



EUROPEAN COURT OF HUMAN RIGHTS  
COUR EUROPÉENNE DES DROITS DE L'HOMME

Communicated on 17 June 2015

### THIRD SECTION

Application no. 39413/12  
Sergiu FLOCEA against the Republic of Moldova  
and 4 other applications  
(see list appended)

The list of the applicants is in the appended table. They are all Moldovan nationals. The second applicant is represented before the Court by Mr R. Zadoinov and the fifth applicant by Mr A. Postica, lawyers practising in Chisinau.

The facts of the cases, as submitted by the applicants, may be summarised as follows.

The applicants were convicted to different terms of imprisonment and are serving their sentences in different prisons (see the appended table). According to the applicants, they have been held in inhuman and degrading conditions of detention. They complain *inter alia* about poor material conditions of detention, bad sanitary conditions, overcrowding, food of insufficient quality and quantity and lack of medical assistance (see the below table for the complaints raised by each applicant).

### COMPLAINTS

The applicants complain under Article 3 of the Convention that they have been held in inhuman and degrading conditions of detention.

In applications no. 40614/14 and 71243/14, the applicants further complain that they were not provided with adequate medical care.

The applicants also complain that they did not have, as required by Article 13 of the Convention, any effective remedies at their disposal for their complaints under Article 3.

**COMMON QUESTIONS**

1. Has there been a violation of Article 3 of the Convention? In particular, were the applicants held in inhuman and degrading conditions of detention?

2. Did the applicants have at their disposal an effective domestic remedy for their complaints under Article 3, as required by Article 13 of the Convention?

**CASE SPECIFIC QUESTION**

In applications no. 40614/14 and 71243/14, were the applicants suffering from any serious health problems during detention? If so, did the applicants receive adequate medical care in respect of such health problems, as required by Article 3 of the Convention?

## APPENDIX

No.	Application no. Lodged on	Applicant name Date of birth Represented by	Type of detention Domestic decision	Places of detention	Complaints under Article 3 regarding poor conditions of detention	Other complaints
1.	39413/12* 04/06/2012	<b>Sergiu FLOCEA</b> 28/10/1981	Final conviction to seven and a half years' imprisonment, by the Ungheni District Court's sentence on 13/12/2010	Soroca Prison no. 6	Poor material conditions of detention, cell with no ventilation system and infested with vermin, bad sanitary conditions, damp walls, food of insufficient quality and quantity, overcrowding, only two walking hours a day, inmates diagnosed with psychiatric illnesses held in the same cell.	Article 13
2.	40614/14 12/05/2014	<b>Valentin BASTOVOI</b> 23/10/1987 Represented by Mr. Roman ZADOINOV	Convicted to eight years' imprisonment by the Buiucani District Court on 23/12/2013	Chisinau Prison no. 13	Poor material conditions of detention, overcrowding and lack of medical assistance (alleged refusal to provide the applicant with necessary medicines as required by his condition). The applicant suffers from mycosis, gastritis and respiratory infection.	Article 13
3.	53966/14* 01/10/2014	<b>Oleg BOJENIN</b> 13/02/1980	Final conviction to life imprisonment, by the Chisinau Court of Appeal on 11/07/2002	Rezina Prison no. 17	Poor material conditions of detention, food of insufficient quality and quantity, lack of ventilation system and smoking inmates in the cell, no access to library, and failure of the prison administration to provide him with clothes and shoes.	Article 13
4.	68561/14* 09/10/2014	<b>Ion ZESTREA</b> 10/01/1974	Final conviction to four years and eight months' imprisonment on 4/07/2011	Balti Prison no. 11	Poor material conditions of detention, overcrowding, bad sanitary conditions, lack of ventilation system and smoking inmates in the cell, a twenty days hunger strike.	Article 13
5.	71243/14 24/10/2014	<b>Mihail CUIBAN</b> 25/07/1956 Represented by Mr. Alexandru POSTICA	Convicted by the Botanica Court on 24/12/2012	Chisinau Prison no. 13 Cricova Prison no. 4	Poor material conditions of detention, overcrowding and lack of medical assistance (alleged refusal to provide the applicant with necessary medicines as required by his condition). The applicant suffers from Hepatitis B and D.	Article 13