

Doc. 10839
8 February 2006

With respect to the “Pasat case”

Motion for a resolution
presented by Mr Hancock and others

This motion has not been discussed in the Assembly and commits only the members who have signed it

1. On 17 January 2006, after almost 11 months of investigation and custody, a former Defence Minister of Moldova, Valery Pasat, was sentenced to 10 years imprisonment by the Central District court in Kishinev. According to the prosecution, Valery Pasat made a deal in 1997 on the sale of MIG-29 fighter aircraft to the United States that inflicted damage of 53 million dollars on the Moldovan state.
2. Attempts to carry out criminal prosecution against Valery Pasat in this connection were also made earlier, but were unsuccessful because of the lack of inculpatory evidence that might have been accepted as convincing. This time Valery Pasat was arrested during the Presidential election campaign in Moldova, when he arrived in Kishinev on March 11 2005, to take part in an opposition rally. Taking this into consideration one cannot exclude that the true reason for Valery Pasat's arrest might have been his political activities.
3. Judicial inquiry of the “Pasat case” and conditions of his detention point out that with respect to Valery Pasat, Moldovan authorities do not observe a number of Articles of the European Convention on Human Rights, in particular Article 5 (4), Article 6 (1) and Article 6 (3, c).
4. The sentence for Valery Pasat – 10 years of imprisonment – seems to be disproportionately severe and, in fact, makes him personally responsible for the decisions taken by former top Moldovan leaders to whom he was subordinate as the Defence Minister in 1997.
5. Under these circumstances the Assembly cannot remain indifferent and should carry out an independent and objective investigation of all details of the Pasat case in order to remove any doubts about conformity of the steps taken by Moldovan authorities to the Council of Europe standards of human rights and rule of law.

Signed (see overleaf)

*Signed*¹:

HANCOCK, Michael, United Kingdom, ALDE
ELO, Mikko, Finland, SOC
GORIS, Stef, Belgium, ALDE
GROSS, Andreas, Switzerland, SOC
KNIGHT OF COLLINGTREE, Jill, United Kingdom, EDG
KOSACHEV, Konstantin, Russian Federation, EDG
MELNIKOV, Ivan, Russian Federation, UEL
MOTA AMARAL, João Bosco, Portugal, EPP/CD
SLUTSKY, Leonid, Russian Federation, SOC
TOROSYAN, Tigran, Armenia, EDG

¹ SOC: Socialist Group
EPP/CD: Group of the European People's Party
ALDE: Alliance of Liberals and Democrats for Europe
EDG: European Democratic Group
UEL: Group of the Unified European Left
NR: not registered in a group