



*Nacho Sánchez Amor*  
DIPUTADO POR BADAJOZ

*Congreso de los Diputados*

Vienna, 23 February, 2018

**Ministry of Justice of Moldova**

Mr Minister Alexandru Tănase  
82, 31 August 1989 Street  
Chisinau, Moldova

**General Prosecutor's Office of Moldova**

Mr General Prosecutor Eduard Harunjen  
26, Mitropolit Gavriil Bănulescu-Bodoni Street,  
Chisinau, Moldova

Dear Sirs,

I wish to raise awareness of the practice of persecuting independent advocates and judges which is currently in effect in the Republic of Moldova. I was informed by reports of Amnesty International and the Open Dialog Foundation that in October 2016 the law-enforcement agencies of Moldova reopened the case against **Ms Ana Ursachi** – a renowned Moldovan lawyer – for a murder that occurred 19 years ago. According to the human rights defenders the criminal case against Ms Ursachi has all signs of political persecution for her professional activity as a lawyer. Notably, Ms Ursachi has defended the interests of many journalists, activists and opponents of Mr Vladimir Plahotniuc such as Mr Alexandru Machedon, Mr Sergiu Cibotari, Grigore Petrenco and others. On behalf of her clients, for example, Ms Ursachi published evidence concerning Mr Plahotniuc's involvement in corruption and transportation of drugs to the EU and US..

The reopening of the case is reported to be unlawful because it was done in flagrant contravention of the current statute of limitations of the 14 May 2015 ruling of the Constitutional Court of Moldova which declared unconstitutional the multiple prosecution of the same person for the same act. The criminal case against Ms Ursachi was reopened in October 2016 shortly after she made a public statement about corruption in the Moldovan media against Mr Vladimir Plahotniuc, an influential Moldovan oligarch and politician. It must also be pointed out that in 1997, the case against Ms Ursachi was dismissed because of a lack of evidence.



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Apart from this criminal prosecution, Ms Ana Ursachi is also the subject of a smear campaign launched by the media owned by Mr Plakhotniuc. In particular, TV channels controlled by Plahotniuc aired the documentary film entitled *The Devil's Advocate*, which portrayed Ms Ursachi as 'the leader of a criminal organization which functioned in Moldova in the 1990s' and which was allegedly involved in the 1997 murder case recently reopened against her. This clearly violates the principle of the presumption of innocence. Moreover, Ms Ursachi faces pressure through other means. For instance, on 21 November 2016, an unlawful search was performed in the apartment of Ursachi's parents, conducted at night time (after 10 p.m.) and in the absence of Ursachi's lawyers. Her 72-year-old father and 19-year-old son were present in the apartment at the time of the search. As a result of the search, Ursachi's personal computer and tablet computers were seized and confidential information regarding her clients was obtained, with complete disrespect for attorney-client privilege.

On 5 December 2016, it became known that the authorities furthermore opened a questionable criminal case against **Mr Eduard Rudenco**, Ana Ursachi's lawyer. Though the case was opened in April, 2016 Mr Rudenco was notified only a few months ago and, curiously, only when he formally took the defence of Ms Ana Ursachi. The criminal proceedings opened against Ms Ursachi and Mr Eduard Rudenco are clearly being used as a means to prevent them from defending their clients.

I deeply regret to learn about the practice of pressuring judges in Moldova, especially the case of **Mr Dorin Munteanu**, a judge who has refused to issue a politically motivated arrest warrant against Ms Ursachi. Consequently, on 11 January, 2017, Ms Ursachi's case was withdrawn from Mr Munteanu's competence and the General Prosecutor's Office charged him with alleged fraud crimes. Another judge facing prosecution for carrying out her duty is **Ms Domnica Manole**, prosecuted by the Superior Council of the Judiciary for her "unjust decision" upon the holding of a constitutional referendum.

As a Chair of the General Committee on Democracy, Human Rights and Humanitarian Questions of the Parliamentary Assembly of the OSCE I strongly condemn this recent wave of repression carried out against lawyers and judges, as well as the unlawful abuse of Moldova's state judicial system for political purposes. I also note that Moldova has signed an association agreement with the European Union, which obliges it to honour its conditions.

Yours sincerely,  
*Ignacio Sánchez Amor*,  
Chair of the General Committee on Democracy, Human Rights and Humanitarian Questions of the  
Parliamentary Assembly of the OSCE