



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

FIFTH SECTION

CASE OF PLATON v. THE REPUBLIC OF MOLDOVA

(Application no. 74995/17)

JUDGMENT

Art 3 (substantive) • Art 13 (+ Art 3) • Inhuman and degrading treatment • Insufficient medical assistance to a former member of a municipal council and of Parliament while in detention • Lack of effective remedy
Art 8 • Family life • Regular application of sanctions on applicant suspending family visits resulted in a virtually permanent prohibition on such visits for over two years • Restriction not imposed as a consequence of a disciplinary infraction directly pertaining to the exercise of the right to receive visitors • Cumulative effect of prohibition's renewal did not reflect the seriousness of sanctioned behaviour • Disproportionate interference

Prepared by the Registry. Does not bind the Court.

STRASBOURG

9 October 2025

This judgment will become final in the circumstances set out in Article 44 § 2 of the Convention. It may be subject to editorial revision.

In the case of Platon v. the Republic of Moldova,

The European Court of Human Rights (Fifth Section), sitting as a Chamber composed of:

Kateřina řimáčková, *President*,

María Elósegui,

Andreas Zünd,

Diana Sârcu,

Mykola Gnatovskyy,

Vahe Grigoryan,

Sébastien Biancheri, *judges*,

and Victor Soloveytchik, *Section Registrar*,

Having regard to:

the application (no. 74995/17) against the Republic of Moldova lodged with the Court under Article 34 of the Convention for the Protection of Human Rights and Fundamental Freedoms (“the Convention”) by a Moldovan and Ukrainian national, Mr Veaceslav Platon (“the applicant”), on 4 October 2017;

the decision to give notice of the application to the Moldovan Government (“the Government”);

the decision of the Ukrainian Government not to avail themselves of their right to intervene in the proceedings in accordance with Article 36 § 1 of the Convention and Rule 44 § 1 (b) of the Rules of Court;

the decision of a Committee of the Second Section of 19 March 2019 to join the application to eleven other applications, to declare inadmissible the complaints of all applicants under Articles 3 and 13 of the Convention regarding their material conditions of detention and to adjourn the examination of the remaining complaints (see *Talambuța and Others v. the Republic of Moldova* (dec.) [Committee], nos. 23151/09 and 11 other applications, 19 March 2019);

the parties’ observations;

Having deliberated in private on 2 September 2025,

Delivers the following judgment, which was adopted on that date:

INTRODUCTION

1. The case concerns allegedly insufficient medical assistance in prison and excessive interference with the applicant’s right to family visits in prison by the regular application of sanctions on him which prevented such visits. It raises issues under Articles 3 and 8 of the Convention.

THE FACTS

2. The applicant was born in 1973 and lives in Chişinău. The applicant was represented by Mr V. Pleşca, a lawyer practising in Chişinău.

3. The Government were represented by their Agent at the relevant time, Mr. O. Rotari.

4. The facts of the case may be summarised as follows.

5. The applicant used to be a member of the Chişinău municipal council (1999-2003) and a member of Parliament (2009-2010). In 2014 he was charged with fraud and money laundering.

6. The applicant was detained pending trial in prison no. 13 in Chişinău between August 2016 and June 2020.

7. During his detention, the applicant was guarded by members of the “Pantera” special destination detachment (see paragraph 18 below). They always wore black uniforms and black balaclavas, stood by his door 24 hours a day, even though he was being held in solitary detention and had expressly asked not to be protected by them. According to the applicant, members of that detachment entered his cell to check on him at any time during the day or night. They often insulted and provoked him, refused to forward his complaints or requests for medical treatment and in reality acted as a means of intimidation. In particular, the applicant complained before the domestic authorities about members of the “Pantera” detachment refusing to call a doctor during the nights of 24-26 February 2017, when he had suffered from acute kidney pain. In one complaint to the prosecutor’s office he mentioned that during the night of 8 to 9 April 2017 V., a member of the “Pantera” detachment, kept switching on and off the light in his cell for half an hour and then entered the cell when the applicant was satisfying his physiological needs, prompting a dispute during which the applicant threatened that officer with a criminal complaint. He did not make such a complaint but complained against a disciplinary sanction imposed on him as a result of the altercation with V. According to the applicant, the “Pantera” detachment was also instrumental in isolating him from the outside world and provoked the numerous disciplinary sanctions inflicted on him, which resulted in severe limitations on his right to family visits.

I. THE APPLICANT’S MEDICAL TREATMENT IN PRISON

8. In letters to the prison administration dated 15 December 2016, 7 March and 12 May 2017 the applicant complained of pain in the kidneys and asked to be seen by a private nephrology doctor and for an ultra-sonography test. He referred to the incident during the nights between 24 and 26 February 2017, when he had suffered sharp pain in the kidneys and had asked for a doctor, but the “Pantera” detachment had refused to forward that request. In reply, the prison administration informed him on 14 March

2017 that the prison doctors had found a visit with an external doctor to be unnecessary and that if medical treatment was ever in fact required, he could be transferred to a specialised medical institution.

9. The applicant complained to the Chişinău Court (Centru District) but the complaint was rejected in a decision dated 11 May 2017 since he had not first appealed against the prison administration's decision to the Penitentiaries Department of the Ministry of Justice. The applicant lodged a criminal complaint against the prison administration and members of the "Pantera" detachment for refusing to call a doctor during the nights of 24-26 February 2017, when he had suffered from acute kidney pain. The prosecutor refused to start a criminal investigation into that allegation. As part of verifying the applicant's complaint, the prosecutor heard the chief of the medical unit in prison no. 13 where the applicant was being detained. She stated that the applicant had often complained about pain in the kidneys, but always refused to undergo the relevant examinations, asking to be examined instead by private doctors. The applicant challenged that decision, but his appeal was eventually rejected by the Chişinău Court (Centru District) on 22 September 2017 and by final decision of the Chişinău Court of Appeal of 4 December 2017.

10. Starting on 21 June 2017 the applicant complained that he had a severe toothache and had lost a tooth, but despite many complaints, he was not treated by a dentist other than the one present on the prison premises. On 6 September 2017 the dentist diagnosed the applicant with three chronic caries and noted that he had refused to be treated with cement, polymer filling. The prison dentist subsequently confirmed to the Ombudsman (according to information from the Ombudsman of 27 February 2018) that he had not had the required equipment to treat the applicant's illness.

11. The applicant complained to an investigating judge who found that he did not have competence to examine the applicant's complaint concerning the lack of dental treatment, considering that the trial court had that power.

12. On 29 September 2017 the Chişinău Court of Appeal accepted the applicant's complaint and allowed him to be treated in a private dental clinic. It noted the applicant's claim that the prison dentist lacked the necessary equipment and could not offer him sufficient treatment and found that the law allowed for such external treatment, while observing that under the Court's case-law the lack of medical treatment required by a detainee's condition could amount to treatment contrary to the Convention. The clinic initially accepted, but then refused to treat the applicant. On 3 May 2018 the same court ordered the applicant to be escorted to another private clinic. However, after having initially agreed to treat the applicant, the second private clinic subsequently stated that it could no longer provide treatment. On 30 May 2018 the same court adopted a decision ordering the prison authorities to ensure the applicant's dental treatment, without identifying any specific clinic. Another dentist visited him in prison in July 2018 and prescribed

examination by orthopantomography. The applicant was not given dental treatment in prison until at least October 2018.

II. RESTRICTIONS ON THE APPLICANT'S RIGHT TO VISITS WITH HIS RELATIVES

13. During his detention, the applicant was unable to see his wife and mother at any point, despite numerous requests, as a result of sanctions applied to him. The sanctions were imposed for breaches of the prison rules and for actions such as swearing at prison staff and refusing to return to his cell, resisting the special forces (by keeping his legs straight and refusing to walk or by making sudden moves with his hands handcuffed behind his back) so as to provoke the use of force against him in front of the mass media on court days, trying to inflict injuries on himself so as to simulate having been ill-treated, and damaging prison property by trying to install a radio antenna on the wall. Most of those sanctions involved a prohibition on his seeing relatives during a three-month period. Such sanctions were applied to the applicant approximately once every three months. The applicant did not see any of his relatives for over two years while he was in prison, although he and his lawyer wrote numerous requests and complaints to the prison authorities in that regard.

14. The applicant challenged in court some of the sanctions against him (for instance, the sanction of 28 February 2017), arguing in particular that all evidence had consisted of statements and reports made by the prison staff and without any confirmation such as video recordings (from the officers' body cameras and prison surveillance cameras). On 2 June 2017 the investigating judge rejected a request by the applicant to have the sanction of limiting his right to visits by family members annulled, finding that the sanction had been lawfully adopted following his verbal abuse of prison staff. Moreover, his complaint about his inability to see his relatives had to first be addressed to the relevant authority in a pre-trial procedure. In a final decision of 14 September 2017, the investigating judge rejected a complaint lodged by the applicant concerning the refusal of the prosecution to start a criminal investigation into the unlawful limitation of his right to visits by family members. She found that the applicant had been lawfully sanctioned, which had resulted in the three-month prohibition on meetings with his relatives.

15. On 12 May 2017 the applicant asked for a meeting with his wife when the last sanction preventing his meetings with relatives was about to expire (on 28 May 2017). He repeated that request on 2 and 9 June 2017. However, no meeting was authorised. On 15 June 2017 he was sanctioned again, following which the request of 12 May 2017 was rejected. On 15 June 2017 the applicant challenged in court the decision of the same day to sanction him. He lodged another, similar complaint with the court on 8 August 2017, challenging a decision taken on the same day to sanction him. He did not

inform the Court of the outcome of those complaints, except to note that he was not allowed to see his relatives.

16. In a complaint of 27 March 2018 the applicant's lawyer noted that his client had not seen his wife for over one year, since his arrest. In his observations of October 2018, the applicant submitted that he had not seen his wife and mother since his arrest in August 2016.

RELEVANT DOMESTIC LAW

17. Under Article 213 § 4 (a) of the Code of Execution of Sentences, a detainee is to be denied the right to long-term visits with his/her relatives, if that right has been suspended.

Under Article 246, a detainee's right to, *inter alia*, short and long-term visits can be suspended for up to three months as a disciplinary sanction.

18. In accordance with the Regulation concerning the organisation and functioning of the Special Destination Detachment "Pantera" within the Penitentiaries' Department of the Ministry of Justice (adopted by Order of the Ministry of Justice no. 30 of 30 July 2012), the detachment is an armed sub-division tasked, *inter alia* with maintaining law and order in places of detention, during exceptional situations or as part of operative and regime measures. This includes ensuring the safety of prison staff, quelling riots and mass disorder or other unlawful actions by detainees, freeing hostages taken on prison premises, searching for persons who escaped from prison, taking measures aimed at intensifying the supervision of detainees during operative interventions, consolidating the prison regime in exceptional situations, offering practical help to penitentiary institutions in order to maintain lawful order and escorting detainees. That Regulation was subsequently replaced by another one by Ministry of Justice Order no. 21 of 16 May 2018.

THE LAW

I. DISJOINDER OF THE APPLICATION

19. The Court observes that the decision to join the present case to other applications was based on the common complaints regarding the material conditions of all applicants' detention. As those complaints were declared inadmissible and noting that only one of the eleven applications at issue (no. 61354/13) is still pending, the Court considers that it is necessary to examine the present case separately.

II. ALLEGED VIOLATION OF ARTICLE 3 OF THE CONVENTION AND ARTICLE 13 TAKEN IN CONJUNCTION WITH ARTICLE 3 (MEDICAL ASSISTANCE IN DETENTION)

20. The applicant complained of insufficient medical treatment while in detention pending trial. He also complained that he had not had an effective remedy in respect of his complaints under Article 3, contrary to Article 13 of the Convention.

Article 3 reads as follows:

“No one shall be subjected to torture or to inhuman or degrading treatment or punishment.”

Article 13 reads as follows:

“Everyone whose rights and freedoms as set forth in this Convention are violated shall have an effective remedy before a national authority notwithstanding that the violation has been committed by persons acting in an official capacity.”

A. Admissibility

21. The Government raised a preliminary objection concerning the failure to exhaust available domestic remedies in relation to the applicant’s complaint regarding the manner in which the special forces had reacted to his complaints about pain in the kidneys. In particular, the applicant’s complaint about the failure by members of the “Pantera” detachment to forward to a doctor his complaints about acute pain in the kidneys between 24 and 26 February 2017 as well as insulting him, was made only after lodging the application.

22. The Court notes that the applicant’s complaint regarding allegedly inadequate medical treatment of his kidney condition was examined by the prison administration and two levels of court and rejected by final judicial decision of 4 December 2017 (see paragraph 8 above). There is no doubt, therefore, that the applicant brought to the attention of the relevant authorities the complaint that he has submitted to the Court.

23. In addition and regarding the remaining non-exhaustion arguments of the Government, the Court observes that the application under examination does not concern the individual responsibility of certain prison staff but, above all, compliance with State duties under Article 3 of the Convention to ensure medical assistance in detention. In the case of *Shishanov v. the Republic of Moldova* (no. 11353/06, § 131, 15 September 2015) the Court reiterated that, in matters concerning conditions of detention, “preventive” remedies should coexist with “compensatory” ones (see also *Drăniceru v. the Republic of Moldova* (dec.), no. 31975/15, § 24, 12 February 2019). In the particular context of complaints under Articles 2 and 3 of the Convention of lack of adequate care for prisoners suffering from serious illnesses the Court has held that a preventive remedy ought to have the potential to bring direct

and timely relief (see *Čuprakovs v. Latvia*, no. 8543/04, § 50, 18 December 2012, and *Goginashvili v. Georgia*, no. 47729/08, § 49, 4 October 2011). In the present case, it cannot be considered that the applicant, having used the relevant remedy mentioned above, should be required to seek, in addition, punishment for prison staff members. Accordingly, the Government's objection must be rejected.

24. The Court further notes that the complaints under Articles 3 and 13 of the Convention are not manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention or inadmissible on any other grounds. They must therefore be declared admissible.

B. Merits

1. The parties' submissions

25. The applicant argued that during his detention he had not been given medical assistance required by his condition. As regards the refusal of private dentists to treat him, he alleged that the doctors had initially been willing to treat him but had been influenced by the authorities to eventually refuse him treatment. He had been guarded 24/7 by members of the "Pantera" special forces detachment and against his wishes. They often refused relaying his requests for medical assistance.

26. The Government submitted that the applicant had been given medical treatment appropriate to his state of health.

Regarding dental treatment, he had refused to be treated by the prison dentist with available materials, preferring different ones and private dentists. The delays in escorting the applicant to a private dental clinic, as authorised by the courts, was due to the fact that each time the court would identify a specific clinic, as the applicant wished, that clinic was unable to offer the treatment for various reasons. Solely the last court order of 30 May 2018 was not limited to treatment in a specific clinic, which allowed finding any available private dental clinic to treat the applicant (see paragraph 10 above).

27. Regarding the kidney problem, on a number of occasions the applicant was seen by prison doctors, who did not find that it was necessary for him to be seen by a nephrologist. On a number of occasions he had refused medical visits or the treatment prescribed. Moreover, contracts have been concluded with external partners, whereby detainees can be treated outside the prison medical system if the need arises.

2. The Court's assessment

28. The general principles concerning medical assistance while in detention have been summarised in *Rooman v. Belgium* ([GC], no. 18052/11, §§ 141-48, 31 January 2019). In particular, Article 3 requires the State to ensure that, given the practical demands of imprisonment, prisoners' health

and well-being are adequately secured by, among other things, providing them with the requisite medical assistance (*ibid.*, § 143).

29. The applicant complained for the first time about pain in his teeth on 21 June 2017. Since then and at least until October 2018 he has not received the dental treatment required by his condition. His lawyer obtained an approval for treatment by a private dentist outside prison on 29 September 2017 by the Chişinău Court of Appeal (see paragraph 12 above), but two dentists subsequently refused to treat the applicant, after having initially agreed to it.

30. It is clear from the information from the Ombudsman – undisputed by the Government – that the relevant prison was not properly equipped to treat the applicant's toothache, and a domestic court accepted that, despite that some treatment was available in prison, the applicant needed to be brought to a private clinic for dental treatment (see paragraphs 10 and 12 above). It has not been argued by the parties that the treatment required by the applicant's condition was generally unavailable in the Republic of Moldova or that there were particular difficulties in securing it. While the reasons for the refusal of two private dental clinics to treat the applicant are unclear and the applicant's allegation that it had been the result of pressure by the authorities cannot be seen as proven beyond a reasonable doubt, it remains clear that in the face of a situation where the prison dentist did not have the necessary equipment to treat the applicant's condition, which caused him pain and affected his health, and where such equipment and treatment was apparently available outside of the prison, it was the authorities' duty to find a solution in order to provide appropriate medical treatment. Accordingly, the authorities were aware of the impossibility of offering the applicant the requisite dental treatment within the prison but did not do enough to arrange for such treatment, either by bringing in the necessary equipment or finding alternative solutions outside the prison. No satisfactory explanation has been provided for the failure to secure treatment.

31. As for the complaint of a failure to provide him with medical treatment for pain in the kidneys, it is noted that the applicant did not submit any evidence that he indeed required such treatment. At the same time, he made at least three complaints of pain in the kidneys to the authorities, asking to be seen by a nephrologist and for a specialised test in order to facilitate the proper diagnosis (see paragraph 8 above). The Government referred to replies from the prison administration and the chief prison doctor that the applicant had often complained about such pain, but always refused to undergo a medical examination, preferring a private doctor's examination (see paragraph 8 above). However, while having full access to the applicant's medical file and other relevant materials, the Government have not submitted any medical evidence either that the applicant was seen by a prison doctor in response to his complaints about severe pain in the kidneys, or that he had refused being so examined. It is also noted that no evidence of such medical

examinations or refusals of such examinations can be found among the many pages of his personal medical file submitted by the applicant, though it is unclear whether they represent the entirety of that file. At the same time, some pages in that medical file submitted both by the applicant and the Government show that, on certain occasions unrelated to complaints about pain in the kidneys, the applicant did refuse to undergo certain medical examinations, and that the prison doctors noted that refusal. It appears, therefore, that there was a practice of recording refusals of treatment. The Government have not claimed that parts of the applicant's prison personal medical file were unavailable and could not be submitted. In these circumstances, in the absence of any documentary trace of a refusal by the applicant to accept proposed medical examinations regarding his alleged pain in the kidneys, of which he complained repeatedly, it cannot be accepted that such refusals were made.

32. The Court further notes that the applicant was isolated and unable to see any doctors other than those in the prison, which means that it was impossible for him to obtain any evidence that he suffered pain other than submitting complaints and obtaining replies. Since the parties did not submit any medical evidence confirming (failed) visits by prison doctors concerning pain in the kidneys, the only reliable facts are that the applicant made at least three relevant complaints and that the documents submitted by the parties do not include any documentary proof of (failed) medical visits, albeit by the prison doctor, in response to those complaints. In such circumstances, the Court is unconvinced that the question whether the applicant required to be seen by a nephrologist to determine and treat the cause of his pain in the kidneys has been the subject of a proper medical assessment (see *Irakli Mindadze v. Georgia*, no. 17012/09, §§ 43 and 44, 11 December 2012).

33. The Court cannot speculate on whether the applicant's request to urgently see a doctor because of severe pain in the kidneys was deliberately not forwarded to the relevant prison administration hierarchy by the members of the "Pantera" detachment guarding him, as alleged by the applicant. It cannot speculate either on whether the applicant actually required medical treatment for the condition he signalled. However, it finds it established that the applicant's complaints of severe pain in his kidneys – which undoubtedly could potentially require medical attention if confirmed by medical professionals – were ignored in a manner incompatible with the State duty to secure necessary medical care in prison.

34. The Court therefore finds that in the present case the authorities did not fulfil their obligations in respect of medical assistance to a person deprived of his liberty (see paragraph 28 above). There has accordingly been a violation of Article 3 of the Convention.

35. The Court also observes, regarding the complaint under Article 13, that despite his numerous requests and complaints related to the failure to provide him with dental treatment and his three requests for kidney treatment,

the applicant was still unable to obtain treatment for more than one year. The Court already examined and rejected the Government's assertion that the applicant should have tried to establish the personal penal responsibility of members of the "Pantera" special forces detachment for the refusal of his request to obtain a consultation with a nephrologist (see paragraph 22 above). The Government did not indicate what preventive remedies existed, besides noting that all of the applicant's complaints have been duly examined and replied to. The court notes that a similar violation has been found with respect to the lack of effective remedies for insufficient medical assistance in detention (see *Machina v. the Republic of Moldova*, no. 69086/14, §§ 56 and 57, 17 January 2023) and that the Government did not submit any reason why the Court should reach a different conclusion in the present case.

36. In view of above, the Court concludes that there has been a violation of Article 13 taken in conjunction with Article 3 of the Convention in the present case concerning medical assistance in detention (compare *Okolisan v. the Republic of Moldova*, no. 33200/11, §§ 37-41, 29 March 2016).

III. ALLEGED VIOLATION OF ARTICLE 8 OF THE CONVENTION

37. The applicant complained of a severe limitation of his right to family visits in prison. He relied on Article 8 of the Convention, which reads as follows:

"1. Everyone has the right to respect for his private and family life, his home and his correspondence.

2. There shall be no interference by a public authority with the exercise of this right except such as is in accordance with the law and is necessary in a democratic society in the interests of national security, public safety or the economic well-being of the country, for the prevention of disorder or crime, for the protection of health or morals, or for the protection of the rights and freedoms of others."

A. Admissibility

38. The Government raised a preliminary objection concerning the failure to exhaust available domestic remedies, arguing that the examination of the applicant's complaint about forgery of official documents by members of the "Pantera" detachment, which allegedly resulted in restrictions on his right to meet with relatives, was still pending.

39. The Court notes that the applicant repeatedly brought the issue complained of to the attention of the relevant authorities (see paragraphs 8 and 9 above). In these circumstances, it does not appear that the alleged pendency of the issue of individual responsibility of members of the detachment guarding him for forgery of documents is relevant to the exhaustion of domestic remedies in the present case.

40. In respect of the limitation of the right to visit, in their subsequent observations of 7 December 2018 the Government argued that since the

suspension of the applicant's right to meet his relatives of 8 August 2017 was still being examined by the courts, he had not exhausted available domestic remedies in respect of that decision. The Court notes that, under Rule 55 of the Rules of Court, any plea of inadmissibility must be raised by the respondent Contracting Party, in so far as the nature of the objection and the circumstances so allow, in its written or oral observations on the admissibility of the application. Any omission by the Government to raise such objections in their initial observations on the admissibility of the case may lead the Court to conclude that they are estopped from raising those objections at a later stage in the proceedings (see *Khlaifia and Others v. Italy* [GC], no. 16483/12, §§ 51-54, 15 December 2016; *Naskov and Others v. North Macedonia*, nos. 31620/15 and 2 others, § 62, 12 December 2023; and *Varyan v. Armenia*, no. 48998/14, § 72, 4 June 2024). The Court notes that in the present case the relevant facts preceded the date of the Government's first observations of 31 May 2018 and that the relevant objection was only raised in the subsequent observations of 7 December 2018. Therefore the Court finds that the Government are estopped from relying on this ground, which was not raised in their initial submissions.

41. The Court notes that this complaint is neither manifestly ill-founded nor inadmissible on any other grounds listed in Article 35 of the Convention. It must therefore be declared admissible.

B. Merits

42. The applicant submitted that he had been sanctioned with a prohibition on family visits at regular intervals for up to three months at a time, so as to prevent any contact with his relatives. Often such sanctions were the result of provocations by the "Pantera" detachment guarding him and/or of false statements made by them accusing him of breaching prison rules (see paragraph 7 above).

43. The Government argued that his persistently provocative behaviour in breach of prison rules had been punished with, *inter alia*, periods of prohibition on family visits, since other sanctions had not been effective.

44. The general principles concerning limitations on the right to family visits have been summarised in *Khoroshenko v. Russia* [GC] (no. 41418/04, §§ 106 and 116-126, ECHR 2015). In particular, it is an essential part of a prisoner's right to respect for family life that the authorities enable him or her, or, if need be, assist him or her to maintain contact with close family. This principle applies equally to untried prisoners who must be considered innocent by virtue of Article 6 § 2 of the Convention (*ibid.*, §§ 116-117, and *Pavlova v. Russia*, no. 8578/12, § 23, 18 February 2020).

45. The Court considers that the limitation of the applicant's right to meet with his relatives constituted an interference with his rights under Article 8 of the Convention. It also notes that such interference was provided for by

law (see paragraph 17 above) and pursued the legitimate aim of prevention of disorder in prison. It thus needs to examine whether the interference was “necessary in a democratic society”.

46. The Court accepts that breaches of prison rules may result in sanctions, including a temporary prohibition on the right to family visits. However, given the serious effect on a detainee of prohibiting him or her from meeting with close relatives, the sanction must be proportionate to the legitimate aim pursued. The proportionality of such a sanction is more readily ascertainable in circumstances where the restriction on visits is imposed as a consequence of a disciplinary infraction directly pertaining to the exercise of the right to receive visitors; however, this is not the situation in the present case. Further, the Court particularly takes note of the periodic manner of applying such sanctions, involving the prohibition of meeting relatives for three months at a time, which in the present case were issued roughly once every three months and thus resulted in a virtually permanent prohibition on family meetings for more than two years. It is apparent that in suspending the right to visits and in reviewing them the prison authorities and the courts respectively did not take into account the cumulative effect of such sanctions and whether, with the passage of time, the lack of contact between the applicant and his relatives had continued to be proportionate. Similarly, the domestic courts did not pay sufficient attention to the applicant’s allegations about the “Pantera” detachment provoking him to break prison rules and their attitude in general.

47. Moreover, the applicant asked for a meeting with his wife on 12 May 2017, when the last sanction preventing his meetings with relatives was about to expire (on 28 May 2017) and repeated that request on 2 and 9 June 2017, after that sanction had expired. However, no meeting was authorised, despite the absence of any impediment, until 15 June 2017, when he was sanctioned again. Following that his request was refused. The Court considers that the cumulative effect of the renewal of the prohibition on family visits for over two years does not reflect the seriousness of the behaviour for which the applicant was sanctioned (see paragraph 13 above). The lengthy period of absence of any direct contact with relatives was thus disproportionate to the legitimate aim pursued and therefore incompatible with the requirements of Article 8 of the Convention.

48. There has accordingly been a violation of that provision.

IV. ALLEGED VIOLATION OF ARTICLES 3 AND 8 OF THE CONVENTION (PRESENCE OF THE “PANTERA” SPECIAL DESTINATION DETACHMENT)

49. The applicant complained about the unlawful presence of the “Pantera” detachment at his cell door. That detachment had played a prominent role in the treatment inflicted on him, both concerning the

insufficient medical treatment (by failing to forward his complaints and requests of medical assistance) and concerning the family visits (by provoking him and then writing false reports, following which he was sanctioned with the prohibition to see his relatives and to receive parcels).

50. The Government submitted, with a general reference to the Regulation as a whole (see paragraph 18 above), that the applicant had been guarded by members of the “Pantera” detachment in order to secure his protection from potential assaults by other inmates, given his prior position as a member of parliament. Former members of parliament, judges etc. were always held in cells separate from other inmates. Night-time checks were carried out only through the cell door viewer and the cell peep hole. In the absence of video monitoring in the cell, this kind of checks were necessary to secure safety in the prison.

51. The Court notes that the applicant’s complaint regarding the material conditions of detention was declared inadmissible (see *Talambuța v. the Republic of Moldova (dec.)* (no. 23151/09, 19 March 2019). The effects of the prison regime, including the manner of guarding someone in prison, is part of what is normally examined as the material conditions of detention. Nonetheless, assuming that the complaint regarding the presence of the “Pantera” guards and the unlawful, inhuman and degrading treatment by them is not covered by the above-mentioned inadmissibility decision concerning the material conditions of the applicant’s detention and that, therefore, it must be examined, the Court notes the following. There is no doubt that the allegations raised by the applicant regarding the role of the “Pantera” detachment could raise an issue under Articles 3 and/or 8 of the Convention. The manner in which the applicant has been treated by that detachment was taken into account by the Court above, in its examination of the applicant’s complaints under Article 3 of the Convention regarding medical treatment in prison and under its Article 8 regarding denial of family visits.

52. As for the complaint about the allegedly unlawful presence of the “Pantera” detachment at the applicant’s cell door on a continuous basis, in the present case no evidence has been submitted that the applicant has properly complained of that issue before the domestic courts. The material submitted to the Court only concerns complaints the applicant had made about specific actions by members of that detachment. While the relevant regulation regarding the “Pantera” detachment (see paragraph 18 above) remains relatively vague, the applicant’s failure to demonstrate that he has complained before the domestic courts about the lawfulness of the detachment’s presence on a continuous basis and, as a consequence, the absence of domestic decisions examining this issue, cannot but lead the Court, in the specific circumstances of the present case, to find that the above complaint is unsubstantiated and therefore manifestly ill-founded within the meaning of Article 35 § 3 (a) of the Convention. It must therefore be rejected pursuant to its Article 35 § 4.

V. REMAINING COMPLAINTS

53. The applicant also raised another complaint under Article 34 of the Convention about alleged failure to secure to his lawyer access to various documents needed for the lodging the present application, as well as about insufficient access by his lawyers in order to lodge the present application. The Court has examined that part of the application and, in particular, the documents submitted by the applicant, and finds that, in the light of all the material in its possession, there is no appearance of a failure of the respondent State to comply with its obligations under Article 34 of the Convention. The Court therefore decides not to pursue the matter (see, for instance, *Becaj v. Albania (dec.)*, no. 1542/13, § 44, 24 June 2014).

54. The applicant also complained about the limitation of his right to receive parcels from relatives. Having regard to its findings in respect of the limitation of the right to family visits (see paragraphs 46-48 above), the Court considers that there is no need to examine the admissibility and merits of this complaint.

VI. APPLICATION OF ARTICLE 41 OF THE CONVENTION

55. Article 41 of the Convention provides:

“If the Court finds that there has been a violation of the Convention or the Protocols thereto, and if the internal law of the High Contracting Party concerned allows only partial reparation to be made, the Court shall, if necessary, afford just satisfaction to the injured party.”

56. The applicant claimed 25,000 euros (EUR) in respect of non-pecuniary damage and EUR 4,100 in respect of the costs and expenses incurred, in view of the fact that he had already paid his lawyer EUR 1,025. He submitted a copy of a receipt confirming that his mother had paid 20,000 Moldovan lei (EUR 1,025) to his lawyer, as well as a time sheet regarding the lawyer’s work on the case (80 hours at an hourly rate of EUR 50).

57. The Government considered that the sums claimed were unsubstantiated and excessive.

58. Ruling on an equitable basis, the Court awards the applicant EUR 15,600 in respect of non-pecuniary damage, plus any tax that may be chargeable.

59. Having regard to the documents in its possession, the Court considers it reasonable to award EUR 2,000 covering costs under all heads, plus any tax that may be chargeable to the applicant.

FOR THESE REASONS, THE COURT, UNANIMOUSLY,

1. *Disjoins* the application from application no. 61354/13 to which it was joined;
2. *Declares* the complaints under Article 3 taken alone and in conjunction with Article 13 (medical assistance in prison) and under Article 8 of the Convention (family visits) admissible, and the complaint of a violation of Article 34, inadmissible;
3. *Holds* that there has been a violation of Article 3 of the Convention in respect of the medical assistance while in detention;
4. *Holds* that there has been a violation of Article 13 taken in conjunction with Article 3 of the Convention;
5. *Holds* that there has been a violation of Article 8 of the Convention in respect of the limitation of family visits;
6. *Holds* that there is no need to examine separately the admissibility and merits of the complaint under Article 8 of the Convention in respect of the limitation on receiving parcels;
7. *Decides* not to pursue the complaints raised under Article 34 of the Convention;
8. *Holds*
 - (a) that the respondent State is to pay the applicant, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the following amounts, to be converted into Moldovan lei at the rate applicable at the date of settlement:
 - (i) EUR 15,600 (fifteen thousand six hundred euros), plus any tax that may be chargeable, in respect of non-pecuniary damage;
 - (ii) EUR 2,000 (two thousand euros), plus any tax that may be chargeable to the applicant, in respect of costs and expenses;
 - (b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points;
9. *Dismisses* the remainder of the applicant's claim for just satisfaction.

PLATON v. THE REPUBLIC OF MOLDOVA JUDGMENT

Done in English, and notified in writing on 9 October 2025, pursuant to Rule 77 §§ 2 and 3 of the Rules of Court.

Victor Soloveyitchik
Registrar

Kateřina Šimáčková
President