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*Contact: Ireneusz Kondak*
*Tel: 03.90.21.59.86*

**Date**: 02/11/2026

**DH-DD(2026)1436**

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| Meeting: | 1577th meeting (December 2026) (DH) |
| Item reference: | Action Report (30/10/2026) |

Communication from the Republic of Moldova concerning the case of Vieru v. the Republic of Moldova (Application No. 17106/18) (T.M. and C.M. v. MDA group)

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| Réunion : | 1577e réunion (décembre 2026) (DH) |
| Référence du point : | Bilan d'action (30/10/2026) |

Communication de la République de Moldova concernant l'affaire Vieru c. République de Moldova (Requête n° 17106/18) (Groupe T.M. and C.M. v. MDA) ***[anglais uniquement]***

DH-DD(2026)1436: Communication from the Republic of Moldova
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DGI
30 OCT. 2026
SERVICE DE L'EXECUTION DES ARRETS DE LA CEDH

**MINISTRY OF JUSTICE OF THE REPUBLIC OF MOLDOVA**
**GOVERNMENT AGENT**

No. 06/12205 Chisinau, 30 October 2026

**ACTION REPORT**
for the execution of the European Court of Human Rights judgment
in the case of *Vieru v. the Republic of Moldova* (no. 17106/18),
judgment of 19 November 2024, final as of 19 February 2025

## I. CASE DESCRIPTION

1. The present case concerns the failure of the Moldovan authorities to effectively protect the applicant's sister from domestic violence which culminated in her death and to conduct an effective investigation into the circumstances of violence leading to her death. In its judgment, the Court found a violation of Articles 2, 3, and 14 of the Convention.

2. With regard to domestic violence, the Court observed that, despite numerous promptly initiated proceedings, they proved ineffective in protecting T. or holding I.C. accountable. The Court also determined that the Moldovan authorities failed to adequately investigate instances of psychological violence, stalking, and harassment, instead concentrating exclusively on physical injuries. This failure to address the comprehensive nature of domestic violence led the Court to conclude that there was a violation of the procedural obligation under Article 3 of the Convention.

3. In relation to T.'s death, the Court identified a procedural violation of Article 2 due to the insufficiency of the investigation. Although an inquiry into "incitement to suicide" was initiated, it was narrowly confined to a single incident in August 2016 and failed to take into account the broader context of ongoing domestic violence. Furthermore, the Court underscored that investigations into potential gender-motivated violence require particular thoroughness and diligence.

4. Concerning the violation of substantive positive obligations under Article 3, the Court noted that the legal framework and its implementation fell short of the requirement inherent in the State's positive obligation to establish and effectively apply a system providing protection from domestic violence. Additionally, the Court established that the national authorities failed to take effective action despite repeated reports of violence. They neither adequately assessed the real and immediate nature of the risk nor implemented appropriate protective measures. Consequently, the Court concluded that these shortcomings amounted to a breach of the State's positive obligations under Article 3 of the Convention.

5. Lastly, the Court determined that the State's institutional passivity and/or lack of awareness of the phenomenon of domestic violence and gender-based violence constituted a violation of Article 14 of the Convention, read in conjunction with Articles 2 and 3 thereof.

## II. INDIVIDUAL MEASURES

### *Payment of just satisfaction*

6. The just satisfaction awarded by the Court was paid to the applicant in full and without delays, *id est* on 4 April 2025.

### *Reopening of national proceedings*

7. The resumption of the investigations constitutes a relevant element in the implementation of the individual measure envisaged under Article 2 of the Convention. In their Action Plan of 18 August 2025, the Government indicated that, in relation to the investigation into the death of T., the statutory limitation period precluded the reopening of criminal proceedings concerning incitement to suicide. They further submitted that the offence could not be reclassified as domestic violence resulting in suicide owing to a legislative shortcoming in force at the material time, under which T. and her former husband, I.C., ceased to qualify as "family members" upon divorce.

8. Nevertheless, in their most recent decision, the Committee of Ministers encouraged the national authorities to give genuine consideration to the possibility of reopening the investigation into the circumstances surrounding T.'s death. They also called upon the authorities to provide information on the measures taken to remedy the deficiencies identified by the Court in the proceedings concerning domestic violence and breaches of protection orders. In this context, the Government wish to provide the following clarifications.

9. At the outset, it should be noted that the General Prosecutor's Office conducted a thorough examination of the possibility of reopening the investigation into T.'s death, as well as of the potential legal avenues for reclassifying the offence. In particular, three possible scenarios were considered: homicide, incitement to suicide, and accidental fall.

10. As regards the hypothesis of homicide, the national authorities concluded that it was not substantiated by the evidence contained in the case file. In order to establish that T. had been murdered, the investigative authorities would have had to demonstrate the perpetrator's intent to kill her. However, according to the statements of T.'s son, who witnessed the events of 22-23 August 2016, T. had been alone in the kitchen immediately before the fall and he could open the kitchen door only with the assistance of his father, I.C. This circumstance may suggest that the door had been locked from the inside. This scenario is further corroborated by the findings of the crime scene examination, which revealed signs that the door had been forced open. Furthermore, according to the statements of T.'s godmother, while hospitalised following her fall from the fifth floor, T. told her that she remembered entering the kitchen but could not recall how she had fallen. It is also noteworthy that, at the material time, the offence of homicide did not include gender-motivated murder as an aggravating circumstance. Accordingly, the assessment undertaken in the context of the possible reopening of the investigation concerned exclusively the offence of homicide under Article 145 § 1 of the Criminal Code. In light of the foregoing, the national authorities concluded that the available evidence did not disclose even a reasonable suspicion that T. had been murdered.

11. With respect to the offence of incitement to suicide, the Government wish to point out that a comprehensive analysis regarding the impossibility of reopening the

investigation under Article 150 of the Criminal Code was presented in the Action Plan of 18 August 2025.

12. As regards the direct questioning of T. by the prosecutor, the Government note that, as recorded in the Buiucani District Court's ruling of 27 August 2016 regarding the issuance of the final protection order, T.'s lawyer stated that T. "is in a grave state of health and that she will make statements after the holidays". In these circumstances, T.'s serious medical condition constituted an impediment to her being questioned in the immediate aftermath of the incident of 22-23 August 2016.

13. In the same vein, it should also be noted that the investigative authorities summoned the applicant, T.'s brother, who visits the Republic of Moldova periodically; however, he has refused to appear before the investigative authorities. His statements are the only ones that lend support to the homicide hypothesis. However, these statements are based on information obtained from third parties rather than on his own direct knowledge of the events, and are contradicted by the accounts provided by other witnesses.

14. The Government further note that a considerable period of time has elapsed since the events in question. Consequently, the investigative authorities are now objectively precluded from carrying out certain crucial investigative measures that could have been undertaken in the aftermath of the incident of 22-23 August 2016.

15. In this context, the hypothesis that T.'s fall from the fifth floor was accidental remains the most plausible explanation of the events. This version is further supported by the forensic findings, which established that T. was in a state of severe intoxication on the night of 22-23 August 2016, a condition that may have impaired her ability to exercise control over her actions. T.'s state of intoxication was also corroborated by the statements of her son and her neighbour, S.G., who assisted I.C. in carrying T. into her apartment on the night of the incident. Furthermore, the crime scene examination established that the distance between the floor and the window was 97 centimetres, a circumstance which may lend further support to the hypothesis of an accidental fall.

16. It is also noteworthy that, in the course of the investigations into the death of T.'s son, a post-mortem forensic psychiatric assessment of T. was ordered. The assessment is intended to evaluate T.'s overall psychological state, identify any factors that may have affected it, and determine whether there were any indications of physical or psychological violence perpetrated by I.C. against T. Although the findings of this assessment cannot overcome the legal impediments to reopening the investigation into T.'s death, they may nevertheless provide valuable insight into T.'s psychological state in the period preceding the events of 22-23 August 2016.

17. With regard to the investigations into the alleged acts of psychological violence and physical assaults committed in November 2013 and in June and November 2015, as well as the alleged breaches of protection orders, with the exception of the breach recorded on 26 September 2014, the Government maintain that the case files relating to administrative offence proceedings initiated against I.C. between 2013 and 2015 have been destroyed in accordance with the applicable regulations.

18. In light of the above elements, the Government conclude that no other individual measures can be undertaken in the present case.

## III. GENERAL MEASURES

19. The present case has been classified as repetitive in the context of the *T.M. and C.M.* group of cases (no. 26608/11) in relation to the violations of Articles 3 and 14 of

the Convention. Hence, the general measures regarding these specific violations are reported and examined in the above-mentioned group of cases.

## VI. CONCLUSIONS

20. The national authorities conducted a genuine assessment of the possibility of reopening the investigation into T.'s death. However, this assessment did not yield any relevant elements capable of substantiating a plausible alternative hypothesis to that of an accidental fall.

21. The Government acknowledge that the Court identified deficiencies in the investigation into the circumstances surrounding T.'s death. Nevertheless, they submit that, given that approximately ten years have elapsed since the events in question, any further investigative steps are unlikely to generate substantial progress. Both T. and her son have since died, and no witnesses could be heard owing to the passage of time. Furthermore, the evidence gathered at the time suggests that T. most likely fell from the fifth floor while in a state of intoxication.

22. Based on the above, the Government consider that no further individual measures are possible in this case. Therefore, they conclude that the Republic of Moldova has complied with its obligations under Article 46 § 1 of the Convention and invite the Committee of Ministers to end the supervision thereof.

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Reason: MoldSign Signature
Location: Moldova
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**Mihaela MARTÎNOV**
**Government Agent**