

# KEY OBSERVATIONS

## PRIORITY TOPICS

### ■ Prison

**INFORMAL PRISONER HIERARCHY** – Urgent measures to tackle the phenomenon of informal prisoner hierarchy

**SEGREGATION AND ISOLATION MEASURES** – Measures to improve material conditions and regime for persons held under Article 206 protection

**CONDITIONS OF DETENTION** – Measures to improve material conditions for the general prison population

**COMBATING IMPUNITY** – Steps to ensure that effective investigation is carried out into reports on injuries indicative of inter-prisoner violence which are submitted from prisons to the prosecutor's office

## THE CPT AND MOLDOVA

The Republic of Moldova ratified the ECPT in 1997, and the Committee's first visit took place in 1998.

Since ratification, the CPT has carried out 18 country visits to the Republic of Moldova – 7 periodic and 11 ad hoc – including 59 visits to police establishments, 57 to prisons, 8 to psychiatric institutions, 5 social welfare establishments, 1 to military detention facility, and 1 to border and immigration detention facility.

Moldova accepted the automatic publication process of the visit reports since 29/04/2011.

## EXECUTIVE SUMMARY

During the 2025 *ad hoc* visit, the CPT delegation re-examined the treatment and detention conditions of persons held in prison. To this end, it visited Prison no. 2 in Lipcani, Prison no. 6 in Soroca and Prison no. 15 in Cricova.

The cooperation received by the delegation from the national authorities and at Prison no. 6 in Soroca was excellent. However, at Prison no. 2 in Lipcani, the delegation was initially not shown one building which was accommodating prisoners, and, throughout the visit to Prison no. 15 in Cricova, the delegation received incomplete or misleading information from staff.

Further, the principle of cooperation is not limited to facilitating the work of a visiting delegation but also requires that decisive action is taken to ensure that recommendations made by the Committee are effectively implemented in practice. Although the CPT noted progress in certain areas, it also became clear that the CPT's long-standing recommendations concerning the key issues, namely, the informal prisoner hierarchy and the resulting inter-prisoner violence and intimidation, remain largely unimplemented. Further, poor material conditions for the majority of persons held in prison, poor regime of activities offered to incarcerated persons and low staffing levels in prisons insufficient to effectively control the establishments remain issues of concern.

During the visit, the delegation received no allegations of physical ill-treatment of prisoners by staff in any of the three establishments visited. However, this is hardly surprising given the findings concerning the informal prisoner hierarchy controlling the prisons.

As regards inter-prisoner violence, many prisoners in all three establishments visited again described the overall atmosphere of intimidation and violence used by the informal prisoner hierarchy to impose their rules on other persons held in prison. As was the case during previous visits, prisoners were regularly found with injuries clearly indicative of inter-prisoner violence. In most cases, due to the atmosphere of fear created by the informal prisoner leaders and their close circles, the omnipresent intimidation, and the lack of trust in the staff and their ability to guarantee safety, persons who had been victims of inter-prisoner violence did not complain, or, if found by staff with injuries, refused to provide a plausible explanation as to the origin of their injuries.

Moreover, many prisoners whom the delegation attempted to interview were reluctant and often visibly scared to speak, due to fear of reprisals they may face from the representatives of the informal prisoner hierarchy for having spoken with the delegation. Most strikingly, at Prison no. 15 in Cricova, prisoners from higher castes actively interfered in the interviews being carried out by the delegation, tried to prevent other prisoners from speaking to the delegation, or even put pressure directly on the delegation members to stop their interviews. Staff members who were present remained astonishingly passive in these situations.

The situation of persons considered to be “humiliated” or “untouchable”, that is, those on the lowest caste of the informal prisoner hierarchy, remains a matter of serious concern to the CPT. The delegation once again received many complaints of frequent verbal abuse, systematic demeaning and dehumanising behaviour by other persons held in prison, threats of physical violence if they failed to follow the informal “code of conduct”, and physical violence. As repeatedly stressed in previous visit reports, the CPT considers that their situation could be considered to constitute a continuing violation of Article 3 of the European Convention on Human Rights. Similar to those considered to be “humiliated”, prisoners belonging to the so-called “*neputiovie*” caste were subjected to frequent instances of inter-prisoner violence and were accommodated in comparably poor material conditions.

Many persons held in the prisons visited still perceived segregation from the general prison population pursuant to Article 206 of the Enforcement Code as the only way to escape the threats posed by the informal prisoner hierarchy. Unlike during the previous visit carried out in 2022, requests for segregation under Article 206 were in most cases granted swiftly. It is also positive that prisoners interviewed by the delegation were now aware of the possibility of requesting this measure. However, it remains the case that,

in most instances, these persons were held in former disciplinary isolators which provided poor material conditions, and were subjected to impoverished regimes.

For a number of reasons detailed in the report, it appeared that there continued to be tacit acceptance of the informal hierarchy and their “rules” by prison staff and even, to a certain extent, tacit “agreement” between staff and informal prison leaders when it comes to ensuring “order” among prisoners and the “smooth operation” of the establishments.

Despite the steps taken by the Moldovan authorities, difficulties in attracting new staff and the resulting understaffing remained a major challenge. Consequently, the numbers of custodial staff present in detention areas remained very small, and they were not in a position to have effective control over the situation and could neither be aware of, nor effectively intervene in instances of inter prisoner violence.

In conclusion, the CPT considers that, despite the efforts made by the authorities, the problem of inter-prisoner violence remains largely unaddressed and prisons still generally fail to ensure safe environment for persons held in prison. This is directly linked to a number of factors, most notably the chronic shortage of custodial staff, the *de facto* relinquishment of authority and control over the prison population to informal prison leaders, and the existence of large capacity dormitories and/or freely accessible unlocked rooms in interconnected sectors. At the same time, the plan of the Moldovan authorities to introduce a new progressive system of enforcement of imprisonment sentences remains unimplemented, and there is still no proper risk and needs assessment of persons upon their admission to prison, nor a classification of persons to identify in which prison, block or cell they should be placed.

In light of these findings, the Committee once again calls upon the Moldovan authorities to take resolute action, without further delay, to tackle the phenomenon of informal prisoner hierarchy and to prevent inter-prisoner violence and intimidation throughout the prison system. The highest priority should be afforded to the implementation of the SAFE Roadmap to Europeanisation of Moldovan Prisons which was adopted by the authorities following the CPT’s 2022 visit.

The delegation once again observed striking differences in material conditions and an unequal distribution of prisoners. Despite some improvements, material conditions in the three establishments visited remained very poor for most prisoners: they were accommodated in dilapidated multi-occupancy cells and large-capacity dormitories, many of which were poorly ventilated, had insufficient access to natural light, dirty walls, damaged floors and dangerous improvised electric wiring, and there was a lack of personal storage space. Moreover, some of the large-capacity dormitories were seriously overcrowded (although the prison system as a whole and the three prisons visited were operating below their official capacity) and provided absolutely no privacy. Most communal sanitary facilities seen by the delegation were in a poor state of repair and hygiene and the capacity of some was clearly insufficient. In stunning contrast, informal prison leaders and their close circles were dwelling in spacious, well-equipped rooms or even flats consisting of several rooms.

The Moldovan authorities should ensure that all persons held in prison are evenly distributed throughout the available accommodation and be treated equally and benefit from similar material conditions, and that every person held in a multiple-occupancy cell/dormitory is provided at least 4 m<sup>2</sup> of living space (not counting the area taken by the in cell sanitary facilities). Further, cells and dormitories should be kept in an adequate state of repair and should be clean, suitably equipped and sufficiently lit and ventilated.

Persons held in the three establishments visited benefitted from an open-door regime and could move freely around the establishments, and some efforts were made to offer them work, education and a few other activities. Nevertheless, the fact remains that a significant proportion of them were most of the time not engaged in any purposeful activity and idled their days away, sitting or wandering around and talking to other persons. The Moldovan authorities should redouble their efforts and further develop the programme of activities offered to prisoners in the establishments visited.

The delegation observed several improvements and even good practices as regards the provision of healthcare. However, staffing levels for healthcare staff were low in all three establishments visited. It is a matter of particular concern that the only post of a medical doctor in each of the establishments was vacant. The CPT noted the praiseworthy efforts made by the current healthcare staff, in particular nurses, to provide good quality healthcare, to carry out screening upon admission and to record injuries. However, the absence of a medical doctor *de facto* obliged nurses to assume responsibility for medical acts which were outside the scope of their professional competence and should be performed by a medical doctor.

As regards recording and reporting of injuries, a detailed injury report form which included a body chart to mark traumatic injuries was completed by healthcare staff. However, the quality of the record and of the description of injuries varied and should be further improved.

In addition, the initial injury reports sent to the prosecutor's office contained only a very superficial description of the injuries observed and the quality of the incident files which were subsequently collected in the prisons visited and sent in hardcopy to the prosecutor's office varied. Steps should be taken to ensure that all injuries indicative of inter-prisoner violence are promptly and comprehensively reported to the prosecutor's office. This will enable the prosecutor's office to take immediate steps to effectively investigate these cases.