

REPORT OF THE INTERNATIONAL OBSERVATORY FOR LAWYERS IN DANGER (OIAD)

Moldova: prosecution against lawyer and human rights defender Ana Ursachi

April 23rd, 2018

The International Observatory for Lawyers in Danger (hereafter "OIAD") expresses its deep concern regarding the situation of Moldovan lawyer and human rights defender Ana Ursachi, who lives in exile in Poland, due to the politically motivated investigation to which she is subjected in her country.

Moldovan counsel Ana Ursachi is well-known for being involved in many cases with high political profile, in particular for defending the interests of opponents of the Moldovan politician Vladimir Plahotniuc, such as Vyacheslaw Platon-Kobalyev or Sergiu Cibotari.

In response to her action, Ana Ursachi has been subjected to smear campaigns in pro-government media. In 2016, a report was released and stated that Ana Ursachi had been involved in a murder committed 20 years. It was alleged that Ana Ursachi, her ex-husband and another accomplice killed a teacher in March 1998 in order to take over her apartment.

Regarding to her political involvement, it appears that this accusation is politically motivated.

Currently, Ana Ursachi is in exile in Poland. On 29 March 2018, the Central Court of Chisinau granted the motion of the prosecutor's office regarding her arrest. On 17 April 2018, the appeal court of Chisinau maintained the arrest warrant, this decision is irrevocable. She is now facing serious risks of being detained. It must be noted that the hearing was held in the absence of Ursachi's counsels, Iulian Rusanovschi and Eduard Rudenco. Ana Ursachi is ready to take her case to the European Court for Human Rights.

OIAD calls on the Moldovan authorities to respect the Basic Principles on the Role of Lawyers, adopted by the United Nations in Havana in 1990, which provides, inter alia, that:

"Governments shall ensure that lawyers (a) are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference; (b) are able to travel and to consult with their clients freely both within their own country and abroad; and (c) shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics."

Principle 16.

“Lawyers shall not be identified with their clients or their clients' causes as a result of discharging their functions.” Principle 18.

The Moldavan authorities must take all necessary measures to respect, protect and promote the freedom of exercise of the profession of lawyer without discrimination and without improper interference from the authorities or the public.

Therefore, the Observatory calls the Moldavan authorities to guarantee Ana Ursachi the ability to perform her professional duties freely and independently, ending any form of intimidation or harassment against her or people associated to her.

Who are we?

The International Observatory for Lawyers in Danger was created by the National Bar Council (France), the Paris Bar (France), the Consejo General de la Abogacía Espanola (Spain), and the Consiglio Nazionale Forense (Italy). Its goal is to conduct a constant monitoring on lawyers facing threats around the world because they lawfully practice their profession and to provide assistance to attorneys whose lives, freedom or practice are threatened.

The active members of the OIAD are the following:

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