




GOOD PRACTICES IN FACILITATING ACCESS TO JUSTICE IN MOLDOVA

STUDY

This text is an excerpt from the study.
The full version exists only in Romanian

source: UNODC

 Millennium DPI Partners

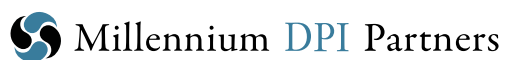
Accesul la Justiție în Moldova

Proiect finanțat de Departamentul de Stat al SUA,
Biroul pentru Democrație, Drepturile Omului și Muncă



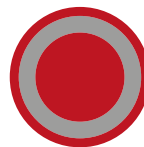
National Campaign
for Healthy Justice

AUTHOR:
Arina Țurcan-Donțu



Accesul la Justiție în Moldova

Proiect finanțat de Departamentul de Stat al SUA,
Biroul pentru Democrație, Drepturile Omului și Muncă



National Campaign
for Healthy Justice

This study has been conducted by Arina Țurcan-Donțu as part of Millennium DPI Partners' Access to Justice in Moldova Project, funded by the US Department of State's Bureau of Democracy, Human Rights and Labor. The views expressed in this research are solely those of the author and do not necessarily reflect the position of Millennium DPI Partners or the donor.

Design and layout: Mihail Catan

Good Practices on Facilitating Access to Justice in Moldova

STUDY

This text is an excerpt from the study.
The full version exists only in Romanian

AUTHOR:

Arina Țurcan-Donțu

Chișinău, 2022

TABLE OF CONTENTS

ACRONYMS	6
INTRODUCTION	7
EXECUTIVE SUMMARY	8
GOOD PRACTICES ON FACILITATING ACCESS TO JUSTICE FOR VULNERABLE GROUPS	10
Mobile teams	11
Mobile team to assist older people affected by domestic violence	11
Mobile team for legal and psychosocial assistance to refugees	12
Mobile equipment to assist Roma people	13
Example of international practice	14
Local advocacy for affordable legal services	15
Advocacy for the establishment of the community lawyer	15
Advocacy for access of people with disabilities to the First Home program	15
Primary and qualified legal aid services	16
Disability helpline 0 8001 0808	16
Helpline for Women and Girls 0 8008 8008	17
Child's phone number 116 111	17
Interactive application	18
Examples of international practices	18
Services, centers and programs for the protection and rehabilitation of victims of domestic and gender-based violence	19
Legal and psychological support services for victims of domestic violence	19
Shelters for victims of domestic violence and victims of human trafficking	21
Crisis centers and specialized services for victims of sexual violence	22
Specialized service for male victims of human trafficking	23
Regional center for integrated childcare (Barnahus-type)	24
Examples of international practices	25
Legal and psychological support services for people with disabilities and other vulnerable groups	26
Legal and psychological support services for people with disabilities	26
Information accessibility and access to information for people with intellectual disabilities	26
Ombudsman in the psychiatric institution	27
Covid-19 Crisis Centre for Human Rights	28

Legal assistance services for refugees, asylum seekers, beneficiaries of humanitarian protection, stateless persons	29
Programs and placement centers for domestic abusers	30
Addiction treatment programs	31
Primary and qualified legal aid services for sentenced persons	32
Legal and psychological assistance to women in Rusca Prison No. 7	32
Remote (e)justice rooms in prisons	34
Reasonable accommodation measures in ensuring access to justice for prisoners with disabilities	34
Services for disease prevention, treatment in prison and rehabilitation after release	35
Success story	36
Example of international practice	37
Legal information, crime and re-offence prevention programs	37
Juvenile delinquency prevention programs	37
Virtual reality technologies in the process of informing young people about gender equality	40
Information module reflecting the path of minors and young people in conflict with the law in the probation system of the Republic of Moldova	41
Intervention programs for minors on probation or in detention	42
CONCLUSIONS	44
RECOMMENDATIONS	48

ACRONYMS

CA	Civic Association
CDR	Center for Disability Rights
CPA	Central Public Administration
IDOM	Institute for Human Rights of Moldova
IT	Information technologies
LCA	Law Center of Advocates
LPA	Local Public Administration
NAP	National Administration of Penitentiaries
NCAPC	National Child Abuse Prevention Centre
NGO	Non-governmental organization
NLAC	National Legal Aid Council
NPI	National Probation Inspectorate
OHCHR	United Nations Office of the High Commissioner for Human Rights
UNICEF	United Nations Children's Fund
UNODC	United Nations Office on Drugs and Crime
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
WLC	Women's Law Center

INTRODUCTION

The Access to Justice in Moldova Project is a project of the U.S. Department of State, Bureau of Democracy, Human Rights and Labor, which aims to improve access to justice for Moldovans, especially for the most vulnerable members of society who are marginalized and excluded.

The project supports access to justice good practices developed at local, regional and national levels through partner organizations in different regions. The documentation of good or best practices from within the Republic of Moldova, but also from international experience, applicable to Moldova, highlights models that can be taken up and adapted to facilitate access to justice for vulnerable and marginalized groups in Moldova.

The research initiated by the Access to Justice in Moldova Project looks at local, regional and national initiatives that have facilitated access to justice for needy individuals and vulnerable groups and have the potential for expansion, scaling up and/or institutionalization. A separate focus was placed on the review of international best practices that could be adopted in Moldova to improve access to justice, particularly in the areas of child welfare and women's protection services.

The *Best Practices Study on Facilitating Access to Justice* formulates a set of recommendations for adopting and strengthening best practices in Moldova. The Access to Justice Project hopes, that by providing this important overview of those efforts that work and those that need government or other support, new projects and services can be developed that will enhance access to justice services for those that most need it. With the current economic crisis, the continuing pandemic and political crisis, and the war in Ukraine this information is all the more urgent to support improvements to access to justice in Moldova.

EXECUTIVE SUMMARY

The study “**Good Practices on Facilitating Access to Justice in Moldova**” aims to identify and present models of good practices of access to justice from the Republic of Moldova and international practices that are applicable to the Republic of Moldova.

In recent years, Moldova's development partners have come up with innovative models in the justice sector, which have been tested by non-governmental organizations (NGOs), local justice sector actors, and government. Some models have ceased due to lack of funding, some have achieved some continuity at the local level, and others have been transformed into government programs or state-supported and funded services.

Despite some positive practices, budgetary austerity, insufficient financial and donor resources, staff turnover, lack of available training or continuous staff training are constraining efforts to extend or institutionalize best practices of legal aid and the crucial services developed and provided by NGOs, paralegals and other justice sector professionals. In these circumstances, the transfer of funding for access to justice activities to local public administrations (LPAs) creates the risk that centers and their services will be underfunded or redirected, depending on the will of local councilors and the political needs of their particular party.

The main constraints to the adoption of best practices that would ensure access to justice for vulnerable groups relate to the inconsistency in the way government entities (LPAs) contract with NGOs for justice related services in their localities. As the financing of social services is placed on the shoulders of LPAs, their provision in the volume and quality appropriate to the needs of the population depends directly on the financial sustainability of the LPA/CPA. Moreover, authorities do not prioritize services to ensure access to justice, focusing instead on the development of infrastructure projects (sanitation, roads, water) which are more visible and tangible and therefore more politically expedient.

Another barrier to the institutionalization of services is the perception of local leaders about the role and purpose of NGOs. A large number of local leaders and LPAs see NGOs as potential donor supported sponsors, and do not accept the idea of funding NGO activities. Their view is that the burden of funding NGO programs falls on donors.¹

It is recommended to organize awareness raising activities for LPA/CPA representatives on the need to improve access to justice for vulnerable groups and to train LPA/CPA representatives in the area of needs assessment for service development based on community needs. At the same time, it is imperative to develop a clear and coherent LPA/CPA mechanism for contracting services offered by NGOs.

1. Study „Identifying barriers and gaps in the state contracting process for CSO services”, Chişinău, 2018

The cost of qualified legal services and associated costs, such as transportation and administrative costs, are a serious barrier for vulnerable groups, especially those living in rural or remote areas. Free legal and psycho-social assistance resources ensuring access to justice are currently concentrated mainly in municipalities in the north and the center of the country, and much less available in the south. In the south, vulnerable groups must travel long distances, incurring transportation costs and lost time to obtain legal assistance and representation, which presents serious barriers to fair and equal access to justice.

Ensuring access to justice for vulnerable groups can take place through the extension of existing services in their locality or through digitization. It was thus proposed to extend practices that emerged during the COVID-19 pandemic, when legal and psychological counselling was provided online (using smartphones, tablets, laptops via WhatsApp, Skype and others) or mixed. The major advantage of digitizing services is that they can meet the needs of a large number of applicants. The disadvantage of these practices is that many members of vulnerable communities do not have access to modern technology (laptops, smartphones, etc.) or good internet connection making it difficult to access online services.

Mobile legal aid teams offer a relatively low-cost solution. They can be deployed to assist vulnerable groups living in remote areas. One way to institutionalize the use of mobile teams could be through the involvement of paralegals or public lawyers to provide primary legal aid services. The main concerns associated with the institutionalization of mobile teams are related to the cost for vehicles and gas, bureaucratic obstacles, and the reluctance of authorities to put resources towards less populated and more remote areas. This reluctance is often rooted in existing stereotypes and prejudices towards certain ethnic groups, refugees, LGBT+, and others.

Targeted browsing terminals can be a solution to ensure access to justice for vulnerable groups. The major disadvantage is that few members of vulnerable groups have IT skills and these are not tailored to each individual case. Another disadvantage is the generality of the information included in these resources although references to additional information and legal aid centers can be included.

The development of mobile applications for various groups, including vulnerable groups, to obtain information, advice and support are models of good practice that deserve to be extended to Moldova. Mobile apps are particularly appealing to both children and adults and would increase access in crisis situations as well as dissemination to peers. The major disadvantage is the limited access of these groups to modern technologies.



source: moldova.un.org

GOOD PRACTICES IN FACILITATING ACCESS TO JUSTICE FOR VULNERABLE GROUPS

MOBILE TEAMS

Good Practice: Mobile teams to assist older people affected by domestic violence

HelpAge International in Moldova organizes mobile teams in rural areas.

Beneficiaries: people aged 55 and over, suffering from domestic violence, who are assessed by a social worker as being in a difficult or at-risk situation, or who have approached the local project implementation team for support.

The mobile teams include psychologists, lawyers and social workers. The task of mobile team specialists is to travel to the localities where HelpAge International works when support and assistance is required for older people affected by domestic abuse and neglect, and violence and to provide psychological, legal and social support. The resolution of domestic abuse and violence cases by mobile team members is carried out in collaboration with the local multidisciplinary team (social worker, psychologist, lawyer, mayor, police officer, teacher, priest, etc.) and the local NGO partner of HelpAge International. Cases under assistance are also monitored after their resolution.

Older people, being a group largely affected by poverty, know very little about protection measures against violence and have no money to seek paid services. The mobile team is not intended to replace community-based services to prevent, assist and combat domestic violence, but to complement them and monitor cases of domestic violence against older people more closely. One reason older people do not approach local services is the small size of the community and the daily interaction of local people. In this case, the mobile team is viewed impartially by the people who approach it for support.

HelpAge International in Moldova has also organized teams of notaries, lawyers and social workers to travel to remote locations and provide legal advice on inheritance, property, tenancy, etc. An advantage of this good practice model was that rural residents knew their rights, but also established contacts with notaries, lawyers and representatives of social services at the district level, which made it easier to find out about their services, fees and working hours.

Mobile teams for providing primary legal assistance to people living in remote rural areas are also being organized by Bălți Legal Clinic. Balti Legal Clinic receives donor funding through such projects as Access to Justice. These services are intended for people living in the northern districts of the country.

Good Practice: Mobile legal clinics for legal and psychosocial assistance to refugees

Beneficiaries: adult refugees from Ukraine

Bălți Legal Clinic, in partnership with CA CASMED, has developed a free mobile legal and psychological aid service for refugees. The mobile team is made up of lawyers, advocates, and psychologists and travels to the Temporary Refugee Shelters in northern localities where they provide legal and psychological counselling to Ukrainian citizens.²

Beneficiaries: refugees (adults and children) from Ukraine

The National Child Abuse Prevention Centre (NCAPC) has developed the "Pidtrimka," a mobile psychological and social assistance service in humanitarian crisis situations. Thanks to Pidtrimka, refugees from Ukraine, adults and children, can consult directly with the psychologists, social workers, education experts and lawyers in the refugee centers or in the communities where they have been placed.³

The mobile teams started field work in March 2022 and operate in three regions of the country, — north, south and center — travelling to refugee centers or communities where refugees are hosted. The aim of the teams is to provide psychosocial first aid to people in conditions of migration, mainly women and children, who fled to Moldova following the humanitarian crisis in Ukraine caused by the war.

Through the mobile service Pidtrimka, refugees have access to information on which their personal security, both physical and mental, depends in conditions of migration. The mobile team specialists engage in activities with children to reduce the impact of stress on their health, provide parenting support, examine each case individually from the perspective of social risk assessment for children, but are also involved in referring cases to other services for refugees.

A number of NGOs have organized mobile teams to assist refugees, such as CA "Every Contribution for Change" (ECfC), and the Women's Law Centre (WLC).

2. <http://www.clinicajuridica.md/>

3. <https://www.cnpac.md/ro/comunicat-de-presa-echipele-mobile-pidtrimka-cnpac-ofera-copii-lor-din-ucraina-jucarii-create-special-pentru-ei/>

Good Practice: Mobile Legal Clinics to assist Marginalized Communities such as the Roma people

Beneficiaries: Roma people

Another positive practice of mobile teams has been developed by the National Roma Centre. A team of lawyers visited Roma communities and provided legal advice on issues of social and health protection, access to state-guaranteed legal aid, social protection for the unemployed, state and child support, property protection and recognition of property ownership. Mobile team members most frequently provided legal assistance on issues related to property protection and recognition of property ownership (26%), social support and assistance (16%), criminal/contravention procedure and interaction with law enforcement agencies (8% and 6%), documentation (8%), health (6%), repayment of microfinance debts (6%), and education (6%).⁴

Studies show a weak relationship between Roma and non-Roma, influenced by the attitudes and opinions of non-Roma towards Roma formed over time. Self-discrimination and self-isolation of Roma is a significant impediment to their accessing community services. An important barrier in accessing social services by vulnerable families is the lack of identity documents.⁵ Cultural isolation or marginalization, discrimination against Roma people and their inability to pay for legal services justify the extension of this good practice.



source: the project „Roma access to justice”

4. Rusu D., Drumea G., *Accesul la Justiție al romilor*, CNR, 2021 / Roma access to justice
5. *Participatory assessment of barriers for Roma children and their families in accessing services*, Chișinău, UNICEF Moldova, 2016

Example of International Good Practice

The use of self-service kiosks has been promoted in US courts. These automated stations are used to provide the public and trial participants with easy access to information about cases pending in courts or the requirements and conditions for going to court. The self-service kiosks offer automated services that increase efficiency, reduce waiting times and can be used after working hours to facilitate access to justice for people who work full time and are unable to attend court during working hours. These electronic services include marriage applications, requests for legal proceedings, payment of taxes or fines and obtaining permits. The kiosks are usually located in the clerk's office or in the lobby so that they are easily accessible to the public.

Moldova can adopt this US practice of courts providing self-service kiosks, which are similar to the one with targeted navigation terminals and which can be located in town halls in remote localities where there is no courthouse.

Using these information kiosks requires a certain level of IT skills and possibly a basic level of legal understanding. The major disadvantage is that few rural residents have IT skills and the services and information are not adapted to the needs of vulnerable groups. Another disadvantage is the level of generality of the information contained in such resources. Finally, these technologies do not receive the financial resources necessary for development and maintenance, making the wide application of this best practice in Moldova unlikely in the near future.



source: advancedkiosks.com

LOCAL ADVOCACY FOR AFFORDABLE LEGAL SERVICES

Good Practice: Advocacy for the establishment of the community lawyer

Beneficiaries: persons residing in Dubăsari district

A group of citizens from the Dubăsari district (located in the east of Moldova, close to the Transnistrian region) came up with an initiative to convince local public authorities from this district to allocate funds for the development of a community legal service. In support of the described initiative, it was mentioned that no paralegals were in place in the Dubăsari district nor were there lawyers willing to work in the area due to, among other things, the challenges of applying Moldovan law under the Russian dominated Tiraspol regime (In 1992, the Dubăsari district was the focus of the Moldovan-Russian War of Transnistria. Following the war, the district was divided into two: one controlled by the Republic of Moldova and one by the separatists from Tiraspol.). In order to ensure citizens' access to primary legal assistance, the group proposed the establishment of a community lawyer, who would be paid from LPA's funds and would consult Dubăsari district residents for free. The Social Justice Center "Equity", a local NGO working in Criuleni and Dubăsari districts, is involved in this initiative.

Good Practice: Advocacy campaign to promote access to housing for people with disabilities

Beneficiaries: persons with disabilities, families with disabled dependents

A group of parents who support children with severe disabilities, under the aegis of the United Nations Office of the High Commissioner for Human Rights in Moldova (OHCHR Moldova), initiated an advocacy campaign aimed at amending the legal framework to allow access to the First Home program by people with disabilities and families with disabled dependents. In this regard, the group of parents initiated several letters to the Ministry of Finance and the Government of the Republic of Moldova, requesting that people with disabilities and families who have disabled dependents receive the same benefits as families with three and more children. At the same time, the group of parents initiated a case before the Council for the Prevention and Elimination of Discrimination and Ensuring Equality and claimed they were being discriminated against in the realization of their right to housing due to having disabled children, as the First Home State Program, which is a social program, did not provide compensation programs for persons with severe disabilities and/or for parents who have dependents with severe disabilities. At the mediation stage, the



source: the Center for the Rights of Person with Disabilities

Council for the Prevention and Elimination of Discrimination and Ensuring Equality initiated the negotiation procedure in order to settle the case amicably.

A similar advocacy campaign was carried out by a group of parents from Anenii Noi district who have disabled children and are employed as personal assistants. They were asking to have the right to paid annual leave even though they were working at home taking care of their disabled child. Following litigation, the individual employment contracts of personal assistants have been amended and they can now enjoy the same benefits as other employees.

PRIMARY AND QUALIFIED LEGAL AID SERVICES

Good Practice: Disability helpline 0 8001 0808

Beneficiaries: people with special needs

The free telephone support service for people with disabilities was created as a national service to provide support to people with disabilities who require protection, support and information.

The telephone number 080010808 is accessible throughout the Republic of Moldova. It is anonymous, free and confidential, via landline and mobile. The provider bears the cost of incoming calls if they are made from within the country. Calls made from abroad are paid by the caller. People who are abroad can contact the service free of charge by writing to the Viber number +373 60 60 15 49.⁶

In Moldova, the free telephone assistance service for persons with disabilities was launched in January 2017 within the project "Promotion and Monitoring of Rights of People with Mental Disabilities in Psycho-Neurological Residential Institutions." This project was implemented by the Keystone Moldova Association, in partnership with the European Association of Service Providers for Persons with Disabilities and the Alliance of Organizations for Persons with Disabilities in the Republic of Moldova. It is funded by the European Union.

Since June 2019, Keystone Moldova Association has been managing this service through a contract with the Ministry of Labor and Social Protection. The service is an effort by the state to reduce violations of the rights of persons with special needs and to fulfil the commitments undertaken through the ratification of the UN Convention on the Rights of Persons with Disabilities. More than 180,000 people with special needs live in Moldova. The free telephone assistance service for persons with disabilities provides informational support over the phone; telephone counseling; multidisciplinary collaboration to solve violations of rights; identification of suspected violations of the rights of persons with disabilities and reporting them to competent bodies and partner organizations; reporting risk situations for the life, security and integrity of people with disabilities.⁷

6. Study „Identifying barriers and gaps in the state contracting process for CSO services”, Chişinău, 2018

7. <https://www.keystonemoldova.md/ro/directions-of-activity/hotline-support-service/>

Good Practice: Helpline for Women and Girls 0 8008 8008

Beneficiaries: people suffering from domestic violence, especially women; professional groups; and community members

The trust phone for women and girls was launched on November 9, 2009 by the International Center "La Strada Moldova". Today, the free telephone assistance service for victims of domestic violence and violence against women is accessible 24 hours, 7 days a week (24/7) and can be called free of charge anywhere in Moldova, from any fixed or mobile telephone network.

The Trusted Phone for Women and Girls allows simultaneous servicing of three calls to consultants, psychologists with extensive experience. The purpose of this service is to promote a non-violent way of life in the family and to protect the rights of victims of domestic violence, by offering⁸ primary psychological counseling to people suffering from domestic violence; advice and recommendations on recognizing the first signs of violence in a relationship and how to build a non-violent relationship; counseling and legal assistance to people suffering from domestic violence; mediation services and referral of persons suffering from domestic violence to services providing specialized assistance (shelter, psychological counseling, psychotherapy, medical assistance). The trust phone service for women and girls is financed from the state budget starting with 2017, by contracting the International Center "La Strada Moldova" by the Ministry of Labor and Social Protection.

Good Practice: Child's Phone, number 116 111

Beneficiaries: children who use the service for counseling and information purposes; parents or caregivers of children receiving or needing counseling, and persons who wish to refer cases for children who needs assistance.

The free telephone support service for children, Child's Phone, was launched in Moldova in 2014. The helpline is managed by the Ministry of Labor's Social Protection unit and implemented by CA "CNFACEM", based on a cooperation agreement with the Ministry.⁹ The number, 116 111, is a free, confidential and anonymous service that is available 24/7, with the aim of protecting children from violation of their rights and from any form of abuse, but also to increase children's access to assistance by applying the referral mechanism and strengthening the child protection system based on an analysis of the service's work. Callers can also benefit from this service via Skype, "Child's Phone Moldova 116 111" or on the chat available on www.telefonulcopilului.md. Child's Phone¹⁰ provides psychological counseling; information in the field of child rights; consultancy in the field of child protection; guidance and referral to the institutions authorized to provide the necessary assistance.

8. https://lastrada.md/pic/uploaded/Factsheet%20TIFF%20sem%201_%202021.docx.pdf

9. Free Child Support Service Child's Telephone Line 116 111, *Annual Activity Report, 2021*, 2021

10. Free Child Support Service Child's Telephone Line 116 111, *Annual Activity Report, 2021*, 2021

Good Practice: Interactive app for child abuse prevention

Beneficiaries: children, parents or caregivers of children

The Center for Information and Documentation on the Rights of the Child (CIDRC), with the support of the Ministry of Education and United Nations Children's Fund (UNICEF) Moldova, has developed the interactive application "Dragoș' Challenges". The application aims to encourage children to identify acts of violence and to not tolerate abuse.¹¹ With the help of this application, children can learn to recognize various forms of abuse, find out how they can behave in situations of risk and identify trusted people they could turn to when they are in danger (parent, educator, teacher, school psychologist, social worker, health worker, policeman). At the same time, the app can be helpful to parents and teachers in dealing with sensitive subjects with young children. The „Dragoș' Challenges” app is aimed at children aged 7 to 12 and is an innovation for the Republic of Moldova. It can be accessed free of charge on the [CIDRC website](#).

Examples of international practice

A number of mobile apps have been developed in the US that offer counselling and referral to support services for victims of gender violence. DocuSAFE is a free mobile app that helps survivors of violence collect, store and share evidence of abuse such as domestic violence, sexual assault, stalking, online harassment and physical violence. The app provides options for sharing registered content with law enforcement, lawyers and other professionals who provide assistance to victims of gender-based violence.

The Elder Law Risk Detector mobile app is designed to identify and refer older people experiencing abuse, financial exploitation and other forms of violence to legal services.

The SafeNight app provides support to victims of domestic violence, human trafficking and sexual assault seeking urgent shelter.

In **Romania**, the Bright Sky Ro app is a free digital tool launched in 2020 to support victims of domestic violence, offering assistance and useful information to people in an abusive relationship seeking help. Romania is the fourth country where the app is available, after the UK, Ireland and the Czech Republic. The Bright Sky Ro app is available in the App Store and Google Play Store in Romanian, English and Hungarian. Bright Sky Ro, first and foremost, plays an information and education role as it describes the categories of gender-based violence, combats the myths related to this phenomenon and allows the user to assess the safety of a relationship by simply filling in an electronic form. The application also provides a database of support services so that the user can get in touch with the nearest service available in the area where they are located.

11. <https://www.drepturilecopilului.md/index.php/ro/noutati/media/400-provocarile-lui-dragos-aplicatie-interactiva-pentru-prevenirea-abuzului-fata-de-copii>



In addition, the app's menu gives users access to information about the causes and consequences of abuse, the safety plan and legal provisions that can protect a victim of domestic violence (police interim protection order and court protection order), as well as measures that can be taken to increase safety online. In addition, Bright Sky Ro offers the possibility of recording

incidents in a confidential digital diary, at an email address chosen by the victim, through a function that uses text, audio, video or photo content. Information gathered by the victim in this diary can become evidence in court. The app provides useful information and advice on consent in sexual relationships and harassment, including case studies that exemplify the types of abusive behavior most commonly displayed in intimate relationships.

The HappyGraff mobile application was developed in 2017 by the children's phone association with financial support from Telekom Romania. The application works as a diary in which teenagers can record their emotional states and gives them access to useful tips on how to manage different situations under difficult emotional states. The mobile application can be accessed on mobile phones with Android operating system and is available for download in GooglePlay free of charge. The application can also be downloaded from the campaign website at: <http://www.116111.ro/descarca-aplicatia>

SERVICES, CENTERS AND PROGRAMS FOR THE PROTECTION AND REHABILITATION OF VICTIMS OF DOMESTIC AND GENDER-BASED VIOLENCE

Good Practice: Legal and psychological support services for victims of domestic violence

The most frequent victims of domestic violence are women. Currently, there are eight public institutions in Moldova that provide shelter and other services to victims of violence and potential victims (*women at risk, such as mother-child couples, victims of human trafficking or potential victims, single mothers and mothers at risk of child abandonment*), 12 NGOs providing women and child victims services at local, regional and national levels, including round-the-clock telephone support service with national coverage, as well as four centers for abusers.¹² So far, there is no crisis center for women and girls who are victims of sexual violence, although one is under development.

12. Study on social services to prevent and combat gender-based violence, CDR, 2019

Programs for the protection and rehabilitation of victims of violence are implemented by the WLC's "La Strada Moldova", Promo-Lex, the Association Against Violence "Casa Marioarei", the Rehabilitation Center for victims of torture "Memoria", and other organizations that are part of the National Coalition "Life Without Domestic Violence".

Beneficiaries: women and children victims of domestic and other forms of gender-based violence

Under the effects of psychological trauma, victims of domestic violence can hardly defend their rights in court on their own, and often do not have sufficient financial resources to pay the costs to contract a lawyer. To respond to the needs of victims of domestic violence, several NGOs provide legal and psychological services as part of a more holistic approach is taken in day centers.

- **Primary legal assistance** is provided immediately, at the time of referral, and consists of legal advice, assistance with the drafting of legal documents (complaints, applications for protective measures for victims of domestic violence) and other forms of assistance that do not fall under the category of qualified legal assistance. At the primary legal aid stage, victims of domestic violence are encouraged and supported to claim their rights, where this does not harm the victim's condition.
- **Qualified legal assistance** is provided in cases of gender-based violence, when the victim is assigned a specialized lawyer who represents her interests free of charge at all stages of the civil, criminal and misdemeanor proceedings. Qualified legal assistance involves defending the interests of a domestic violence victim in criminal, civil, misdemeanor or administrative proceedings. The procedure for requesting a lawyer is simplified. Victims do not have to physically go to the office of the NGO providing the lawyer as this can be arranged by telephone, email, or directly through professionals responsible for the prevention and protection of domestic violence (*social worker, police officer, prosecution officer*). The lawyer appointed under these conditions is obliged to provide qualified legal aid free of charge to the victim in the amount requested, receiving remuneration for his services from the NGO's account.
- **Psychological assistance and psycho-emotional support to the victim throughout the legal aid process** is a very useful service to support the beneficiary in the legal process. The victim is more emotionally stable and aware of the events taking place, is able to control negative emotions, anxiety, panic attacks and is emotionally prepared to face the aspects of the crisis they are going through. The psychological assessment of the effects of the violence on the victim can be used as evidence in civil, criminal and misdemeanor proceedings. Psychological assistance is provided free of charge by specialist psychologists employed or contracted by the service. Within the psychological assistance program, the victim of domestic violence can benefit from counselling to build emotional resilience during contact with justice representatives (police, court) and the issuing of the assessment report (in response to law enforcement/NGO requests.) Coordination of counselling activities with other organizations and centers takes place regularly to prevent repeated psychological assessments.

Throughout the process, courts must ensure that victims are made aware of what the law says and what their rights are. Victims need to know the types of support services and legal measures available to them; the availability of protection and assistance measures; and the risks. Representatives of law enforcement bodies must ensure that relevant information in the proceedings has been provided to victims in a timely and accessible manner, including in accordance with the principle of accessibility and reasonable accommodation. Unfortunately, "informing victims of their rights and obligations is rather a formality. Many victims do not even know how to read and write, let alone understand a legal text copied from the Code of Criminal Procedure. This is why many victims neither seek protection nor turn to the specialized services offered to them free of charge."¹³

Court infrastructure usually does not protect victims from stigmatization and/or intimidation by defendants and their sympathizers, relatives, and activists. Although in recent years there has been a positive change in the attitude of prosecutors and judges towards respecting the dignity of victims and the inadmissibility of using inappropriate language towards them, the way in which court proceedings are organized still does not provide victims of crime with effective protection against intimidation, especially when the victim has to wait in public areas for the trial to start or for deliberations to begin in the courtroom. Injured parties or witnesses usually wait in the hall for the trial to begin, in conditions that sometimes do not fully meet safety needs.¹⁴ Victims may thus be verbally assaulted by defendants, their relatives or supporters.

Good Practice: Shelters with specialized support for victims of domestic violence and human trafficking

Beneficiaries: victims of domestic violence, victims of human trafficking

Victim assistance and protection centers/services provide specialized support services such as shelter (placement), legal, psychological, social, emergency medical and other types of assistance.

In partnership with LPAs and NGOs, Social Assistance and Protection Centers have been opened for victims of domestic violence (*human trafficking*). These centers provide services such as temporary accommodation, social assistance, legal counselling, assistance with identity documents (lost/destroyed or initial documentation), child custody, divorce proceedings, etc. Legal advice, where appropriate, may also involve a trusted person accompanying the victim, together with their lawyer, at all proceedings, including closed sessions. Legal aid is provided by qualified lawyers by referring beneficiaries to the National Council for State Guaranteed Legal Aid.

13. In-depth Individual Interview no.13

14. Perevoznic I., Monitorizarea proceselor de judecată pe cauze de violență în familie, violență sexuală și trafic de ființe umane, WLC, 2018, p. 119-120 / Monitoring Court Cases on Domestic Violence, Sexual Violence and Trafficking in Human Beings

The organization and operation of centers/services for assistance and protection of victims of domestic violence and their children is carried out in accordance with regulations and minimum quality standards approved by the Government.¹⁵

The centers are centrally located and easy to access with public transport with access to various social, legal, medical, educational, professional, cultural, recreational and community services. The center operates according to a special program (24/7), based on the needs of shelter, assistance, rehabilitation and reintegration of victims of domestic violence. In order to ensure the safety and security of the beneficiaries, the location of the new centers will not be known to the general public. The admission of victims of domestic violence to the center is carried out in compliance with the principle of non-discrimination, although persons with infectious diseases (tuberculosis, malaria, infectious bowel diseases and other contagious diseases) are not accepted. Persons with physical or mental disabilities can be admitted to the center at the decision of the case coordinator and the center's manager only after a preliminary assessment is conducted and only if the existing conditions correspond to the specific care needs. Admission to the center is carried out upon presentation of the beneficiary's personal file by the territorial social assistance body and internal affairs body. Other local government authorities and other authorized institutions are allowed to refer to it. In emergencies, a beneficiary is received at any time.

Placement services for victims of domestic violence and human trafficking are provided by the following centers:

- Center for Assistance and Protection of Victims and Potential Victims of Human Trafficking (*Shelter*);
- Support and Protection Service for Male Victims of Human Trafficking (*10 beds*);
- CA "Family Crisis Center" SOTIS - Bălți;
- Center for Assistance and Counseling of Victims of Domestic Violence " Ariadna – Drochia;
- Association Against Domestic Violence "Casa Mărioarei";
- Center for Rehabilitation of Women Suffering from Violence, opened for the first time in TAU Găgăuzia.

Good Practice: Crisis centers and specialized services for victims of sexual violence

Beneficiaries: women and girls victims of sexual violence

UN Women¹⁶ in 2021 initiated the creation of the first Center for Victims of Sexual Violence. The purpose is to provide rapid and long-term assistance, including psychological counseling, self-help groups and assistance for victims of sexual violence during court trials.¹⁷ This center will provide faster assistance, including investigations and

15. Government Decision No.1019 of 2 Sept 2008

16. Note: under EVA Project "Promoting Gender Equality in Cahul and Ungheni Districts", funded by the European Union and implemented by UN Women, in partnership with UNICEF Moldova.

17. <https://eu4moldova.eu/ro/crearea-primului-serviciu-specializat-din-republica-moldova-pentru-victimele-violentei-sexuale-in-ungheni-cu-suportul-ue/>

emergency response. Assistance includes medical examinations involving gynecological and forensic examinations, including collection of material necessary for the diagnosis of sexually transmitted diseases; possible pregnancy and emergency contraception; social services, consisting of assessment by the social worker of the risks in place after a sexual offence; actions for an individual's security, identification of a victim's needs and organization of placement if the victim's return home is dangerous for her; free psychological counselling; and free legal consultation and assistance.

The Centre for Victims of Sexual Violence is under development and is expected to operate for the first three years of its activity from financial sources provided by donors and later to be funded also from the state budget.

Good Practice: Specialized service for male victims of human trafficking

Beneficiaries: male victims of human trafficking

At the national level, men prevail as victims of human trafficking. In 2021, out of the total number of 335 victims of human trafficking, 205 were men and 130 women.¹⁸ Because of gender bias, male victims of human trafficking do not seek the services of a psychologist. „...Many men are ashamed to complain or ask for help from a specialist... it's an indicator of cowardice, vulnerability... Some of the male victims of human trafficking, mainly from external trafficking, refuse to be assisted in specialized services, treating the situation of trafficking and exploitation as a personal failure.”¹⁹

The Service for Assistance and Protection of Victims and Alleged Victims of Human Trafficking men has been operating since February 2021. The Centre is the first specialized service for men and was established by the Ministry of Labor and Social Protection, National Social Assistance Agency, in partnership with the International Organization for Migration in Moldova, with a maximum capacity to provide placement and assistance for 10 beneficiaries. The aim of this service is to provide specialized assistance and protection to male victims and/or presumed victims of trafficking in human beings and/or other related crimes for a fixed period of time with a view to their recovery, social rehabilitation, adaptation to an active life, reintegration into the family and resumption of an independent life. The types of assistance provided are aimed at psychological, social, legal counseling, temporary placement, social accompaniment. The interviewed specialists mentioned that men with the status of victims and alleged victims of human trafficking who have been exploited including in Moldova, are often placed. In most cases, the main earnings of men in need of placement consists of providing unskilled services on an occasional basis to fellow villagers, often as seasonal agricultural workers, on farms or in stables. Victims of human trafficking often do not have a place to live or the financial means to travel to meet with prosecutors or to obtain legal assistance, and thus face significant barriers to justice. These centers facilitate victims' access to both essential services and justice.

18. [National Report](#) non Implementation of the Policy to Prevent and Combat Trafficking in Human Beings for 2021

19. In-depth Individual Interview No. 13

Good Practice: Regional center for integrated child protection services (Barnahus model)

Beneficiaries: child victims/parents in cases of sexual offences, child trafficking or domestic violence, violence against life and/or health, as well as in other cases where the interests of justice or of the child so require, which have or are likely to have a serious impact on their physical and/or psychological integrity

In 2020, the National Child Abuse Prevention Centre (NCAPC) developed the first regional center for integrated assistance to child victims or witnesses of crimes in Bălți, serving 12 administrative units in the north of the country. Similar centers are to be opened in Chișinău and Cahul. Official statistics show that annually over 1,200 children in Moldova become victims or witnesses of various types of crimes. Around 400 of these are sexual crimes.²⁰

The regional center for integrated assistance of child victims/witnesses of crimes is a highly specialized social institution, without a residential component, which provides beneficiaries with specialized assistance services at regional level. The aim of the Centre is to provide children with assistance to prevent re-victimization and/or re-traumatization in the process of gathering evidence in criminal cases. Upon request, the Centre can carry out a hearing under special conditions, in addition to a forensic examination and psychological evaluation.

This type of integrated assistance for children who have witnessed or suffered from a crime is known worldwide as Barnahus and is recommended by the UN Committee on the Rights of the Child and the Council of Europe as a model of good practice for a multidisciplinary, inter-agency response to cases of sexual violence against children.

The service is managed by NCAPC with donor support. The total financial contribution for the renovation and equipping of the Barnahus Centre in Bălți, provided by international donors, amounts to about three million lei. For the operation of the Centre, 1.478.752 lei were allocated from the state budget in 2022.²¹

20. <https://old.msmps.gov.md/ro/content/copiii-victime-si-martori-la-infractiuni-vor-fi-audiati-conditii-prietennoase-cadrul-unor>

21. <https://www.cnpac.md/ro/comunicat-de-presa-un-centru-cu-servicii-integrate-pentru-copii-victime-sau-martori-ai-infractiunilor-s-deschis-la-balti/>

Examples of international practice

Ireland has set up 16 crisis centers for rape cases. Eight of them operate under the Coordination of Rape Crisis Network Ireland (RCNI). The Dublin Rape Crisis Centre operates a free national helpline. Rape Crisis Centers provide advice, guidance, counselling and their members accompany victims to court and police stations. Some of them offer additional services, such as awareness-raising and education activities. Of the 16 rape emergency call centers, 15 have hotlines. These centers receive partial public funding from national, local authorities and donations. Most services are provided free of charge. Some rape crisis centers charge a fee for long-term counselling, depending on the client's financial situation.

In addition, Ireland has six sexual assault treatment units. They are set up in hospitals for victims of sexual assault. They provide help to anyone from the age of 14 who has had unwanted sexual contact of any nature. This service is provided free of charge by the Directorate of Health Services, which provides all health services in Ireland in hospitals and communities across the country. A medical examination that includes a forensic sample can be carried out within seven days after the assault, whether or not the victim wishes to press charges. These services provide examination, treatment of injuries, testing for sexually transmitted diseases, medication and emergency contraception. All this is described on their website.

In **Sweden** there are specialized services for victims of sexual offences, specialized units both within the health system and within the justice chain, and there is close cooperation between the prosecutors responsible for such cases and social services. These specialized services/teams are managed by state institutions.

In **Serbia** there are provinces where there are several specialized centers for rape victims. For example, in the province of Vojvodina there are three specialized centers for victims of sexual violence located within the Obstetrics and Gynecology Clinics.

Rooms for victims of crime have been set up in **French** courts. Such rooms are staffed by lawyers, psychologists and psycho-pedagogues. In such rooms, victims receive legal advice and are informed in accessible language, including by using pictograms, about their procedural rights. Victims can receive psychological support services in the form of preparation for the trial, but also interventions in the management of crisis situations that may arise during the trial. The psycho-pedagogue usually assists children involved in civil, criminal and administrative proceedings. Services are provided on request or at the request of the court when there is a need for the involvement of a specialist to facilitate the communication of rights and obligations and to provide emotional support to the victim. Services in the victim rooms are provided by specialized NGOs that are contracted and paid by the state.

LEGAL AND PSYCHOLOGICAL SUPPORT SERVICES FOR PEOPLE WITH DISABILITIES AND OTHER VULNERABLE GROUPS

Good Practice: Legal and psychological support services for people with disabilities

Beneficiaries: people with disabilities

The Centre for Disability Rights (CDR) provides free primary and qualified legal assistance to people with disabilities. The Centre's lawyers are also involved in strategic litigation cases. A success story is the strategic litigation case initiated by CDR lawyers through which, for the first time in the history of Moldovan justice, a person declared incapable regained their legal competence. This was followed by the 2017 reform of a person's legal capacity and changes to the law. Another strategic litigation case concerned the recognition of the right to a pension review in accordance with the contribution period accumulated after a disability pension has established if the person continued to work as in the case of persons entitled to a retirement pension. Also, thanks to the involvement of CDR lawyers, the right of people with hearing disabilities to have the services of a certified sign language interpreter free of charge in court proceedings has been ensured.

Good Practice: Making Information accessible for people with intellectual disabilities

Beneficiaries: persons with intellectual and psycho-social disabilities

Speranța (Hope) Association has translated into an easy-to-read format Law 60 on Social Inclusion of Persons with Disabilities and Law 121 on Ensuring Equality. The easy-to-read, easy-to-understand method is the adaptation of information into simpler language and a way for people with intellectual and learning disabilities to know and understand what their rights are. For people with intellectual disabilities to understand what their rights and obligations are, and to be able to make use of these rights, they need accessible information, either written in easy-to-understand language or represented as icons.

The easy-to-read, easy-to-understand method is used to adapt the information for a wide group of beneficiaries, not only for people with intellectual disabilities, but also for those with learning difficulties, reading difficulties or difficulties caused by factors other than disability, such as people with disabilities, immigrants, children.

Articolul 12 Recunoaștere egală în fața legii	Articolul 13 Accesul la justiție
 <ul style="list-style-type: none"> ■ Persoanele cu dizabilități pot cere ajutorul unui avocat (asistență juridică) atunci când au nevoie. 	 <ul style="list-style-type: none"> ■ Persoanele cu dizabilități se pot adresa în judecată pentru a-și apăra drepturile. Ele vor fi tratate în mod egal ca și ceilalți cetățeni.
 <ul style="list-style-type: none"> ■ Cei care protejează juridic persoana cu dizabilități îi vor respecta drepturile, voința și preferințele. 	 <ul style="list-style-type: none"> ■ Poliția și judecătoria vor avea grijă ca persoanele cu dizabilități să poată participa activ la toate etapele de cercetare a cazului. Acestea pot participa direct (în sală) sau indirect, inclusiv ca martori.
 <ul style="list-style-type: none"> ■ Persoanele cu dizabilități pot avea sau moșteni averi (proprietăți). Ele au dreptul de a-și folosi banii (averea) după propria dorință. 	 <ul style="list-style-type: none"> ■ Statul va adapta modul în care lucrează poliția, judecătorii și închisorile, ca să fie potrivite și pentru persoanele cu dizabilități. Se va ține cont și de vârsta acestora.
 <ul style="list-style-type: none"> ■ Persoanele cu dizabilități au drept egal de a împrumuta bani (a lua credit) de la bănci sau de a-și cumpăra casă. Statul va avea grijă ca băncile să nu ia pe nedrept lucrurile (casă, mașină etc.) celor care au credite sau împrumuturi. 	 <ul style="list-style-type: none"> ■ Angajați din justiție, poliție și închisori vor fi instruiți cum să protejeze persoanele cu dizabilități.

The practice of Speranța Association represents an innovative approach for the Republic of Moldova. The translation of Law 60 on Social Inclusion of Persons with Disabilities and Law 121 on Ensuring Equality into easy-to-read format is a first step to make the legislation of the Republic of Moldova accessible to persons with disabilities. This practice enhances the capacity of people with intellectual disabilities to represent themselves in contact with the justice system. Access to information, through this simplified version, will strengthen the confidence of people with disabilities, who will no longer feel excluded in discussions with the authorities.

Good Practice: Establishing an Ombudsman in a psychiatric institution

Beneficiaries: people with intellectual and psycho-social disabilities, patients in psychiatric hospitals

Human rights issues in Moldovan psychiatric institutions have been repeatedly raised by international bodies and human rights organizations. According to the [report](#) of the Council for the Prevention of Torture, based on a visit on 6 June 2018 to the Temporary Shelter for Persons with Disabilities (adults) in Bălți, it was found that patients have no way to lodge a complaint, there is a lack of mailboxes or other sources of communication with the external environment, residents do not have information and contact details of law enforcement bodies and human rights organizations, and the staff of the institution lack sufficient knowledge in the field of human rights. Another [report](#)²² concerning an investigation of the practical realization of sexual and reproductive rights by women

22. Report on Practical Realization of Sexual-Reproductive Rights by Women and Girls in Temporary Shelters for Persons with Disabilities (adults) and Psychiatric Hospitals in the Republic of Moldova.

and girls in Shelters for Persons with Disabilities (adults) and Psychiatric Hospitals in Moldova found that the institutions lacked accessible information, medical procedures and language was not reasonably adapted, medical staff were uneducated, and discrimination and prejudices about the sexuality of persons with disabilities and their ability to be parents was prevalent.

In response to these issues, an independent complaints service was developed and implemented under a project carried out by the OHCHR, called "Ombudsman in Psychiatric Institutions."

The main objective of the service was to provide an independent mechanism for examining complaints and identifying systemic human rights problems in psychiatric institutions. As part of its mandate, the Ombudsman had the task of carrying out visits to psycho-neurological institutions and psychiatric hospitals, regularly checking whether all their staff provided full and unrestricted access for users to submit complaints or write to the Ombudsman; checking the files of complaints resolved at the ward level; processing user complaints; identifying trends, issues and concerns related to policies and procedures, including potential future issues and concerns, without breaching confidentiality or anonymity; and providing recommendations for responsibly addressing them and representing strategic litigation cases in court.

This service was semi-institutionalized by an internal order of the Ministry of Health. Although the Ombudsman in the psychiatric institution showed several positive results, including several cases of strategic litigation, once under the aegis of the Ministry of Health it gradually faded into anonymity and did not continue its work. During the interviews an opinion was expressed that subordinating the service to the Ministry of Health and with the medical system made it become formal. In view of legal issues and human rights violations, participants in the interviews argued that the revival of a legal aid service in psychiatric institutions and residential homes for people with disabilities would increase their access to justice.

Good Practice: Covid-19 Crisis Centre for Human Rights

Beneficiaries: people with intellectual and psycho-social disabilities, patients in psychiatric hospitals, HIV/AIDS positive people, people affected by tuberculosis, victims of medical malpractice

The Institute for Human Rights in Moldova (IDOM) carries out human rights monitoring activities in Moldova, national and international advocacy, strategic litigation, and contributes to informing specific groups, international organizations and the general population about the most serious human rights violations.

One of the strategic areas of intervention is monitoring, defending and promoting the rights of people with mental disabilities in psychiatric institutions and residential homes. In this regard, since 2007, IDOM members have conducted numerous unannounced monitoring visits to all psychiatric and psychoneurological institutions in Moldova, preparing reports on each institution, describing the findings and

developing recommendations to improve the treatment and living conditions of people with disabilities. At the same time, IDOM lawyers take on cases of patients of these institutions and defend their interests at national and international levels when violations of their rights are found. An issue covered in recent years by IDOM is also how to ensure that the sexual and reproductive rights of people with disabilities are respected and realized in practice and that all forms of violence and discrimination against women and girls with disabilities are prevented.

IDOM set up a Covid-19 Human Rights Crisis Centre to monitor and report on cases of human rights violations in the context of the pandemic, analyze government restrictions and their effects on citizens and state employees such as medical workers, police workers, customs workers, teachers, social workers and others. As part of the project, IDOM lawyers provided free legal advice on complaints received via phone calls, emails or messages to IDOM's official Facebook page.

Good Practice: Legal assistance services for refugees, asylum seekers, beneficiaries of humanitarian protection, stateless persons

Beneficiaries: refugees, asylum seekers, beneficiaries of humanitarian protection, stateless persons and persons at risk of becoming stateless, foreigners in distress

The Law Center of Advocates (LCA) is a non-profit association that provides free legal aid services to all refugees, asylum seekers, beneficiaries of humanitarian protection, stateless persons and persons at risk of becoming stateless, foreigners in distress, policy monitoring, legislation and activities of state institutions in the field of migration, asylum, statelessness, naturalization and management of a network of interpreters to provide consecutive translation services to/from Arabic, Turkish, Pashto, Dari, Farsi, Urdu, Uzbek, Armenian, Kurdish, Tamil, sign language, Ukrainian, etc.

Since 24 February 2022, the LCA has been organizing mobile teams to provide legal assistance to refugees at border crossings with Ukraine. Together with the Migration and Asylum Office, the LCA has been providing a Call Centre Hotline, which offers assistance on a range of issues related to the entry and stay of a foreigner in the country, such as conditions for



source: cda.md

transit and exit to European Union countries, applying for refugee status, the possibility of employment, mechanisms for granting the right of residence, how to obtain identity documents, the period of stay of Ukrainians in the Republic of Moldova.²³

Good Practice: Programs and placement centers for domestic abuser

Beneficiaries: people with violent behavior in family relationships

Domestic violence support and counselling centers/services provide specialized information, individual/group/couple counselling, legal advice, referral and facilitation of abuser access to health services, employment and professionalization. The regulatory framework for the activity of Assistance and Counselling Centers/Services for Domestic Abusers operates and is reflected in Government Decision 496/2014. Official statistics show that in 2021 the police had 4690 registered abusers (4476 men, 266 women) who exhibit violent behavior in family relationships.

The Assistance and Counselling Centre for Family Abusers in Drochia was created with the support of international donors, the Ministry of Labor and Social Protection and LPA. Admission to the services takes place at the voluntary request of the abuser and/or following a court order obliging the abuser to attend the counselling course, by signing a written agreement and following a referral by the social worker, district police officer or another member of the multidisciplinary team at their place of residence. The center provides the following services free of charge:

Psychological counselling diagnosing the beneficiary, decreasing conflict tensions, overcoming emotional barriers and the problems they generate, overcoming emotional and relational difficulties, supporting in critical situations, finding solutions in problematic situations, adapting and offering an appropriate solution to conflict situations. The individual sessions are of a protective and educational nature, with the aim of understanding the phenomenon of domestic violence as an inappropriate behavior with serious consequences for family members, but also of removing the reasons for this type of behavior.

Legal counselling permanently and effectively informing the beneficiaries about the phenomenon of domestic violence as a violation of fundamental human rights, about the legal consequences arising from acts of violence, with particular emphasis on the criminal aspects, the serious effects on their own person, the negative effects on the family, the community and society in general.

The main purpose of **group counselling and support services** is to interact with other participants with similar experiences, sharing impressions with the aim of raising awareness of violent behavior as inappropriate. In group counselling, beneficiaries can examine their own behavior in comparison to other participants and therefore critically interpret their own violent actions. Group counselling is geared towards accepting

23. <https://cda.md/ro/2022/06/15/cda-contributes-to-the-information-assistance-of-ukrainian-refugees%ef%bf%bc/>

responsibility for violent actions, learning to put oneself in the place of (ex-)partners and child victims and resolve possible conflicts nonviolently, developing one's own strategies for nonviolent behavior. Justification, excuses, accusations and denial of guilt are perceived as pretexts to defend inappropriate behavior. They can therefore improve the quality of life and social relations in a sustainable way.

Counseling programs for abusers are implemented by CA CENEFACEM, CA Artemida in Drochia, Centre for Assistance and Counseling for Family Abusers in Chişinău, Centre for Assistance and Counselling Centre for Family Abusers in Căuşeni, Centre for Family Abusers in Ocnîţa.

The rate of alcohol-dependent abusers is around 60-70%, and the lack of accessibility of detoxification services for alcohol-dependent abusers is a problem. Like domestic abusers who, for the most part, do not voluntarily go to a psychotherapist to learn how to control their anger, alcohol-dependent people do not voluntarily want to undergo alcohol treatment.²⁴

Good Practice: Addiction treatment programs

Beneficiaries: people with alcohol or drug addiction

CA "Positive Initiative" has developed paid services focused on an integrated approach to chemical dependency treatment that include a day center which provides outpatient treatment and an inpatient rehabilitation training, a therapeutic community which involves going through a rehabilitation program, and a temporary shelter which focuses on the adaptation and social integration program.

The drug or alcohol addiction rehabilitation program lasts nine months and consists of three stages.²⁵ **The first course** the program lasts for three months. Resident tasks in the first course include development of behavioral practices that correspond to the rules and principles of the Therapeutic Community, as well as full adherence to the schedule and involvement in the responsibilities assigned, formation of a position and skills that allow effective use of all existing tools in the rehabilitation process. During this period, the resident in the first course works intensively with their manager according to an individual plan. A break is taken between the first and second course and the resident is given a short leave outside the therapeutic community. The break lasts three days and its purpose is to renew the person's motivation, review their principles and be able to initiate a new phase with new tasks, thoughts and goals.

24. Studiu privind realizarea drepturilor victimilor violenţei în familie în sistemul de asistenţă şi protecţie din Republica Moldova, Centrul Internaţional pentru Protecţia şi Promovarea Drepturilor Femeii „La Strada” Chişinău, 2013

25. <https://positivepeople.md/reabilitarea-persoanelor-dependente/-new>



source: positivepeople.md

The second course includes group and individual activities, understanding the value of continued development and realizing that one's behavior is an example to other residents. It is usually at this stage of rehabilitation that responsibility and commitment to a particular area of therapeutic community activity is formed, with the resident in the second course taking responsibility for its maintenance and development. This period lasts three months.

The **adaptation period** consists of a gradual reintegration of the resident into society. This is the period during which the resident learns to apply the new principles and skills outside the rehabilitation center, living one week in the organization's temporary accommodation center in Chişinău and one week in the Therapeutic Community "Positive Initiative" in Anenii Noi. In addition to the main responsibilities that apply to first and second course residents, adjustment period residents perform the task of assisting employees as a resource for influencing the choice of other residents.

PRIMARY AND QUALIFIED LEGAL AID SERVICES FOR PRISONERS

Good Practice: Legal and psychological assistance to women in Rusca Prison No. 7

Beneficiaries: female inmates of Rusca Prison No. 7

Ensuring fair access to justice is a basic principle of the rule of law and an obligatory condition resulting from international acts to which the Republic of Moldova is a signatory. In turn, effective legal aid is a basic element of access to justice and the state has an obligation to guarantee legal aid to people who do not have sufficient financial means to pay for legal services. The state must thus pay particular attention to protecting vulnerable groups in exceptional circumstances, especially those in detention, by providing them

with access to primary and qualified legal aid services. Persons in detention may benefit from qualified legal aid under Law No 198 of 26.07.2007 on State-Guaranteed Legal Aid. During detention, convicted persons and those on remand need qualified legal aid in both civil and criminal cases for the exercise of extraordinary remedies, early release on parole, etc.

Since 2017, based on a partnership with the National Administration of Prisons (NAP), the WLC has been providing legal advice to women in Rusca Prison on issues related to domestic violence, child custody, divorce, defending property rights, initiating or continuing inheritance proceedings, preparing the case for representation in court on



source: Women's Law Center

civil or criminal cases, preparing the necessary file for parole, assistance in accessing ordinary and extraordinary remedies.

Women in detention receive primary assistance in the form of legal advice and assistance in preparing legal documents. Cases that are eligible under WLC policy receive qualified assistance. Qualified legal aid includes representation before courts until all appeals have been exhausted. Cases that are not handled by WLC lawyers are referred to state-guaranteed legal aid by contacting the NLAC Territorial Offices. The specialist who has made the referral to NLAC Territorial Offices maintains communication with the assigned lawyer and monitors the progress of the case.

Gradually, the services offered in Rusca Prison have been expanded, and, in 2018, women were able to participate in individual psychological counselling sessions and art therapy sessions, in parallel to a reading club. The main achievements of the legal and the psychological therapy programs have been that the inmates have changed their way of thinking and their attitude towards each other and towards themselves.

In order to ensure access to legal and psychological services for women working in the prison, two lawyers and two psychologists from WLC go to the prison on Saturdays. Legal counseling and psychological support is carried out confidentially in the Rusca Prison, in rooms provided by the administration. This project is still being implemented by the WLC with donor support.

Women end up in Rusca Prison after sentencing. The period of time in which the person is transferred from solitary confinement to Rusca Prison varies from case to case, but usually lasts more than 30 days. This is the time when they have access to legal advice. In many cases the 30-day appeal period or other time limits that are essential in ensuring access to justice are omitted. Issues related to the omission of procedural deadlines

are also specific to civil disputes in which women in detention are parties. The lack of primary legal counseling services in detention facilities creates impediments to women's access to justice in civil and criminal cases.

There have been cases when women serving their sentence in Rusca Prison have been transferred either to pretrial detention facilities because they were to participate in court proceedings or as witnesses in another case, or to Pruncul Prison Hospital. WLC specialists do not have access to other detention facilities, which makes it difficult to ensure the continuity of legal aid and psychological counseling.

Good Practice: Remote (e)justice rooms in prisons

Beneficiaries: women and men in detention or on remand

The COVID-19 pandemic has suspended the process of court hearings and significantly restricted the access of lawyers, prosecutors, mediators, prosecution officers and family members of people in detention. Access to justice during the pandemic has also been ensured through remote (e)justice rooms. Remote (e)justice rooms have been built by the United Nations Office on Drugs and Crime (UNODC), in partnership with the NAP, in the most crowded detention centers in the country, namely in Prison No.11 in Bălți, Prison No.13 in Chișinău, Prison No.5 in Cahul and Prison No.17 in Rezina.²⁶

Each room has booths equipped with videoconferencing equipment, through which the person in detention or under criminal investigation can attend a court session, talk with their lawyer or prosecutor and communicate online with family and friends. The booths have intercoms and are separated by glass, so that lawyers and prosecutors, when they come to the prison, talk to people in detention or under prosecution without having physical contact with them. In addition, (e)justice rooms offer minors in solitary confinement the opportunity to access education by attending classes online. All anti-COVID-19 measures are observed in the booth, which is provided with a ventilation system, germicidal lamp and disinfectant dispenser. Importantly, the new booths ensure the confidentiality of discussions, whether online or in person, since the entire room is soundproofed. The installation of remote (e)justice rooms in prisons ensures both an active participation in court proceedings of persons deprived of liberty and facilitates the contact of prisoners with their family.

Good Practice: Reasonable accommodation measures in ensuring access to justice for prisoners with disabilities

Beneficiaries: women and men in detention or on remand

Reasonable accommodation involves removing existing barriers to persons with intellectual and psychosocial disabilities that prevent the exercise of the right of access to justice on an equal basis with others. Refusal to reasonably accommodate qualifies

26. <https://moldova.un.org/ro/125311-patru-camere-de-e-justitie-la-distanta-au-fost-deschise-institutiile-penitenciare-din>

as a form of discrimination. To ensure access to justice for prisoners with sensory and physical disabilities, the state must identify what type of reasonable accommodation⁴⁰ each prisoner needs.

The Association of Deaf People of the Republic of Moldova and "InfoNet" have developed and distributed adapted information materials in the form of guides to support people with hearing and visual impairments in all prisons.⁴¹ In order to facilitate the mobility of prisoners, the CA "Society of the Disabled of the Republic of Moldova" has provided prisons with 12 wheelchairs for people with locomotion disabilities in detention.

Good Practice: Services for disease prevention, treatment in prison and rehabilitation after release

Beneficiaries: women and men in detention, persons released from detention

The social reintegration of prisoners must be one of the priority concerns of the state. According to NAP data 2,840 people were released from prisons in 2021.

The problems that arise on release from prison are compounded by poor relationships with family and community, a lack of identity papers, and weak job skills. Rejection by society, reluctance of some officials to help, and stigmatization and marginalization by the community force people released from places of detention back into the vicious circle of crime.

According to the General Report on the situation in the field of preventing and combating discrimination in the Republic of Moldova for 2021, the least accepted groups in society are LGBT+ people, people living with HIV and former prisoners.

In the Republic of Moldova, the process of social reintegration of prisoners is carried out through two distinct mechanisms: preparing prisoners for release, provided by the state, and assistance with their social integration, provided by NGOs. In order to facilitate the social inclusion of detainees, CA "Positive Initiative", based on a partnership with NAP, provides the following services to detainees:

- **Reducing the risks of illness and psycho-social assistance** involves compensation for the costs of testing for syphilis, hepatitis, HIV, individual counselling, help in obtaining treatment in prisons, etc;
- **Support with behavior change and successful reintegration into society** involves psychosocial assistance in overcoming drug addiction, a recovery and reintegration program, family and group relationship program, training and employment;
- **Reintegration into society** through a program preparing for release from prison, as well as offering ex-prisoners temporary accommodation, food packages, psychosocial support, etc.;

- **Activities aimed at finding a job**, prison work involvement — “our social business at prison”²⁷, training to be a mentor and consultant, and digital literacy courses;
- **Rehabilitation course in the Therapeutic Community "Catharsis"**²⁸ includes treatment for drug addiction, training and preparation for release. The Therapeutic Community "Catharsis" was created in July 2018 in Pruncul Prison no. 9 to help prisoners recover from addiction to psycho-active substances. The Catharsis Community Programme helps not only in overcoming drug addiction, but also provides vocational training and life skills to prepare prisoners for release.

In 2021, 889 inmates in Moldovan prisons were screened, tested for various diseases and received various training courses. Twenty-four inmates benefited from accredited rehabilitation programs and seven were integrated into society after release.

Vocational training is critical to the successful re-socialization of ex-prisoners. The business developed by the inmates of Prison No. 9 has been a notable success story.

SUCCESS STORY



source: positivepeople.md

The first social business was opened in the Moldovan prison system with the support of CA "Positive Initiative" in 2020. The inmates of the "Catharsis" therapeutic community in Prison no. 9 (11 former drug users) care for 300 quails. The inmates have set a work schedule and every day someone takes care of the birds. The business not only generates income but is also a way of rehabilitating former drug users. The aim is to increase social inclusion, but also to expand employment opportunities for

prisoners once released. Rehabilitation through work is an exercise that tests the patience and abilities of former drug users. The prison social enterprise also offers new employment opportunities after inmates have served their sentences.

27. <https://positivepeople.md/prima-afacere-sociala-deschisa-in-sistemul-penitenciar-din-republica-moldova/>

28. <https://positivepeople.md/comunitatea-terapeutica-catharsis-despre-recidiva-si-a-doua-sansa-la-o-viata-mai-buna/>

Example of international practice

In the UK, under a partnership between the National Prison Radio and Khulisa, a series of radio broadcasts have been produced in prisons. The radio broadcasts are aimed specifically at prisoners and focus on helping prisoners with their emotional wellbeing. The series comprised three episodes on different topics including change, fear and anger. Each of these episodes includes a facilitator's conversation with an inmate. Broadcast in prisoners' cells, the radio programs share practical skills for managing their emotional wellbeing and success stories of former inmates to bolster hope. The first episode explored the theme of change, talking to an inmate about their experience in prison and how they have changed along the way. Episode one provides useful tips and tools for implementing change. The next episode focused on tackling fear. This episode discussed fear in prisons and how it can drive people to act, with techniques for managing anxiety and fear.

Finally, the series ended with the theme of anger. This episode had a discussion about what can cause anger and tools to deal with it. The radio series was broadcast twice on prison radio, which has a reach of 81,341 listeners, or 72% of the prison population. This provided an important opportunity to deliver content directly to young offenders. Given the impact the pandemic has had on prisons, radio programs like these are so important to give people the support they need. Through the radio series, inmates were helped to improve their emotional well-being.

LEGAL INFORMATION, CRIME AND REPEAT-OFFENCE PREVENTION PROGRAMS

Good Practices: Juvenile delinquency prevention programs

The prevention of juvenile delinquency is a matter of public policy, situated at the confluence of the educational, social and justice spheres. These programs are intended to support efforts to prevent of juvenile delinquency through actions of institutions and specialists involved in child protection and pre-delinquency monitoring of children at risk.

Every year, thousands of youth come into contact with Moldova's justice system. Juveniles may be victims, witnesses or suspected of committing crimes. These youth must be handled by a system that understands them, respects their rights and takes into account their vulnerabilities.

In 2021, 695 crimes were committed by or with the participation of minors, an increase of 14.69% over one year. It appears that 2.73% of the total number of crimes recorded in Moldova are committed by minors or with their participation. Juvenile delinquency prevention programs tend to be a medium for knowledge and best practice in the prevention of juvenile delinquency and cooperation among professionals in the field.

Beneficiaries: children at risk of predelinquency and in conflict with the law, under the age of criminal liability or liable to criminal liability

This research identified a number of legal empowerment lessons for children and parents and identified support programs offered by NGOs. In 2018, the Institute for Penal Reform (IPR), in partnership with the United Nations Children's Fund (UNICEF) in Moldova, developed the Juvenile Delinquency Prevention Program, focusing on levels of primary, secondary and tertiary prevention intervention.²⁹

Primary prevention includes measures, programs, and initiatives targeting children who have never been involved in the criminal justice system. These usually include information and awareness raising activities on juvenile delinquency, as well as safety skills training.

Secondary prevention includes measures, programs, and initiatives targeting children who have been identified by social, educational or justice services as being at risk or involved in the commission of misdemeanors/crimes.

Tertiary prevention includes measures, programs, and initiatives for children who are already in contact with the justice system and/or returning to the community, aimed at reducing the risk of re-offending through treatment, education and social re-insertion.

Institutionalization of a Good Practice: After the development of the program, the employees of the General Police Inspectorate were trained and subsequently these programs were institutionalized.

Beneficiaries: specialists working in the field of child protection

Terre des Hommes Moldova has developed for specialists working in the field of child protection but also for the general public a course of 10 video lessons on the essential aspects of child protection, focusing on the protection of children in contact with the justice system.³⁰ The purpose of this teaching cycle is to improve existing knowledge and practices, as well as to strengthen the necessary skills in the education of children or in working with children at risk. This video course is specifically intended for specialists in the field of child protection, social workers, police employees, psychologists, family doctors, teachers. Equally, the topics are accessible and of interest to parents, caregivers, professional parental assistants or other interested persons.

The course developed by Terre des Hommes Moldova can be used by professionals in workshops and training seminars in the field of child protection. Teachers can use them as information material at meetings with parents. The video lessons are about children's age specificities, their needs, the profile of the child in contact with the law (child victim,

29. <http://irp.md/library/publications/1082-programul-de-prevenire-a-delicveniei-juvenile.html>

30. <http://tdh-moldova.md/index.php?pag=news&id=710&rid=467&l=ro>

child witness, child in conflict with the law), child protection policy, prevention of torture and illegal arrest, protection of the child's image in the media, communication with the child, interviewing the child, intervention of specialists in case of identification of the child victim of the crime and intervention of specialists in case of identification of the child suspected of the crime.

Video lessons can be watched in the order of topics or separately, depending on needs and interests on the [Terre des Hommes Moldova website](#) and in this [playlist on YouTube](#).

Terre des Hommes Moldova has implemented programs in several schools aimed at improving parenting skills. Group psychosocial activities with parents come to respond to the pressing need for parent empowerment in positive parenting. [The training program](#) offers teachers a different way of organizing meetings with parents, with a focus on encouraging parenting and preventing violence, neglect, exploitation and trafficking of children. The organization has developed a sustainable model whereby deputy principals have been trained to become trainers for teachers in the school. Terre des Hommes evaluated the trainings and found that children's anti-social behavior and prevention skills improved in the communities where the programs has been conducted.

Beneficiaries: students from pre-university education facilities

In 2016, Terre des Hommes Moldova developed a program booklet titled "[Prevention of Juvenile Delinquency](#)"³¹, which contains four programs with theoretical and practical approaches to developing positive social behavior in children:

- Group programs to reduce pre-delinquent and criminal behavior of minors aged 10 to 13/14;
- Juvenile Delinquency Prevention Program;
- Psychosocial activities program on gender equality for adolescents;
- Training program to increase the involvement of boys and men in the upbringing and education of children in order to prevent violence and abuse against children - gender-sensitive parenting.

In 2020, the Ministry of Education, Culture and Research and PH International initiated a legal socialization program in Moldovan schools. The program aims to contribute to strengthening the rule of law and supporting communities in Moldova in preventing juvenile delinquency and will develop close cooperation among law enforcement institutions, educational institutions and young people.

Another legal information program for children was carried out in the framework of the project "Legal Education", implemented by the Centre for Innovation and Policies of Moldova, the Legal Resources Centre of Moldova and the Association "Voices for Democracy and Justice" from Romania. The project proposes a long-term approach to the early prevention of juvenile delinquency, promoting respect for the law, good behavior and civic attitudes among the younger generation through the creation of a National

31. <https://tdh-moldova.md/index.php?pag=news&id=710&rid=505&l=ro>

Network for Legal Education made up of judges, prosecutors and lawyers who take on the educational role of cultivating respect for the law among Moldovan schoolchildren. [Members of the National Network for Legal Education](#) held legal education lessons in schools and high schools and explained legal concepts related to juvenile crime, as well as the elements of corruption offences, and the risks of lack of integrity in relation to the promotion of fundamental human rights. The website <https://educatiejuridica.md/kit-educational/> publishes two guides for trainers³² and for students³³, which address legal education. The courses for trainers and students can be completed online.

Good Practice: Virtual reality technologies in the process of informing young people about gender equality

Beneficiaries: pre-university students, young people



source: viitorul.org

The Institute for Development and Social Initiatives (IDIS) "Viitorul", with the financial support of UN Women, piloted an innovative project „Viitor mai bun/Better Future”³⁴, which uses state-of-the-art virtual reality technology. The "Virtual Reality" tool will be applied in twelve educational institutions, youth centers and youth organizations, and NGOs. The project aims to help young men and women to imagine a better future, where everyone is treated equally and benefits from equal opportunities, and where there is no sexual harassment and discrimination. This tool provides a simulation of different situations where the user can act out particular scenarios as a way to learn behavior and appropriate responses to threats to violence and abuse.

The application of virtual reality in the field of eliminating violence against women and girls is an innovative approach and can be an effective training method. The simulation exercise explains different scenarios in which young people have to make a choice, and mentors explain and give feedback to young people on their choices.³⁵ "This project is dedicated to the protection and promotion of human rights. Through strong partnerships with civil society, state institutions and UN Women, we have managed to have this dedicated project targeting violence against women and girls. With the ratification of the Istanbul Convention by the Republic of Moldova, we hope that violence against women will no longer be considered a personal or family matter and society will think more about solving

32. <https://educatiejuridica.md/courses/curs-online-pentru-formatori/>

33. <https://educatiejuridica.md/courses/curs-online-pentru-elevi/>

34. Pilot Project "Better Future for Youth Centers, Youth NGOs and Education Institutions" was implemented from April 2021 to February 2022 by the Institute for Development and Social Initiatives (IDIS) "Viitorul", with the support of UN Women Moldova and the financial support of Sweden within the Programme "Elimination of Violence against Women".

35. <https://realitatea.md/realitatea-virtuala-instrument-ce-promoveaza-egalitatea-de-gen-si-previne-violenta/>

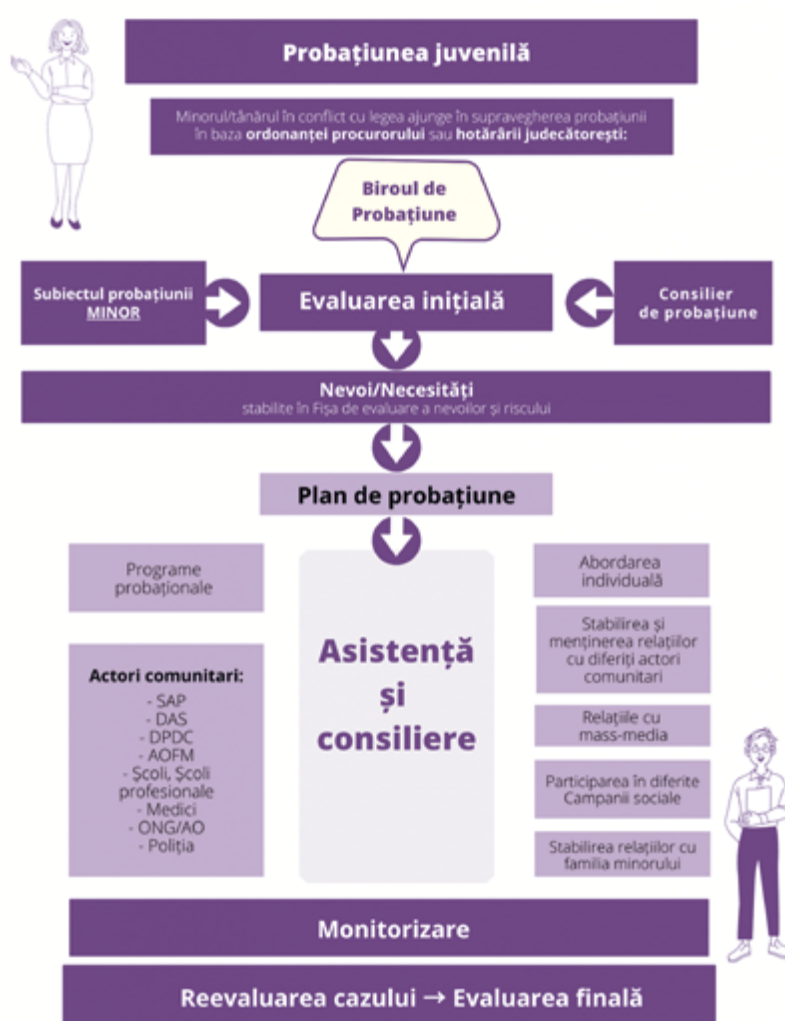
this situation. Today, education institutions and youth organizations need to be supported to prevent gender-based violence. We hope that the teaching and learning process will be more interactive with this virtual reality tool, so in this context we can implement more programs and have a greater impact."³⁶

Good Practices: Information module reflecting the path of minors and young people in conflict with the law in the probation system of the Republic of Moldova

Beneficiaries: specialists working in the field of child protection, probation counsellors

In 2022, the Association for Participatory Criminal Justice developed an information module reflecting the path of minors and young people in conflict with the law in the probation system of the Republic of Moldova. The module is designed for both probationers and professionals of the criminal justice system, including those in social services and behavioral change programs. The module also contains a new program developed for the prison system, applied for juvenile detainees.

The information module on the pathway of minors and young people in conflict with the law within the probation system³⁷ is available on the probation counsellors' distance learning platform www.e-learningprobation.md. In order to present the platform, a video has been developed with suggestions for exploring the included resources that contribute to the resocialization of minors in conflict with the law. It is structured in five separate thematic compart-



sursa: www.e-learningprobation.md

36. Katarina Fried, Ambassador of Sweden to the Republic of Moldova.

37. <https://www.e-learningprobation.md/module/traseul-minorilor-si-tinerilor-in-conflict-cu-legea-in-cadrul-sistemului-national-de-probatiune/>

ments, which contain information on services, assistance and specialized interventions provided within the types of probation provided by law: pre-sentence probation, community probation, juvenile probation, prison probation and post-prison probation. The information is provided in the "question-answer" format, with references to the relevant legislative sources and documents referred to in the context. The theoretical aspects have been transposed into graphical schemes to provide a complex picture of the processes and procedures to be applied in the system. The module is accompanied by a self-assessment questionnaire with ten knowledge test questions, and the results are generated instantly.

The availability of informative and thematic modules of distance training provides the opportunity to strengthen the capacities of representatives of the probation system, including other professionals interested in this field.

Good Practice: Intervention programs for minors on probation or in detention

The resocialization of children in conflict with the law is a complex, lengthy process, involving specialized and multi-dimensional interventions. The application of probation programs as alternatives to detention represents a real opportunity to ensure the re-education and re-socialization of children who have committed less serious criminal acts, excluding their interaction with the criminal justice system. As at 1 January 2022, the National Probation Inspectorate had 9.276 adults and 117 minors on its register. The National Probation Inspectorate is currently implementing 11 probation programs for adults and minors. In 2021, a total of 1298 people were involved in probation programs, of which 322 were minors.

Beneficiaries: children on probation, minors released from criminal liability

The Association for Participatory Criminal Justice, in partnership with the National Administration of Penitentiaries, the National Probation Inspectorate (NPI) and UNICEF Moldova, has developed and revised probation programs for children on probation.

The [violence reduction programme](#)³⁸ aims to provide participants with an analysis of violent offences and to improve their understanding of these problematic situations, the link between the way we think and feel about an event and the behavior/actions we act out, including the development of positive ways of dealing with conflict situations in order to develop a personal anger management and violence prevention plan.

The [revised program for property offenders](#) aims to teach problem-solving behaviors and social skills, addressing financial and related problems.³⁹

The [compulsory primary probation program](#)⁴⁰ contains civic training and vocational training and is intended for children in conflict with the criminal law, who have been

38. https://ajppmoldova.files.wordpress.com/2022/01/program_reducerea_violentei_final_web-1.pdf

39. https://ajppmoldova.files.wordpress.com/2022/01/program_infrastructiuni_patrimoniu_final_web.pdf

40. https://ajppmoldova.files.wordpress.com/2018/11/program-probational-primar_final.pdf

released from criminal liability/penalty and have been subject to an educational measure of restraint in the context of Article 104(f)(1) of the Criminal Code - the obligation of the juvenile to participate in a probation program, or as an obligation imposed by the court in the context of other articles. For example, Articles 90, 901 of the Criminal Code, which provide for conditional suspended sentences and partial suspended prison sentences, require the convicted person to participate in a probation program. The developed probation program contains two mandatory components: (moral and civic education) minor and vocational training (vocational training). The duration of the program is six months, weekly. The program contains 22 meetings organized in 9 modules, within the two components (civic education and vocational counseling), plus one introductory and one final session, overall, 24 sessions. The program contains mandatory and optional sessions, and the selection of topics to be addressed with juvenile beneficiaries is at the discretion of the probation counselor, who takes into account the needs of each beneficiary of this probation program.

Beneficiaries: children on probation, minors in detention

Terre des Hommes Moldova has developed an [Intervention Program to reduce risk of criminal behavior in adolescents](#). The program is aimed at young people aged 15-18 who have committed criminal offences, are on probation or have been sentenced to deprivation of liberty. The implementation of the program aims to change the behavior of these young people, cultivate pro-social lifestyle skills, manage emotions, reduce violence and other topics that would facilitate and encourage socially acceptable behavior. The program contains 20 themes and was initially implemented in 2016 for a group of minors in Goian Prison and in 2017 for a group of six juvenile probationers. Meetings were held weekly and lasted about 3 hours. Following the good results, this program was approved by order of the Director General of the Department of Penitentiary Institutions (DPI) and institutionalized within the prison system in 2016 and within the NPI in 2017. After the completion of the Terre des Hommes Moldova project, the program was inconsistently implemented, the major problems being lack of motivation and turnover of trained staff.



source: National Inspectorate for Public Security

CONCLUSIONS

1. Inconsistency of the mechanism for state contracting of NGO services

The legislation in force only establishes the sources for financing social services (state budget, budget of administrative-territorial units, own sources of social service providers and other sources under the law) but does not guarantee sufficiency of funds for those services. The lack of a clear and coherent mechanism for LPAs/CPAs to contract services provided by NGOs is an obstacle to the expansion of good practices in ensuring access to justice.

As the financing of social services is placed on the shoulders of LPAs, their provision in the volume and quality appropriate to the needs of the population depends directly on the financial sustainability of the LPAs themselves. An impediment to the development of services by LPAs is that local leaders do not prioritize access to justice but focus largely on the development of infrastructure projects (roads, sewerage, water, gas) that tend to be more popular and visible with the public. As the public's opinion is decisive in an election, providing services that the public likes is often a determinant of how money is spent.

The way local leaders (mayors, local councilors, members of special committees) perceive the role and mission of NGOs is also an impediment to state contracting of their services. NGOs are perceived as potential sponsors who are supported by outside donors and therefore not in need of additional funding particularly when such funding is scarce.

2. Targeting limited financial resources for state contracting of services provided by NGOs

To address the specific needs of vulnerable groups, services providing access to justice are largely provided by NGOs with donor support. Ensuring the continuity of services developed by NGOs is driven by the issue of financial sustainability. The Ministry of Labor and Social Protection contracting of the Women's Confidence Line, the Children's Line and the Disability Line is an example of national good practice, ensuring the provision of a quality and sustainable service.

The institutionalization of services provided by NGOs is viewed with caution by respondents to this investigation, as the financial resources allocated from the public budget to specialized services for victims of domestic violence and other vulnerable groups are not adjusted to the real maintenance costs and needs of the beneficiaries. Transferring the financing of specialized services (shelters, day centers, etc.) to the LPAs creates the risk of closing the centers or changing their purpose, given the austere local budgets and their dependence on the will of local councilors and the vagaries of local politics.

3. Extending services to ensure access to all vulnerable groups

The cost of accessing legal services and associated costs such as transportation and time away from a job, administrative costs, represents a significant barrier for vulnerable groups, particularly those in rural or remote areas.

Free legal and psycho-social assistance resources are currently concentrated mainly in the municipalities in the north and center of the country, with an insufficient number in the south. Due to long distances, transportation costs and the time needed to obtain assistance and representation, most vulnerable people do not receive the assistance they need to realize their right of access to justice.

The expansion of services can take place through the creation of day centers and the development of services in the localities where they are located or through digitization and online services. The practices implemented during the worst periods of the COVID-19 pandemic, when legal and psychological counselling were provided online or in a mixed format, were highly effective and represent a good practice can be easily replicated and expanded. The major advantage of digitizing services is that they can meet the needs of a large number of applicants. The disadvantage of such practices is the lack of necessary equipment (laptop, camera) and good internet connection, especially for vulnerable groups. In this context, IT solutions, online services, remote legal and psychological counselling and videoconferencing can only be taken up and extended with the development of better IT infrastructure and equipment.

One of the most promising solutions to impediments to access to justice for marginalized and remote populations are mobile legal clinics or mobile teams. These represent a broadly applicable good practice for large areas of the country. They have been shown to be a useful and necessary service for vulnerable groups, especially those from remote areas who desperately need legal aid and other services related to the equal application of rights. Institutionalization of mobile teams could be effected using paralegals or public lawyers to provide primary legal aid services including by telephone or online. The main concerns associated with the institutionalization of mobile teams are budgetary constraints, procedural obstacles, bureaucratic red tape, and persistent stereotypes and prejudices towards certain population groups such as the Roma, LGBT+, and Ukrainian refugees. As is often the case in any country, institutionalization carries the risk of a good practice being dropped and underfunded due to political or budgetary considerations.

Targeted browsing terminals or internet sites devoted to legal aid can be a solution to ensure access to justice for vulnerable groups. The major disadvantage is that few people among disadvantaged populations have digital skills. Another disadvantage is the generality of the information included in these resources, and the inability to anticipate all the particularities of a person's case.

The development of mobile apps to provide information, advice and support on respecting the rights of vulnerable groups is a model of good practice that deserves to be extended to Moldova. Mobile apps are appealing to both children and adults and would increase access in crisis situations as well as help disseminate information to

peers and others. The major disadvantage is the limited access of vulnerable groups and remote populations to requisite technologies.

The installation of e-justice rooms in prisons is a significant and replicable good practice for ensuring access to justice for prisoners including juveniles in detention. E-justice rooms are outfitted with videoconference equipment, enabling persons held in detention to remotely participate in their trial, speak with lawyers or prosecutors and communicate with family members, relatives, or friends. Juveniles held in remand centers can also use the rooms to access online classes and pursue their education. To date this practice has been donor funded which may affect its institutionalization and long term sustainability.

The practice of providing primary legal assistance and psychological and social support can be extended to all prisons and pretrial detention facilities by developing partnerships between the National Administration of Prisons and NGOs providing specialized assistance or by procuring services from NGOs.

The expansion of primary legal aid services to persons in detention can also be achieved by developing online or distance legal services provided by specialized NGOs and lawyers in the state-guaranteed legal aid system, by alternating the methods used (telephone, videoconferencing, direct contact).

Child protection specialized programs and such innovations as "virtual reality" tools to impart legal information and skills to children are costly. Because the state cannot assume such a financial burden, such tools can only be developed by NGOs, within the limits of available funds or in public-private partnerships. In such cases strong and concerted advocacy is essential and often effective as shown with the rights campaigns conducted by parents of disabled children.

The institutionalization of legal information programs for children and the prevention of deviant behavior is seen by respondents in a mixed format, through partnerships among education institutions, NGOs and legal and other professionals. The total transfer of these programs to state management may result in their sidelining, given that in Moldovan educational institutions priority is given to basic study subjects (Romanian language, mathematics, chemistry, etc.) and the role of legal socialization programs is minimized. Another risk is the shortage of staff trained and motivated to deliver these programs in a way that is attractive and effective for children and young people.



source: „Fiecare Contribuie Pentru Schimbare”

RECOMMENDATIONS

In order to facilitate access to justice for the population, especially vulnerable groups, we recommend:

- Organizing awareness-raising activities for LPA/CPA representatives on the needs of access to justice for vulnerable groups.
- Training of LPA/CPA representatives in the area of service development needs assessment based on community needs.
- Developing a clear and coherent mechanism for LPAs/CPAs to contract services provided by NGOs.
- Ensuring continuation of the Ministry of Labor and Social Protection contracting of helplines, by expanding the service through development of free mobile apps providing counselling and referral to support services for victims of gender-based violence.
- Providing rooms for victims of crime in court premises to help ensure the safety of victims and reduce re-victimization, increase awareness of rights and facilitate referrals to specialized services. Professionals working in such rooms could support the courts in explaining the rights and hearing of people with special needs, children and other vulnerable groups. In order to ensure the efficiency and sustainability of this service, the French model is recommended, which provides for the provision of services by NGOs, funded by the state.
- Digitizing legal aid services by providing them in a mixed format (physical and online) and by developing mobile apps and targeted navigation terminals.
- Developing a legal aid service in psychiatric institutions and psycho-neurological boarding schools for the provision of primary legal aid on family and civil law matters, as well as qualified legal aid.

We recommend extending the following services:

- Translation of laws concerning the rights of persons with disabilities into an easy-to-read format by producing a compendium of laws, an exercise that can be carried out by contracting NGOs.
 - The assistance and protection service for victims and presumed victims of trafficking must be extended to more areas of the country. The remote e-justice rooms and the practice of providing primary legal aid and psychological support for all those held in prisons and pretrial detention facilities, by developing partnerships between the National Administration of Prisons and NGOs providing specialized assistance or by procuring services from NGOs.
-

