

# Republic of Moldova

## MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION

### ➔ *Forced abortions and birth-control measures on persons with intellectual disabilities*

**Forced abortions** and **birth control** imposed to three applicants with **intellectual disabilities** who were victims of rape by a doctor in a psychiatric asylum where they were residents in the period from 1998 to 2007.

**G.M and Others** (44394/15)  
Judgment final on 22/02/2023

Enhanced supervision  
**Status of execution**

### ➔ *Actions of security forces - use of force and effectiveness of investigations*

**Ill-treatment and torture in police custody**, notably in order to extract confessions, lack of effective investigations and effective remedy;  
**Refusal to provide adequate medical assistance for security reasons** while in police custody.  
**Conviction based on confessions obtained by means of torture.**

**Levinta group** (17332/03+)  
Judgment final on 16/03/2009

Enhanced supervision  
**Status of execution**

### ➔ *Involuntary placement and unnecessary treatment of a minor with disabilities in psychiatric hospital*

**Involuntary placement** in a psychiatric hospital and **unnecessary psychiatric treatment** of an **orphan of 15 years** of age with a **mild intellectual disability** in 2014 and his further transfer to the adults' section and subjection to **chemical restraint without proven medical necessity**, as well as **ineffective investigation into the applicant's complaint** into these facts and **failure to investigate his allegations of sexual abuse** at the hands of other patients.

**V.I.** (38963/18)  
Judgment final on 26/06/2024

Enhanced supervision  
**Status of execution**

### ➔ *Conditions of detention*

**Poor material conditions of detention** in establishments under the authority of the Ministries of the Interior and Justice; lack of access to adequate medical care and absence of effective preventive and compensatory remedies.

**I.D. group** (47203/06)  
Judgment final on 11/04/2011

Enhanced supervision  
**Status of execution**

### ➔ *Lack of medical treatment in detention*

**Inadequate medical treatment in prisons and lack of domestic remedy** in this respect.

**Cosovan group** (13472/18)  
Judgment final on 22/06/2022

Enhanced supervision  
**Status of execution**

## MAIN ISSUES BEFORE THE COMMITTEE OF MINISTERS - ONGOING SUPERVISION

### ➔ *Lawfulness of detention and related issues*

#### **Various breaches to the right to liberty and security in the context of unlawful detention:**

- unlawful detention despite the higher court's decision to quash the detention order;
- lack of relevant and sufficient reasons for ordering or extending the detention;
- failure to ensure a prompt examination of the lawfulness of the detention;
- unjustified refusals to let the defense access the case files.

**Şarban group (3456/05+)**  
 Judgment final on 04/01/2006

Enhanced supervision  
**Status of execution**

### ➔ *Domestic violence*

**Failure of the authorities to take effective measures to protect the victims and to ensure punishment of the offenders**, despite their knowledge of the danger of further domestic violence and of the effects of such violence on two minor children. The Court also found that such attitude of the authorities amounted to discriminatory treatment against women.

**T.M. and C.M. group (26608/11)**  
 Judgment final on 28/04/2014

Enhanced supervision  
**Status of execution**

### ➔ *Extra-legal transfer*

**Extra-legal transfer in September 2018 of five Turkish nationals to their State of origin** circumventing domestic and international law. The Court found that the applicants' deprivation of liberty had been neither lawful, nor necessary, nor devoid of arbitrariness, the Moldovan authorities failing to give the applicants a choice of jurisdiction to be expelled to. The Court concluded that the applicants' forcible transfer led to a disruption of their private and family lives.

**Ozdil and Others (42305/18)**  
 Judgment final on 11/09/2019

Enhanced supervision  
**Status of execution**

### ➔ *Interferences with the right of freedom of expression*

**Violation of the right to freedom of expression** of journalists, editors and producers working at the State Television Company, Teleradio-Moldova on account of **censorship and political control** by State authorities in the period 2001-2006.

**Manole and Others (13936/02)**  
 Judgment final on 17/12/2009

Enhanced supervision  
**Status of execution**