 2025, and to 3,050, 3,458, 1,202 and 540 refugees from Ukraine in 2022, 2023, 2024 and 2025.²³⁹ Its budget fell from

²³² Ministerul Justiției, "Victimele infracțiunilor vor avea acces mai simplu," 22 September 2026; Ministerul Justiției, "Proiectul de lege" and "Nota de fundamentare" to Draft Law No. 352/2026.

²³³ Ministerul Justiției, "Nota de fundamentare" to Draft Law No. 352/2026.

²³⁴ RCTV Memoria et al., *Joint Stakeholders' Report to the UPR*, 3.

²³⁵ Hriplivii, "Noua Lege privind reabilitarea victimelor infracțiunilor," 29 September 2026.

²³⁶ Hriplivii, "Noua Lege privind reabilitarea victimelor infracțiunilor," 29 September 2026.

²³⁷ RCTV Memoria et al., *Joint Stakeholders' Report to the UPR*, 7–8.

²³⁸ RCTV Memoria, *Activity Report 2025*, 4–5.

²³⁹ RCTV Memoria, *Activity Report 2021* (Chișinău: RCTV Memoria, 2022), 4; RCTV Memoria, *Activity Report 2022*, 3; RCTV Memoria, *Activity Report 2023*, 6; RCTV Memoria, *Activity Report 2024*, 3; RCTV Memoria, *Activity Report 2025*, 3.

USD 360,885 in 2024 to USD 200,289 in 2025 after the reduction of United States foreign assistance announced in January 2025; 75 per cent came from Church World Service and 19 per cent from the United Nations Voluntary Fund for Victims of Torture, which the centre calls "its most faithful funder"; the Moldovan State, central or local, has contributed nothing financially for rehabilitation since 2000.²⁴⁰

One form of support exists. After years of lobbying for the involvement of State institutions in rehabilitation, RCTV Memoria obtained the lease of premises from the State Chancellery, which it has rented since 2011 and, since December 2024, on preferential terms on the basis of its public utility certificate. The authors welcome it. The lease runs for one year at a time, so it can end at any renewal, and a radical change of government in the present geopolitical climate could end it; one-year contracts also stand in the way of the sanitary authorisation and accreditation of the centre's medical services, of multi-year project planning and of organisational sustainability.²⁴¹

The Voluntary Fund itself faces "an unprecedented financial crisis", with a funding gap of USD 17 million in 2025, and its 2026 grants list names one Moldovan grantee, which is not RCTV Memoria.²⁴² Moldova does not appear among the 22 donors to the Fund in 2025 and has never contributed, in spite of the appeals that civil society organisations address to it every year around 26 June, the United Nations International Day in Support of Victims of Torture; Montenegro and Peru do, with contributions smaller than what Moldova spends on a single prisoner in a year, which the Ministry of Justice puts at 461.85 lei a day.²⁴³ The State relies on the only rehabilitation centre while refusing to fund rehabilitation services.

The ANP's staff were trained by RCTV Memoria in 2022 and 2023; the National Probation Inspectorate signed a strategic partnership on 16 January 2026 for the referral of probationers who survived torture, expressly "without financial obligations"; the asylum authority referred every applicant to the centre until 2022; the Ministry of Labour lists it as a training partner of the referral mechanism.²⁴⁴ The National Referral Mechanism for the protection and assistance of victims of crime, created by Government Decision No. 182/2022 with a programme to 2026, is a welcome structure; its progress reports for 2022 and 2023 contain no category "victims of torture", no referral of a torture victim to State services and no compensation data, and RCTV Memoria appears in them only as an unpaid training partner.²⁴⁵ The mechanism's Coordinating Council, created in October 2023, agreed in August 2025 to extend the mechanism to "a wider spectrum of categories of victims"; torture victims are still not named.²⁴⁶ The only "one-stop" centres that exist serve child victims and witnesses; none serves adult survivors of torture.

Compensation actually awarded and victim data collection

The Council of Europe's analysis commissioned by the Ministry of Justice and the Prosecutor General's Office found in June 2024 that "up to the completion of this analysis no requests for State financial compensation had been made" and that enforcement titles under the law "do not even amount to 0.05 per cent" of those handled by bailiffs.²⁴⁷ The Ministry of Justice's own explanatory note of February 2025 states that "from the adoption of the law to the present, no compensation has been granted under the legal provisions".²⁴⁸ GRETA described the mechanism in 2025 as "inactive" for victims of trafficking, and Promo-LEX confirmed in September 2026 that "since the compensation mechanism was put into

²⁴⁰ RCTV Memoria, *Activity Report 2025*, 1 and 6; RCTV Memoria, "Donatorii" [Donors], <https://memoria.md/ro/donatorii>.

²⁴¹ Lease contracts between the State Chancellery and RCTV Memoria, 2011 to 2026, on file with the authors.

²⁴² Office of the United Nations High Commissioner for Human Rights (OHCHR), *United Nations Voluntary Fund for Victims of Torture: Factsheet 2026* (Geneva: OHCHR, 2026), <https://www.ohchr.org/sites/default/files/documents/issues/torture/unvfvf/torture-fund-factsheet-2026-en.pdf>; OHCHR, "List of 2026 Annual Grants, UN Voluntary Fund for Victims of Torture," 24 March 2026, <https://www.ohchr.org/sites/default/files/documents/issues/torture/unvfvf/grants-2026-un-torture-fund.pdf>.

²⁴³ OHCHR, "United Nations Voluntary Fund for Victims of Torture: Contributions 2025," 3 March 2026, <https://www.ohchr.org/sites/default/files/documents/issues/torture/unvfvf/contributions-2025-un-torture-fund.pdf>; Ministerul Justiției și ANP, *Raport de performanță la situația din 31 decembrie 2025* [Performance Report as of 31 December 2025] (Chișinău: Ministerul Justiției, 2026), https://www.justice.gov.md/sites/default/files/document/attachments/anp_anual_2025.pdf.

²⁴⁴ RCTV Memoria, "Acord de parteneriat strategic," 16 January 2026; CAT/C/MDA/4, para. 109.

²⁴⁵ Ministerul Muncii și Protecției Sociale, *Raport de progres cu privire la acțiunile întreprinse și rezultatele obținute în vederea realizării Planului de acțiuni pentru implementarea Programului de creare și dezvoltare a MNRV pe anii 2022–2026* [Progress Report on the Implementation of the Action Plan for the National Referral Mechanism, 2022] (Chișinău: MMPS, 2023), <https://social.gov.md/wp-content/uploads/2024/01/Raport-de-progres-general-MNRV-FINAL.pdf>; Ministerul Muncii și Protecției Sociale, *Raport de progres MNRV 2023* [Progress Report on the National Referral Mechanism, 2023] (Chișinău: MMPS, 2024), https://social.gov.md/wp-content/uploads/2024/05/Raport_de_progres_MNRV_2023.pdf.

²⁴⁶ Ministerul Muncii și Protecției Sociale, "Consolidarea Mecanismului Național de Referire pentru protecția și asistența victimelor infracțiunilor: prioritățile pentru perioada 2025–2026" [Strengthening the National Referral Mechanism: Priorities for 2025–2026], 21 August 2025, <https://social.gov.md/comunicare/comunicate/consolidarea-mecanismului-national-de-referire-pentru-protectia-si-asistentavictimelor-infracțiunilor-prioritatile-pentru-perioada-2025-2026/>.

²⁴⁷ Pelikan and Țurcan-Donțu, *Raport de analiză a Legii nr. 137/2016*, 20 and 23.

²⁴⁸ Ministerul Justiției, "Nota de fundamentare" to the compensation draft of February 2025.

operation, no compensation request had been lodged".²⁴⁹ In eight years and nine months, the State compensation scheme has not paid one leu to any victim of any crime. Outside the judgments of the European Court, the only victims of torture the authors know to have been compensated by the Moldovan State are some of those ill-treated in April 2009, many of whom RCTV Memoria documented, and they obtained it through civil actions in court: the first, in October 2011, was the award of 55,000 lei for moral damage to Nicolae Bairactari by the Supreme Court of Justice.²⁵⁰ In April 2009 cases brought before the European Court, the State had paid almost EUR 345,000 by April 2021.²⁵¹

Article 6 of the Charter of Rights of Victims and Survivors of Torture covers the amounts actually paid and socio-economic support. The amounts are these. The European Court awarded EUR 420,928 against Moldova in 2025 and EUR 23.4 million since 1997; the single largest awards in torture-related cases of the period were EUR 85,000 in *G.M. and Others* and EUR 57,000 in *Boboc and Others*.²⁵² The compensatory remedy for conditions of detention has paid an average of about 2,000 lei (about EUR 100) per admitted complaint since 2019, and under 900 lei (about EUR 45) in 2023. The State publishes no data on damages awarded by domestic courts in torture cases, on the time taken to pay them or on recourse actions against perpetrators, which general comment No. 3 requires States to report.²⁵³ Socio-economic support for survivors, which article 6(2)(h) of the Survivors' Charter describes as livelihood and educational support and access to employment without stigma, does not exist in any Moldovan programme; the February 2025 amending draft proposed vouchers for food, shelter, transport and medication, and that provision does not appear in the 2026 draft text available to the authors.

No register of victims of torture or of their rehabilitation needs exists. The prosecution's statistics count allegations; the electronic register of injuries counts injuries in prisons; the referral mechanism's four statistical forms cover trafficking, domestic violence and children. Government Decision No. 844/2025 requires providers to report beneficiaries by age, sex and residence, not by type of crime. Draft Law No. 352 would, for the first time, oblige territorial social assistance agencies to keep records of referred victims (article 8(12)); until it enters into force, the Committee's 2017 recommendation on data collection stands unimplemented.²⁵⁴

Absence of available, accessible and fully funded reparation programmes by the State

The Survivors' Charter states the principle the State has not accepted: "while non-State entities may deliver reparation and rehabilitation programmes, the State is responsible for ensuring that these programmes are available, accessible and fully funded".²⁵⁵ The Committee's general comment No. 3 adds that rehabilitation may be provided "through the funding of private ... facilities, including those administered by non-governmental organizations", that "the victim's participation in the selection of the service provider is essential", and that a State's failure to provide redress "may not be justified by invoking a State's level of development".²⁵⁶ In Moldova the State programme is the sum of Law No. 137's three-month counselling, which no torture victim is recorded to have used, and a compensation commission that has never met a claimant. Everything else is delivered by a non-governmental centre whose survival depends on foreign donors who are themselves withdrawing. Whole groups are outside even that: survivors from the Transnistrian region cannot meet any condition of Law No. 137, since there is no final Moldovan judgment against their torturers and no service on the left bank; asylum seekers tortured abroad are excluded by the residence clauses; prisoners with a serious prior conviction are excluded by article 12(3)(d); and victims whose cases are reclassified as excess of power under article 328 of the Criminal Code, the common fate of police ill-treatment cases, are outside both closed lists. Victims of the April 2009 events have received no State acknowledgement, no collective reparation measure and no memorial.

²⁴⁹ Group of Experts on Action against Trafficking in Human Beings (GRETA), *Evaluation Report: Republic of Moldova, Fourth Evaluation Round*, GRETA(2025)07 (Strasbourg: Council of Europe, 10 June 2025), para. 46, <https://rm.coe.int/greta-evaluation-report-on-the-implementation-of-the-council-of-europe/1680b613f3>; Hriplivii, "Noua Lege privind reabilitarea victimelor infracțiunilor," 29 September 2026.

²⁵⁰ Promo-LEX Association, "Precedent in April 2009 Victims' Cases," 19 October 2011, <https://promolex.md/en/precedent-in-april-2009-victims-cases/>.

²⁵¹ Cristina Carmanu, "April 7, 2009: Moldova's Shame at the European Court for Human Rights," *Ziarul de Gardă*, 12 April 2021, <https://www.zdg.md/en/april-7-2009-moldovas-shame-at-the-european-court-for-human-rights/>.

²⁵² CRJM, *Notă analitică* 2025, 4–10; Centrul de Resurse Juridice din Moldova, *Notă analitică: Republica Moldova la CtEDO în 2022* [Analytical Note: The Republic of Moldova at the ECtHR in 2022] (Chișinău: CRJM, January 2023), 7–8, https://crjm.org/wp-content/uploads/2023/01/Nota-analitica-Moldova-la-CtEDO-2022_RO.pdf.

²⁵³ Committee against Torture, CAT/C/GC/3, para. 46.

²⁵⁴ Committee against Torture, CAT/C/MDA/CO/3, para. 30(c).

²⁵⁵ Special Rapporteur on Torture, *Charter of Rights*, art. 6(2)(j).

²⁵⁶ Committee against Torture, CAT/C/GC/3, paras. 15 and 37.

A survivor-centred approach: information, consultation and barriers to reporting

Article 4 of the Survivors' Charter asks for "safe, confidential and accessible spaces" where survivors can speak, "clear, timely and ongoing information about the progress and outcomes of our cases and about reparation processes", and the possibility to "express our views on the forms of reparation and redress that are most meaningful to us".²⁵⁷ Article 6 of Law No. 137 obliges the officer who receives a complaint, the investigator and the prosecutor to inform the victim in writing of the available services and procedural rights, recorded in a report attached to the file. The Council of Europe's analysis recommended fewer documents, obtained by the authorities themselves rather than demanded from victims, and a self-declaration in emergencies; the Ministry of Justice's 2026 explanatory note describes a mechanism that "discourages persons in a vulnerable situation".²⁵⁸ Survivors assisted by RCTV Memoria report the barriers the Survivors' Charter anticipates: fear of reprisals, distrust of prosecutors and police, re-traumatisation during repeated questioning, poverty, the difficulty of obtaining medical evidence and the absence of appropriate legal assistance; many cases go unreported, and in the Transnistrian region reporting is rarer still because of intimidation and fear for relatives.²⁵⁹ No procedure requires prosecutors to inform a torture victim of the progress of the case beyond the general rules of the Criminal Procedure Code, and the CPT has had to ask repeatedly for the outcomes of individual cases that the authorities report only in aggregate.²⁶⁰ No mechanism, in law or practice, consults victims on the form of reparation; the Interdepartmental Commission for compensation has never examined a request, and RCTV Memoria's 25th-anniversary conference of 16 October 2025, attended by 94 participants including State authorities, remains the only forum where survivors' expectations of justice and reparation were put to the institutions.²⁶¹

Participation and leadership of survivors

Article 3 of the Survivors' Charter asks States to engage survivors "as equal partners and stakeholders at every stage", to formalise "the role and participation of victims and survivors in national efforts" and to provide "direct funding to survivor-led networks".²⁶² No consultative body in Moldova includes survivors of torture. The referral mechanism's Coordinating Council, created by order of the Minister of Labour on 4 October 2023, is composed of institutions, non-governmental organisations and international partners.²⁶³ The only survivor networks are those RCTV Memoria sustains: support groups with 114 participants in 2024 and 14 group sessions with 190 participants in 2025, including storytelling, crafts, ecotherapy and stress management, with no public funding.²⁶⁴ The State organises no event on 26 June, the International Day in Support of Victims of Torture; the public appeals for zero tolerance of torture issued on that day every year since 2001 by RCTV Memoria, Amnesty International Moldova and other human rights organisations, most recently in June 2025 and June 2026, are the only ones on record.²⁶⁵

Recommendations

30. Adopt Draft Law No. 352/2026 in second reading before the end of 2026 with the following amendments: (a) replace articles 34 and 35 so that the law enters into force three months after publication, or at the latest on 1 July 2027, and not on the date of EU accession; (b) amend articles 11 to 13 to provide State-funded psychological and psychiatric assistance for victims of torture and ill-treatment for an initial period of twelve months, renewable on the treating professional's recommendation for as long as clinically necessary; (c) amend article 15 so that all medical care related to the consequences of torture, including dental, gynaecological and reproductive care and medication, is provided free of charge irrespective of insurance status; (d) delete from article 17(2)(c) the exclusion of victims who did not contribute to the discovery of the crime, or add an express exception for fear of reprisals; (e) provide in article 7 for a State budget programme, with

²⁵⁷ Special Rapporteur on Torture, *Charter of Rights*, art. 4(2)(a)–(d).

²⁵⁸ Pelikan and Țurcan-Donțu, *Raport de analiză a Legii nr. 137/2016*, 21; Ministerul Justiției, "Nota de fundamentare" to Draft Law No. 352/2026.

²⁵⁹ RCTV Memoria et al., *Joint Stakeholders' Report to the UPR*, 5.

²⁶⁰ CPT, *Report on the June 2025 Visit*, para. 30.

²⁶¹ RCTV Memoria, *Activity Report 2025*, 1 and 7.

²⁶² Special Rapporteur on Torture, *Charter of Rights*, art. 3(3)(a), (b) and (d).

²⁶³ Ministerul Muncii și Protecției Sociale, *Raport de progres MNRV 2023*.

²⁶⁴ RCTV Memoria, *Activity Report 2024*, 5; RCTV Memoria, *Activity Report 2025*, 5.

²⁶⁵ RCTV Memoria et al., "APEL cu ocazia Zilei Internaționale a ONU pentru susținerea victimelor torturii" [Appeal on the Occasion of the UN International Day in Support of Victims of Torture], 26 June 2020, https://memoria.md/ro/news_item/86; RCTV Memoria, *Activity Report 2021*, 5–6; RCTV Memoria, *Activity Report 2024*, 7; RCTV Memoria and Amnesty International Moldova, public appeals of 26 June 2025 and 26 June 2026, on file with the authors.

an annual allocation of not less than five million lei, to finance specialised non-governmental rehabilitation providers through multi-year contracts awarded on expertise, and for the lease of State premises to such providers for terms of at least five years; (f) extend eligibility to persons tortured abroad who later obtained asylum or temporary protection in Moldova; (g) raise the compensation cap for victims of torture to at least 20 average monthly salaries, provide an advance of five minimum wages within 30 days for victims in precarious situations, and restore the vouchers for food, shelter, transport and medication proposed in February 2025; (h) add a duty for prosecutors to inform victims of torture in writing of every procedural decision within ten days and to consult them on the forms of reparation sought in the criminal case.

31. Pending that law, adopt by Government decision in the first quarter of 2027 a transitional rehabilitation programme for victims of torture and ill-treatment, implemented through a contract between the Ministry of Labour and Social Protection and RCTV Memoria, with a budget covering at least 300 survivors a year, access on self-declaration and without any requirement of a criminal complaint, and a referral protocol for the ANP, the General Police Inspectorate, the General Inspectorate for Migration, the National Probation Inspectorate and the Bureau for Reintegration Policies.
32. Amend article 10(2) of Law No. 137/2016 immediately, by a single-article law, to delete the requirement of a prior complaint to the recording or investigation body, and amend article 9(3) to replace the three-month limit with "for as long as necessary for rehabilitation".
33. Establish at the Ministry of Justice, by order of the Minister, a public register of applications and awards under the State compensation scheme, and report to the Committee the number of victims of torture compensated and the amounts paid each year, as required by general comment No. 3, paragraph 46; where the answer is zero, say so.
34. Create, within the Ministry of Labour and Social Protection, a national register of victims of torture and ill-treatment and of their rehabilitation needs, fed by the prosecution's registrations under article 166¹, the ANP's injury register, the Centre of Legal Medicine, the asylum authority and accredited providers, with data protection safeguards, and publish aggregated figures annually.
35. Include at least two survivor representatives, nominated by survivor groups, in the Coordinating Council of the National Referral Mechanism and in the working group on the implementation of the Committee's concluding observations, fund their participation, and provide a dedicated grant line for survivor-led networks.
36. Create a dedicated budget line for the prevention of torture in the 2027 State budget, make an annual contribution to the United Nations Voluntary Fund for Victims of Torture beginning with the same budget, organise a State event on 26 June each year, and issue a public acknowledgement by the Government, on 7 April 2027, of the State's responsibility for the torture and ill-treatment of protesters in April 2009, accompanied by a collective reparation measure agreed with the victims.

VIII. Confessions obtained with torture or ill-treatment (article 15)

Article 94(1) of the Criminal Procedure Code declares inadmissible evidence obtained "through violence, threats or other means of coercion", and the Prosecutor General's methodological recommendations of 2013 instruct prosecutors to apply it.²⁶⁶ The State party publishes no data on how often courts exclude statements, and none of the official reports consulted for this submission contains such a figure. The leading judgment on convictions founded on confessions extracted by torture, *Levița*, final since 2009, heads a group that the Committee of Ministers still supervises under its enhanced procedure for "ill-treatment and torture in police custody, notably in order to extract confessions, lack of effective investigations and effective remedy".²⁶⁷ In its decision of September 2021 the Committee of Ministers asked the authorities to explain the low rate of referrals to court and the high acquittal rate and to ensure the confidentiality of medical examinations; the group remains open.²⁶⁸ Prosecutors registered seven cases

²⁶⁶ Procuratura Generală, *Recomandări metodologice pentru investigarea eficientă a infracțiunilor de tortură, tratament inuman sau degradant* [Methodological Recommendations for the Effective Investigation of Torture, Inhuman or Degrading Treatment], Order no. 76/8 of 30 December 2013, <https://procuratura.md/sites/default/files/2024-02/Recomandari%20metodologice.pdf>.

²⁶⁷ Council of Europe, "Republic of Moldova: Country Factsheet," 11 June 2026.

²⁶⁸ Promo-LEX, *Rule 9.2 Communication: Levița Group*, 3–4.

of coercion to make statements under article 309 of the Criminal Code in 2023, three in 2024 and nine in 2025, and opened no investigation under that article in 2025.²⁶⁹ The 2024 incident at the Centre of Legal Medicine, in which force was used in a prosecutor's presence to obtain biological samples, shows how evidence is still taken. Audio-visual recording of interrogations exists in a handful of police isolators fitted with hearing rooms in 2018; it is not mandatory, and the NPM found detainees "escorted and heard in the inspectorates' offices", outside the isolators and outside any camera.²⁷⁰

The case of the brothers Adrian Repeşcu and Constantin Repeşco shows what the rule is worth in practice. Arrested in Chişinău on 11 August 2007, they were cruelly beaten at the Botanica police station and then at the municipal police commissariat; Adrian, a former police officer, confessed to a murder he denied having committed in order to stop the torture of his brother. Constantin was acquitted at first instance in July 2008. In June 2011 the Chişinău Court of Appeal convicted both on the strength of that confession obtained under torture, Adrian to 16 years and Constantin to seven, and in November 2011 the municipal prosecutor's office dismissed the torture complaint. RCTV Memoria documented the brothers' injuries and wrote to the Supreme Court of Justice on 1 August 2011, and OMCT issued an urgent appeal in February 2012.²⁷¹ Before the European Court the Government acknowledged the ill-treatment in a unilateral declaration and the article 3 complaint was struck out; the Supreme Court of Justice still refused to reopen the criminal case. In October 2023 the Court found a violation of article 6(1): the Supreme Court had shown excessive formalism, had not examined rigorously the credible claim that the conviction rested on statements obtained by ill-treatment, and could have ordered a retrial under article 464¹ of the Criminal Procedure Code.²⁷² The Court awarded EUR 3,600 to each brother. Constantin Repeşco has lived as a fugitive since his conviction, and no retrial had been ordered by October 2026. No one should have to flee the country to escape a sentence built on torture.

Recommendations

37. Amend article 94 of the Criminal Procedure Code to place on the prosecution the burden of proof, where a defendant alleges coercion, that a statement was given freely, and require courts to record in every judgment the ruling on such an allegation; instruct the Agency for Court Administration to publish annually the number of statements excluded.
38. Make audio-visual recording mandatory for every interrogation of a suspect, with retention of the recording for the duration of the proceedings, by amending article 104 of the Criminal Procedure Code, and prohibit the hearing of detained persons outside the police isolator.
39. Reopen, under article 464¹ of the Criminal Procedure Code, the criminal proceedings against Adrian Repeşcu and Constantin Repeşco in execution of the judgment of 3 October 2023, and have the Supreme Court of Justice adopt an explanatory decision confirming that a decision of the European Court striking out an application after the Government has acknowledged a violation of article 3 opens the revision procedure on the same terms as a judgment.

IX. National oversight bodies (NPM, Ombudsperson; list of issues, paragraphs 6 and 14)

The outline of this section follows the Committee's two questions: the independence, funding and unannounced access of the national preventive mechanism, including to psychiatric and residential institutions and to the Transnistrian region, and the protection of persons held in those institutions.

Independence and funding of the Council for the Prevention of Torture

The Committee graded the State's reply on the national preventive mechanism "not implemented" in 2019 because the State had not said what the mechanism actually receives and had not formalised the selection

²⁶⁹ Procuratura Generală, *Raport 2025*, 34.

²⁷⁰ Consiliul pentru Prevenirea Torturii, *Raport, Direcția de Poliție Chişinău*, 15.

²⁷¹ World Organisation Against Torture (OMCT), "Torture and Ill-Treatment Suffered by Mr. Adrian Repescu and His Brother Mr. Constantin Repesco in Order to Get a Confession," urgent intervention MDA 130212, 13 February 2012, <https://www.omct.org/en/resources/urgent-interventions/torture-and-ill-treatment-suffered-by-mr-adrian-repecu-and-his-brother-mr-constantin-repecu-in-order-to-get-a-confession>.

²⁷² *Repeşco and Repeşcu v. the Republic of Moldova*, no. 39272/15 (ECtHR, 3 October 2023), paras. 29–33; Ministerul Justiției, Agentul guvernamental, *Raportul Agentului guvernamental pentru anul 2023* [Report of the Government Agent for 2023] (Chişinău: Ministerul Justiției, 2024), 15–16, <https://old.gov.md/sites/default/files/document/attachments/nu-293-mj-2024.pdf>.

of its members.²⁷³ The State report now gives figures for 2017 to 2020 only: a budget line planned at 239,800 lei (about EUR 12,000) and executed at 113,100 lei (about EUR 5,700) in 2020, with members' remuneration executed at 93,100 lei.²⁷⁴ Execution ran at 38 to 47 per cent of the plan in 2018 to 2020. The 2022 budget note shows how the line is built: three members at 871.60 lei per visit for 40 visits, five members for 18 meetings, about 236,000 lei in all.²⁷⁵ Members are paid ten per cent of the average monthly salary for each day of visits or meetings.²⁷⁶ The budget line for 2023 to 2025 is not published. The seven-member Council was renewed by competition on 23 December 2021 and one member replaced in February 2023; by 2026 the civil-society core conducting visits had shrunk to four persons.²⁷⁷ Visits by the Council and the People's Advocate's torture prevention directorate numbered 72 in 2022, 28 in 2023, 58 in 2024 and 56 in 2025; the Council alone made 17 visits in 2025.²⁷⁸ The People's Advocate estimates that "the rate of implementation of recommendations in the medium term remains 33 per cent, and in the long term (resources and policies) 10 to 15 per cent".²⁷⁹

The institution that hosts the mechanism is itself underfunded. Only 54 of the Office's 72 approved posts were financed in 2024 and 46 filled; 22.26 per cent of its 2024 budget came from donors; in 2025 the financial coverage of posts was about 66 per cent.²⁸⁰ Law No. 1 of 2 February 2023 restricted the People's Advocate's immunity so that detention without Parliament's consent is now possible in flagrante delicto; the GANHRI Sub-Committee on Accreditation recommended reverting to the previous protection, and the Office retains its "A" status.²⁸¹ The Human Rights Committee asked in 2026 for the financial independence and adequate staffing of the Office and for the Council to have the "independence and resources" to carry out its mandate.²⁸² The draft law amending Law No. 52/2014 registered in Parliament in June 2022 as No. 267 had not been adopted by October 2026, so far as the authors can establish; the only two local civilian monitoring commissions under Law No. 235/2008 reported by the State in 2022 appear in no later document.²⁸³ The Council has no access to the Transnistrian region: "the access of the People's Advocate to the localities on the left bank of the Nistru and the municipality of Bender remains restricted", "making direct monitoring impossible".²⁸⁴

Unannounced access and findings in psychiatric hospitals

Law No. 114 of 16 May 2024 on mental health and wellbeing, in force since 13 December 2024, replaced the 1997 law and requires court approval of involuntary hospitalisation within 24 hours with review every two weeks.²⁸⁵ The Human Rights Committee welcomed the law and regretted that it "does not appear to provide sufficient safeguards allowing for periodic or detainee-initiated judicial review of involuntary placement".²⁸⁶ Practice has not caught up with the text. The People's Advocate's safety reports record 136 physical restraints lasting from 15 minutes to seven hours in 2022, and in 2025 328 cases of physical or chemical restraint, 14 of them on minors aged 13 to 18, 82 deaths in the three psychiatric hospitals and 44 incidents of violence between patients; the Office's thematic sheet for the same year gives 46 deaths and 67 restraints, a discrepancy it does not explain.²⁸⁷ At Section 10 of the Clinical Psychiatric Hospital in

²⁷³ Committee against Torture, letter INT/CAT/FUL/MDA/39765, 29 November 2019.

²⁷⁴ CAT/C/MDA/4, para. 97.

²⁷⁵ Oficiul Avocatului Poporului, "Notă informativă privind elaborarea bugetului Oficiului Avocatului Poporului pentru anul 2022" [Informative Note on the Elaboration of the 2022 Budget of the People's Advocate Office], 2022, https://old2.ombudsman.md/wp-content/uploads/2022/03/Buget-2022.final_.signed.semnat.pdf.

²⁷⁶ Oficiul Avocatului Poporului, "Anunț: concurs pentru selectarea unui membru în cadrul Consiliului pentru Prevenirea Torturii" [Announcement: Competition for the Selection of a Member of the Council for the Prevention of Torture], 10 February 2023, https://ombudsman.md/wp-content/uploads/2023/10/anunt_concurs-pentru-selectarea-unui-membru-in-cadrul-consiliului-pentru-prevenirea-torturii.pdf.

²⁷⁷ Consiliul pentru Prevenirea Torturii, *Raport anual 2022*, 4 and 10; Consiliul pentru Prevenirea Torturii, *Raport anual 2023*, 7–8.

²⁷⁸ People's Advocate Office, *Annual Report 2024*, 22; Oficiul Avocatului Poporului, *Rezumat în cifre 2025*.

²⁷⁹ Avocatul Poporului, *Raport anual privind respectarea drepturilor și libertăților omului în Republica Moldova în anul 2025* [Annual Report on the Observance of Human Rights and Freedoms in the Republic of Moldova in 2025] (Chișinău: Oficiul Avocatului Poporului, 2026), 226, https://ombudsman.md/wp-content/uploads/2026/05/ro_raport-anual-privind-respectarea-drepturilor-omului-si-libertatilor-omului-in-r.-moldova-in-2025-.pdf.

²⁸⁰ People's Advocate Office, *Annual Report 2024*, 26–27; Avocatul Poporului, *Raport anual 2025*, 16.

²⁸¹ People's Advocate Office, *Annual Report 2024*, 26–36.

²⁸² Human Rights Committee, CCPR/C/MDA/CO/4, paras. 10 and 26(a).

²⁸³ CAT/C/MDA/4, para. 102.

²⁸⁴ Avocatul Poporului, *Raport anual 2024*, 14; People's Advocate Office, *Annual Report 2024*, 29.

²⁸⁵ Oficiul Avocatului Poporului, *Raport alternativ al OAP în baza ICCPR* [Alternative Report of the People's Advocate Office under the ICCPR] (Chișinău: Oficiul Avocatului Poporului, 2025), 17, <https://ombudsman.md/wp-content/uploads/2026/01/raport-alternativ-al-oap-in-baza-iccpr-2025-1.pdf>.

²⁸⁶ Human Rights Committee, CCPR/C/MDA/CO/4, para. 31.

²⁸⁷ Oficiul Avocatului Poporului, *Raport tematic anual: Siguranța în sistemul psihiatric și rezidențial, 2022* [Annual Thematic Report: Safety in the Psychiatric and Residential System, 2022] (Chișinău: Oficiul Avocatului Poporului, 2023), <https://ombudsman.md/wp->

Codru, which holds 71 persons under criminal security measures, the NPM found in December 2025 that "no restraint entries appear in the register despite patients consistently reporting frequent physical immobilisation", that medication was given at maximum doses for long periods without review, that patients in the observation ward "cannot access toilets without requesting personnel", and that "the only means of lodging complaints is a register hanging on a nail on the wall"; hospital-wide, 672 incidents were entered in the torture-allegation register in 2025 and 95 referred to prosecutors.²⁸⁸ The hospital's reply of March 2026 acknowledged that patients' correspondence is censored.²⁸⁹ In October 2022 the "Fulger" special police brigade intervened in the same hospital after a protest by patients; the Human Rights Committee raised "the excessive use of force" in that operation, and the delegation told it that the criminal case had been "terminated".²⁹⁰

Residential institutions for persons with disabilities

The judgment in *G.M. and Others v. the Republic of Moldova* of 22 November 2022 concerned three women with intellectual disabilities in the Bălți residential institution who were raped by the head doctor and subjected to abortions, and in one case to an intrauterine device, without consent; prosecutors refused to investigate four times. The Court found violations of article 3 in its substantive and procedural limbs and held that the State had failed "to establish and apply effectively a system providing protection".²⁹¹ The Committee of Ministers noted "with regret" in June 2024 that a criminal investigation was no longer possible because the limitation period had expired, and in June 2026 the People's Advocate asked the Committee of Ministers not to close supervision because "the authorities have not yet demonstrated, through measurable indicators and publicly available data, that the safeguards required by the Court are effectively implemented".²⁹² The NPM's visits bear him out. At the Bălți centre in September 2023, about 100 residents in Block 2 were held on two floors behind locked doors, which the NPM qualified as unlawful deprivation of liberty; 119 injuries were registered in that block in 2023; "no female contraceptives are accessible within the institution"; the State Social Inspectorate confirmed in 2025 that "certain beneficiaries were unlawfully deprived of liberty".²⁹³ At Hîncești in December 2025 no resident had a legal protection mandate, admissions were by administrative decision without judicial oversight, chemical restraint with rectal diazepam and chlorpromazine was "not systematically documented" and no consent forms were attached.²⁹⁴ At Bădiceni the directorate's follow-up visit of June 2026 found 48 deaths against ten family reintegrations in five years, some 70 incidents in 2024 to 2026 including "one alleged 2025 rape unreported to authorities", and 2023 recommendations implemented in full at a rate of 16 per cent.²⁹⁵ Thirty-three residents of the eight placement centres died in 2025 and one was killed by another resident.²⁹⁶ No independent complaints mechanism exists in any of these institutions, as the Committee

content/uploads/2023/11/raport_anual_siguranta-psihiatrie2022.pdf; Oficiul Avocatului Poporului, *Rezumat în cifre 2025*; Oficiul Avocatului Poporului, *Raport tematic anual: Siguranța în instituțiile psihiatrice în anul 2025* [Annual Thematic Report: Safety in Psychiatric Institutions in 2025] (Chișinău: Oficiul Avocatului Poporului, December 2025), <https://ombudsman.md/wp-content/uploads/2025/12/raport-tematic-anual-siguranta-in-institutiile-psihiatrice-in-anul-2025.pdf>.

²⁸⁸ Consiliul pentru Prevenirea Torturii, *Raport privind vizita preventivă la Secția nr. 10 a Spitalului Clinic de Psihiatrie, or. Codru, 3 decembrie 2025* [Report on the Preventive Visit to Section No. 10 of the Clinical Psychiatric Hospital, Codru, 3 December 2025] (Chișinău: Oficiul Avocatului Poporului, 29 December 2025), 9–14,

https://ombudsman.md/wp-content/uploads/2026/01/8.cppt_raport_scp_sectia-10_29.12.2025.signed.pdf.

²⁸⁹ Spitalul Clinic de Psihiatrie, "Răspuns privind raportul de vizită al CpPT în Secția nr. 10" [Reply on the NPM's Visit Report on Section No. 10], 4 March 2026, <https://ombudsman.md/wp-content/uploads/2026/01/raspuns-al-spitalului-clinic-de-psihiatrie-privind-raportul-de-vizita-al-cppt-in-sectia-nr.-10-4-martie-2026.pdf>.

²⁹⁰ Human Rights Committee, CCPR/C/MDA/CO/4, para. 31; UN Geneva, meeting summary, 10 March 2026.

²⁹¹ *G.M. and Others v. the Republic of Moldova*, no. 44394/15 (ECtHR, 22 November 2022); European Court of Human Rights, "Forced Abortions and Birth-Control Measures Carried Out on Residents of a Neuropsychiatric Asylum: Violation of Convention," press release ECHR 368 (2022), 22 November 2022.

²⁹² Committee of Ministers, *Decision CM/Del/Dec(2024)1501/H46-21, G.M. and Others v. the Republic of Moldova* (13 June 2024), <https://rm.coe.int/09125948802601e3>; Oficiul Avocatului Poporului, *Submission under Rule 9.2 in the Case G.M. and Others v. the Republic of Moldova* (Chișinău: Oficiul Avocatului Poporului, 9 June 2026), https://ombudsman.md/wp-content/uploads/2026/06/submission_letter_on_the_case_g.m._v_moldova_pao_final_09.06.2026.signed.pdf.

²⁹³ Oficiul Avocatului Poporului, *Submission under Rule 9.2*; Consiliul pentru Prevenirea Torturii, *Raport privind vizita preventivă efectuată la Centrul de plasament temporar pentru persoane cu dizabilități (adulte) mun. Bălți, 12 septembrie 2023* [Report on the Preventive Visit to the Temporary Placement Centre for Adults with Disabilities, Bălți, 12 September 2023] (Chișinău: Oficiul Avocatului Poporului, 2024), 7–14, <https://ombudsman.md/wp-content/uploads/2024/01/raport-privind-vizita-preventiva-efectuata-la-centrul-de-plasament-temporar-pentru-persoane-cu-dizabilitati-adulte-mun.balti-la-data-de-12-septembrie-2023.pdf>.

²⁹⁴ Consiliul pentru Prevenirea Torturii, *Raport, CPTPD Hîncești, 5 decembrie 2025* [Report on the Visit to the Temporary Placement Centre for Persons with Disabilities, Hîncești, 5 December 2025] (Chișinău: Oficiul Avocatului Poporului, 29 December 2025), https://ombudsman.md/wp-content/uploads/2026/01/5.cppt_raport_cptpd-hincesti_29.12.25.signed.pdf.

²⁹⁵ Oficiul Avocatului Poporului, Direcția prevenirea torturii, *Raport privind vizita de follow-up la CPTPD Bădiceni, 11 iunie 2026* [Report on the Follow-up Visit to the Bădiceni Centre, 11 June 2026] (Chișinău: Oficiul Avocatului Poporului, 2026), 6–13, <https://ombudsman.md/wp-content/uploads/2026/08/raport-privind-vizita-de-follow-up.pdf>.

²⁹⁶ Oficiul Avocatului Poporului, *Rezumat în cifre 2025*.

asked "as a matter of urgency" in 2017. The European Commission observes that "the placement of children with intellectual disabilities in psychiatric institutions continues to be a systemic issue and a human rights violation".²⁹⁷

Recommendations

40. Create in the State budget law for 2027 a distinct programme line for the national preventive mechanism, at not less than two million lei (about EUR 100,000), covering a permanent secretariat of at least six staff, members' remuneration for not fewer than 80 visit-days a year, experts and transport, and publish its execution each year.
41. Adopt the draft law amending Law No. 52/2014 to formalise the selection of Council members by a transparent public competition with a published scoring grid that gives weight to lived experience of deprivation of liberty or torture, to restore the immunity removed by Law No. 1/2023, and to oblige every authority to reply to a Council report within 30 days with a reasoned implementation plan.
42. Amend Law No. 114/2024 to provide for automatic judicial review of involuntary hospitalisation every 30 days, a right for the patient to request review at any time with free legal aid, and a prohibition of physical restraint beyond two hours without a doctor's renewed order recorded in a register inspected by the NPM.
43. Establish by Government decision an independent complaints mechanism for psychiatric hospitals and residential institutions, attached to the People's Advocate's Office, with sealed boxes in every ward, an end to censorship of correspondence, and mandatory reporting of every death, injury and allegation of sexual violence to the Office and to prosecutors within 24 hours.
44. Order the State Social Inspectorate to review, by June 2027, the legal basis of every placement in the eight temporary placement centres for persons with disabilities, release or regularise every person held without a judicial decision, and report the results to Parliament; include the outcome in the Government's next communication to the Committee of Ministers in *G.M. and Others*.

X. Other issues (EU accession, the SAFE Roadmap; list of issues, paragraphs 4, 5, 15 and 16)

EU accession and the SAFE Roadmap

The accession process is the strongest external lever on the issues in this report, and it is not yet being used for them. The European Commission's 2025 report asks Moldova to "improve detention conditions to implement judgments of the European Court of Human Rights and address all the recommendations of the 2023 report of the Committee on the Prevention of Torture, including by improving medical treatment of persons deprived of their liberty", finds that "the system for execution of criminal sanctions (including probation) is inadequate", that Moldova "remains one of the countries in Europe with the highest incarceration rates", that "medical services in prisons remain insufficient", that "the rights of victims of crime need to be strengthened" and that 29 cases are under enhanced supervision by the Committee of Ministers.²⁹⁸ Yet the Reform Agenda for 2025 to 2027, which releases EUR 1.9 billion against measurable steps, contains none on prisons, torture prevention, the national preventive mechanism, victim compensation or the execution of article 3 judgments.²⁹⁹ Cluster 1 was opened on 15 June 2026 with interim benchmarks for chapters 23 and 24; the content of those benchmarks is the place where the Committee's recommendations can acquire a deadline and a cost.

The SAFE Roadmap is the Government's single policy instrument on prisons. Approved by Order of the Minister of Justice No. 244/2024 as the action plan on aligning penitentiary institutions with European standards and combating the criminal subculture for 2024 to 2027, it sets four objectives for 2027: security, order and discipline in all prisons; access to quality services and useful activities; modernised infrastructure; and efficient administration. Its measures include equitable allocation of prisoners, better conditions for persons under article 206, separation of high-risk from low-risk and first-time prisoners, progressive regimes, work, staff recruitment, the new Chişinău prison and the second phase at Bălţi.³⁰⁰ At

²⁹⁷ European Commission, *Republic of Moldova 2025 Report*, 44.

²⁹⁸ European Commission, *Republic of Moldova 2025 Report*, 6, 35, 37 and 44.

²⁹⁹ Government of the Republic of Moldova, *Reform Agenda 2025–2027*, 102–107.

³⁰⁰ CPT, *Report on the June 2025 Visit*, para. 22.

the end of 2025, ten of its 43 actions were completed, 29 ongoing and four suspended; the CPT welcomed the roadmap and recorded that its long-standing recommendations "remain largely unimplemented, despite the adoption of the aforementioned SAFE Roadmap".³⁰¹ A ministerial order cannot lift a Government moratorium on recruitment, fund a prison or amend the Execution Code. The roadmap needs the force of law and the money of the accession process behind it.

Domestic violence (paragraph 4)

Moldova ratified the Istanbul Convention by Law No. 144/2021, in force on 1 May 2022, with reservations to articles 30(2) on State compensation and 59 on migrant victims.³⁰² Law No. 316/2022 redefined rape by reference to consent, though GREVIO found that the definition of non-consent "requires the use of physical or mental coercion by the perpetrator, thus leaving out a broad range of circumstances", and the Human Rights Committee still regrets the absence of "a fully consent-based definition".³⁰³ Law No. 252 of 10 July 2025, in force on 14 February 2026, criminalised stalking, online sexual harassment and forced marriage and extended protection orders from 3 to 6 months.³⁰⁴ Reporting has risen: the police recorded 15,526 complaints in 2022 and 23,727 in 2025, issued 6,218 emergency restraining orders in 2025 and obtained 1,117 court protection orders, of which 418 were breached; in 2023, 448 of 798 orders (56 per cent) were breached.³⁰⁵ Twenty-four women were killed by relatives in 2022, 21 in 2023, 21 in 2024 and 13 in 2025; the lethality commission found that in 2025 fifteen aggressors who killed were already registered as family aggressors and that in 13 cases with female victims no protection measure had been issued.³⁰⁶ In *Vieru v. the Republic of Moldova* the Court found violations of articles 2, 3 and 14 after a woman protected by seven orders died during an incident with her former husband; the authorities "failed to assess the real and immediate nature of the risk of recurrence".³⁰⁷ Shelter capacity stands at about 200 of the 260 places the Istanbul Convention standard implies; GREVIO has urged sustainable funding for services and harmonised data that track cases from report to conviction; the State compensation reservation remains in place.³⁰⁸ The Global Torture Index 2026 records two advances: the Barnahus centre in Bălți, the country's first child-friendly, multi-agency model for the investigation and support of child victims of crime, with child-sensitive interviewing; and the Ungheni Sexual Assault Centre, opened in 2023, which remains the only facility in the country dedicated to survivors of sexual violence.³⁰⁹

Trafficking in persons (paragraph 5)

GRETA's fourth evaluation report of June 2025 counted 935 victims identified between 2020 and 2024, found that "the number of investigations and convictions for Trafficking in Human Beings (THB) has decreased compared to the previous reporting period", attributed this in part to the reduction of the Police Centre for Combating Trafficking in Persons, and reported that "the State compensation scheme remains inactive" and that "no residence permits have been granted to victims of THB during the reporting period".³¹⁰ The United States Trafficking in Persons Report for 2025 records 67 investigations, 119 persons prosecuted and 33 convicted in 2024, 149 victims identified of whom 37 (25 per cent) were

³⁰¹ ANP, *Bilanț 2025*, 4; CPT, *Report on the June 2025 Visit*, para. 9.

³⁰² Parlamentul Republicii Moldova, *Legea nr. 144 din 14 octombrie 2021 pentru ratificarea Convenției Consiliului Europei privind prevenirea și combaterea violenței împotriva femeilor și a violenței domestice* [Law No. 144 of 14 October 2021 Ratifying the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence], Monitorul Oficial nos. 256–260, art. 320 (22 October 2021).

³⁰³ Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), *Baseline Evaluation Report: Republic of Moldova*, GREVIO/Inf(2023)26 (Strasbourg: Council of Europe, 14 November 2023), para. 6, <https://rm.coe.int/grevio-s-baseline-evaluation-report-on-legislative-and-other-measures-/1680ad46a1>; Human Rights Committee, CCPR/C/MDA/CO/4, para. 21.

³⁰⁴ UN Women Moldova, "Protecție extinsă împotriva violenței în bază de gen, inclusiv în mediul online" [Extended Protection against Gender-Based Violence, Including Online], 15 July 2025, <https://moldova.unwomen.org/en/stories/comunicat-de-presa/2025/07/protecție-extinsă-împotriva-violenței-in-baza-de-gen-inclusiv-in-mediul-online-republica-moldova-isi-aliniaza-legislația-la-standardele-internationale>.

³⁰⁵ Inspectoratul General al Poliției, *SCVD: Notă informativă privind fenomenul violenței în familie, 12 luni 2025* [Informative Note on the Phenomenon of Domestic Violence, 12 Months 2025] (Chișinău: IGP, 2026), <https://anpcv.gov.md/sites/default/files/2026-04/SCVD%20Nota%2012luni%202025%20publicare%20%283%29.pdf>; Inspectoratul General al Poliției, *Notă informativă privind fenomenul violenței în familie, 12 luni 2023* (Chișinău: IGP, 2024), https://politia.md/sites/default/files/nota_informativa_privind_fenomenul_violentei_in_familie_12_luni_2023.pdf.

³⁰⁶ Ministerul Afacerilor Interne et al., *Raport: Comisia de letalitate în 2025* [Report: The Lethality Commission in 2025] (Chișinău: MAI, 2026), https://mai.gov.md/sites/default/files/ONU/Raport.%20Comisia%20de%20letalitate%20%C3%AEn%202025_final.pdf.

³⁰⁷ *Vieru v. the Republic of Moldova*, no. 17106/18 (ECtHR, 19 November 2024), paras. 87 and 120.

³⁰⁸ European Commission, *Republic of Moldova 2025 Report*, 41; GREVIO, *Baseline Evaluation Report*, paras. 33 and 50.

³⁰⁹ OMCT and Promo-LEX, "Global Torture Index 2026: Republic of Moldova."

³¹⁰ GRETA, *Evaluation Report*, GRETA(2025)07, executive summary and paras. 7, 13 and 46.

assisted, and judges who "re-qualified cases from trafficking crimes to crimes with lesser penalties".³¹¹ In *I.C. v. the Republic of Moldova* the Court found that the State failed to protect a woman with an intellectual disability removed from State care into forced labour and sexual abuse for five years, with violations of articles 3, 4, 8 and 14.³¹² The Human Rights Committee asked that assistance not be made conditional on cooperation with law enforcement; the same principle, applied to victims of torture, is the subject of section VII.³¹³

Counter-terrorism and emergency measures (paragraph 15)

Parliament declared a state of emergency on 24 February 2022 by Decision No. 41/2022, notified a derogation under article 15 of the European Convention, and renewed the emergency through December 2023; the measures included powers of expulsion of persons threatening public order and a prohibition of rallies.³¹⁴ Law No. 9 of 2 February 2023, in force on 18 March 2023, created the offences of separatism (article 340¹), creation of an illegal intelligence structure, plotting against the Republic, unauthorised collection of information and failure to denounce offences against the State. OSCE/ODIHR found that the provisions "risk criminalizing the mere expression of opinion or ideas" and lack "legal certainty, foreseeability and specificity", and the European Commission notes each year that the ODIHR recommendations "remain unaddressed".³¹⁵ The State publishes no figures on persons prosecuted under these provisions or under Law No. 120/2017 on terrorism. The authors have found no documented allegation of torture in the application of counter-terrorism measures, and note that the Governor of Gagauzia, arrested on 25 March 2025 and sentenced on 5 August 2025 to seven years of imprisonment, spent her first period of custody in Prison No. 13, the facility whose conditions this report describes, before her transfer to Prison No. 7 in August 2026.³¹⁶ The policing of assemblies deserves the Committee's attention: the People's Advocate found in 2022 that carabinieri immobilised a man in Cathedral Park without any demonstrated necessity and that no investigation was opened, and in 2023 that the Ialoveni police fired at a car with three passengers in a manner that was "disproportionate", with internal inquiries that were "superficial" and reported 48 hours late.³¹⁷

COVID-19 in places of confinement (paragraph 16)

The ANP reported 280 cases of COVID-19 among detainees and no deaths by November 2021; Promo-LEX contested the figure because testing was limited.³¹⁸ No prisoner was released to reduce the risk of contagion, visits were suspended for months, and the prison population barely moved between 2020 and 2021.³¹⁹ In the residential sector the People's Advocate documented the death on 17 July 2021 of a resident of the Cocieri centre from untreated bilateral pneumonia and found that the authorities "did not carry out an effective investigation".³²⁰

³¹¹ United States Department of State, *2025 Trafficking in Persons Report: Moldova* (Washington, DC: Department of State, 2025), <https://www.state.gov/reports/2025-trafficking-in-persons-report/moldova/>.

³¹² *I.C. v. the Republic of Moldova*, no. 36436/22 (ECtHR, 27 February 2025).

³¹³ Human Rights Committee, CCPR/C/MDA/CO/4, para. 28(b).

³¹⁴ Council of Europe, Treaty Office, "Note verbale JJ9326C," 4 March 2022.

³¹⁵ OSCE Office for Democratic Institutions and Human Rights, *Comments on the Criminalization of "Separatism" and Related Criminal Offences in Moldova*, Opinion no. CRIM-MDA/490/2023 (Warsaw: ODIHR, 4 December 2023), paras. 15 and 40, <https://cdn.osce.org/sites/default/files/f/documents/e/5/560695.pdf>; European Commission, *Republic of Moldova 2025 Report*, 41.

³¹⁶ Radio Moldova, "Evghenia Guțul, plasată în arest la domiciliu" [Evghenia Guțul Placed under House Arrest], 9 April 2025, <https://radiomoldova.md/p/50009>; Evenimentul Zilei, "Fosta bașcană a Găgăuziei, Evghenia Guțul, a părăsit Penitenciarul nr. 13" [The Former Governor of Gagauzia, Evghenia Guțul, Has Left Penitentiary No. 13], August 2026, <https://evz.ro/fosta-bascana-a-gagauziei-evghenia-gutul-a-parasit-penitenciarul-nr-13.html>.

³¹⁷ Avocatul Poporului, *Raport special: Aplicarea forței fizice și a mijloacelor speciale de carabinieri* [Special Report: The Use of Physical Force and Special Means by Carabinieri] (Chișinău: Oficiul Avocatului Poporului, 26 September 2022), 4–5, <https://ombudsman.md/wp-content/uploads/2023/10/aplicarea-forței-fizice-si-a-mijloacelor-speciale-de-carabinieri.pdf>; Avocatul Poporului, *Raport special: Aplicarea armei de foc asupra unui mijloc de transport de către agenții de poliție la Ialoveni* [Special Report: The Use of a Firearm against a Vehicle by Police Officers in Ialoveni] (Chișinău: Oficiul Avocatului Poporului, 19 September 2023), https://ombudsman.md/wp-content/uploads/2023/10/raport_special_arma-de-foc-mijloc-de-transport_ialoveni_final_19.09.23_pe-site_semnat.pdf.

³¹⁸ IPN, "Hundreds of Cases of COVID-19 in Moldova's Jails," 13 November 2021, https://ipn.md/en/hundreds-of-cases-of-covid-19-in-moldovas-jails-7967_1085741.html.

³¹⁹ Promo-LEX Association, *Analytical Note: Implementation of Policies to Reduce Overcrowding in Prisons in the Republic of Moldova in the Context of the COVID-19 Pandemic* (Chișinău: Promo-LEX, July 2022), <https://promolex.md/wp-content/uploads/2022/07/Analytical-note-Implementation-of-policies-to-reduce-overcrowding-in-prisons-in-the-Republic-of-Moldova-in-the-context-of-the-of-the-COVID-19-pandemic.pdf>.

³²⁰ Avocatul Poporului, *Raport special: Deces dubios la Centrul de plasament temporar pentru persoane cu dizabilități (adulte) com. Cocieri, 17 iulie 2021* [Special Report: Suspicious Death at the Cocieri Temporary Placement Centre for Adults with Disabilities, 17 July 2021] (Chișinău: Oficiul Avocatului Poporului, 14 September 2021), <https://ombudsman.md/wp-content/uploads/2023/10/raport-special-centrul-de-plasament-cocieri-din-14.09.2021.pdf>.

Ill-treatment in the armed forces

A 19-year-old conscript died on 4 April 2024 at the "Dacia" brigade in Cahul from a shot fired with his service weapon. The People's Advocate's special report found that he had been recruited outside the legal procedure, had lacerations on his neck and forearm the day before that were not properly recorded, that fellow soldiers referred indirectly to beatings, that both psychologist posts had been vacant for three years, that the criminal case for incitement to suicide was dismissed in December 2024, and concluded that "indirectly, the State bears responsibility for soldier A.S.'s death in its custody".³²¹ At the same brigade the NPM counted 22 injuries and eight cases of hazing in 2023, of which 27 of 49 incidents were reported to prosecutors, and found that medical staff "do not ask servicemen for explanations about bruises and injuries".³²² Servicemen under disciplinary arrest in the military guardhouse are held for up to 15 days in cells without toilets, washbasins or a medical post, with no record of lawyers' visits.³²³

Hate crimes and policing of minorities

Law No. 111/2022 introduced prejudice as an aggravating circumstance and a definition covering sexual orientation and gender identity. ECRI's sixth report found nonetheless that "the police did not always investigate hate crimes against Roma" and that "most cases brought by LGBTI people were recorded as hooliganism"; in 2025 GENDERDOC-M documented a police officer telling a transgender extortion victim that "if she keeps it up, one day they'll find her hanged".³²⁴

Recommendations

45. Include in the interim benchmarks for chapters 23 and 24 of the accession negotiations, and in the next revision of the Reform Agenda, the measures of the present report on informal prisoner hierarchies, article 206, prison health care, the national preventive mechanism's budget and the entry into force of the victims' law, and give the SAFE Roadmap the status of a Government decision with a dedicated budget line.
46. Withdraw the reservation to article 30(2) of the Istanbul Convention before its five-year term expires in 2027, and extend State compensation under the new victims' law to victims of domestic and sexual violence without the civil-party requirement.
47. Publish annual data on prosecutions and convictions under article 201¹ of the Criminal Code and on breaches of protection orders, and create the independent complaints mechanism for victims of police inaction that the Committee requested in 2017.
48. Restore the Centre for Combating Trafficking in Persons to a directorate with at least 40 staff, and activate the compensation scheme for trafficking victims through the amendments proposed in section VII.
49. Narrow articles 338¹ to 340¹ and 352² of the Criminal Code in line with the ODIHR opinion of December 2023, and publish annually the number of persons prosecuted and convicted under them and under Law No. 120/2017.
50. Fill the vacant psychologist posts in every military unit, make the reporting of every injury and allegation of hazing to the military prosecutor mandatory within 24 hours, and give servicemen under disciplinary arrest access to a lawyer and a doctor.

³²¹ Avocatul Poporului, *Raport special: Deces suspect în Armata Națională* [Special Report: Suspicious Death in the National Army] (Chișinău: Oficiul Avocatului Poporului, 17 January 2025), 24, <https://ombudsman.md/wp-content/uploads/2025/01/raport-special-deces-suspect-in-armata-nationala.pdf>.

³²² Consiliul pentru Prevenirea Torturii, *Raport în baza vizitei preventive efectuate la Brigada de infanterie motorizată "Dacia" din mun. Cahul, 16 aprilie 2024* [Report on the Preventive Visit to the "Dacia" Motorised Infantry Brigade, Cahul, 16 April 2024] (Chișinău: Oficiul Avocatului Poporului, 2024), 9–13, <https://ombudsman.md/wp-content/uploads/2024/06/raport-in-baza-vizitei-preventive-efectuate-la-brigada-de-infanterie-motorizata-dacia-din-mun.-cahul-la-data-de-16-aprilie-2024.pdf>.

³²³ Consiliul pentru Prevenirea Torturii, *Raport, Comenduirea militară, 28 octombrie 2024* [Report on the Visit to the Military Commandant's Office, 28 October 2024] (Chișinău: Oficiul Avocatului Poporului, 2025), 5–6, https://ombudsman.md/wp-content/uploads/2025/03/raport-comenduire-2024_cppt.semnat.pdf.

³²⁴ European Commission against Racism and Intolerance (ECRI), *ECRI Report on the Republic of Moldova (Sixth Monitoring Cycle)* (Strasbourg: Council of Europe, 12 November 2024), paras. 49 and 64, <https://rm.coe.int/sixth-report-on-the-republic-of-moldova/1680b2097e>; GENDERDOC-M, *Raport anual 2025* [Annual Report 2025] (Chișinău: GENDERDOC-M, 2026), 25, https://gdm.md/wp-content/uploads/2026/03/raport-genderdoc-m-2025_romana.pdf.

Consolidated priority recommendations

The 50 recommendations in sections I to X are specific by design. The authors ask the Committee to give priority, in its concluding observations and in the follow-up procedure, to the following twelve, each of which can be verified by a date and a document.

1. Redress and rehabilitation: adopt Draft Law No. 352/2026 in second reading before the end of 2026 with entry into force no later than 1 July 2027 instead of the date of EU accession; delete the requirement of a prior criminal complaint for State-funded psychological assistance; replace the three-month limit with assistance for as long as clinically necessary; guarantee free medical care for the consequences of torture irrespective of insurance status; and create a budget programme of not less than five million lei a year to contract specialised non-governmental rehabilitation providers (recommendations 30 and 32).
2. Pending that law, adopt by Government decision in the first quarter of 2027 a transitional rehabilitation programme for at least 300 survivors a year, delivered through RCTV Memoria under a State contract, accessible on self-declaration (recommendation 31).
3. Report to the Committee, by name of institution and year, the number of victims of torture who received State compensation and rehabilitation, and establish the national register of victims of torture and their needs that the Committee requested in 2017 (recommendations 33 and 34).
4. Create a dedicated budget line for the prevention of torture and make a first annual contribution to the United Nations Voluntary Fund for Victims of Torture in the 2027 budget, and issue a public acknowledgement of State responsibility for the torture of protesters in April 2009 (recommendation 36).
5. Prisons: give legal force, by Government decision in 2027, to the measures in paragraph 55 of the CPT's 2025 report against informal prisoner hierarchies, and report under article 46 in *Petrov*; amend article 206 of the Execution Code so that protection never means isolation in a former disciplinary cell (recommendations 14 and 15).
6. Lift the moratorium on the 205 frozen custodial posts, raise prison salaries by at least 20 per cent and end the 24-hour shift; transfer prison and police-custody health care to the Ministry of Health by law in 2027 (recommendations 3, 16 and 17).
7. Police custody: reduce the custody limit in article 166(5) of the Criminal Procedure Code to 48 hours, adopt draft NU-244-MJ-2026 with mandatory recorded telephone notification of relatives, and create the automated register of detained persons (recommendations 1, 2 and 4).
8. Accountability: guarantee by law the exclusive competence and resources of a specialised torture prosecution section with its own investigators; make suspension of suspected officials mandatory; conclude the Brăguță cases with final judgments in 2027; and complete the April 2009 investigations before any further limitation period expires (recommendations 24 to 27).
9. National preventive mechanism: a distinct budget line of not less than two million lei in the 2027 State budget, a permanent secretariat and a transparent selection procedure for Council members (recommendations 40 and 41).
10. Closed institutions: an independent complaints mechanism in psychiatric and residential institutions and a review by June 2027 of the legal basis of every placement in the eight temporary placement centres (recommendations 43 and 44).
11. Non-refoulement: bring the transit zone of Chișinău airport within Law No. 200/2010 with a 24-hour limit, registers, food and water and access for UNHCR lawyers, and adopt the screening procedure for torture survivors under Law No. 297/2024 (recommendations 7 to 9).
12. Transnistrian region: create by law a mechanism of assistance for persons released from detention in the region, with medical and psychological care at State expense, possibly through RCTV Memoria; amend the Criminal Code so that the offence of torture reaches de facto officials; and ask the CPT and the Subcommittee on Prevention of Torture to seek access to places of detention there (recommendations 20 to 22).

The authors suggest that the Committee select recommendations 1, 5 and 7 above for its follow-up procedure.

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