

Press Release

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13 years of illegal detention in the middle of Europe

Statement by Terry Davis, Secretary General of the Council of Europe on the occasion of the International Human Rights Day

Strasbourg, 08.12.2006 - This year's International Human Rights day will mark the thirteenth anniversary since Ilie Ilascu, Andrei Ivantoc and Tudor Petrov-Popa were sentenced by the so-called court in a so-called "Moldovan Republic of Transnistria". While Mr Ilascu, who was sentenced to death, was later released, Mr Ivantoc and Mr Petrov-Popa have been unlawfully detained ever since, and their imprisonment in an illegal jail in the middle of Europe is a disgrace and a blatant violation of the European Convention of Human Rights.

This was the view of the European Court of Human Rights which ruled that the two men should be immediately released in 2004. The judicial body of the Council of Europe asked Moldova and the Russian Federation to take all necessary measures to put an end to the arbitrary detention of Mr Ivantoc and Mr Petrov-Popa by the so-called Transnistrian authorities.

It is unacceptable that more than two years later, the two men are still in jail. Even though it paid compensation as ordered by the Court, the Russian Federation continues to dispute the validity of the judgment as a whole and claims it is unable to secure the applicants' release.

This is not acceptable. The obligation of Council of Europe member states to abide by the judgments of the European Court of Human Rights is unconditional and non-negotiable. The illegal sentences of Mr Ivantoc and Mr Petrov-Popa will expire in June next year. Even if the Ilascu case is an exception to the rule, the refusal to abide by the Court decision is inexcusable and puts at risk the enforcing mechanism of the Convention. If the Russian Federation wants to protect the authority of the European Court of Human Rights and its own international reputation, it should comply with the ruling before the long-overdue liberation of the two applicants will deprive the Russian authorities of the opportunity to do so.

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