



HOW THE SYSTEM OF ASSISTANCE TO VICTIMS OF VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE WILL NEED TO BE IMPROVED AFTER RATIFICATION OF THE COUNCIL OF EUROPE CONVENTION ON PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE BY THE REPUBLIC OF MOLDOVA

HOW DOES IT WORK IN THE REPUBLIC OF MOLDOVA NOW

HOW THE SYSTEM WILL NEED TO BE IMPROVED



- Support institutions often **located at great distance** from each other.
- **Missing specialised support centres** for victims of sexual violence.
- **No institutional coordinated response** mechanism and interaction between agencies is rarely centred on victims' needs.
- **Prejudices among professionals** dealing with domestic violence cases.

SUPPORT SERVICES FOR VICTIMS

- **Appropriate mechanisms for effective cooperation between all relevant stakeholders**, including, law enforcement officials, specialised services that provide assistance to victims such as shelters, hospitals and social support centres will need to be ensured, including through effective protocols.
- These services, as far as possible, should be **located in the same premises**.
- **Sexual violence referral centres** for victims should be **established**.
- **Training of employees** of specialised services and law enforcement agencies will be required to support the quality of their work with victims.

- The **number of shelters** for victims of domestic violence is **insufficient**.
- The Republic of Moldova does **not meet the recommended parameter** of one family accommodation per 10.000 population.
- Victims are **not adequately protected** from attacks of perpetrators.
- **Limited access to shelters** during restrictions imposed by the state to prevent COVID-19.

SHELTERS



- The victim will be able to **access a shelter in the nearest city, at any time** of the day or night, and stay there with her children, if necessary.
- Shelters will be equipped with **qualified personnel** to provide help.
- **Victims' safety and confidentiality** will be ensured.

- The majority of domestic violence cases are classified as contraventions (minor offences) which has led to milder sanctions being applied to perpetrators.
- **Cases of psychological violence** or domestic violence not leading to any bodily injuries are mostly not investigated and perpetrators are **exempted from any liability**.
- **Female genital mutilation** is not included in the Criminal Code.



INVESTIGATION OF CASES

- Sanctions for perpetrators should be **effective, proportionate and dissuasive**.
- Law enforcement agencies will need to **investigate cases** of physical violence, sexual violence including rape, forced marriage, female genital mutilation, forced abortion and forced sterilisation **in a proactive manner** so that any proceedings underway may continue even after the victim has withdrawn her/his statement or complaint, or in the absence thereof.
- It will be mandatory for the investigation to be conducted within a **reasonable time**.

- **No practical mechanism** to apply the right to financial compensation by the state to victims of crimes, including domestic violence.
- Victims have access to financial compensation by the state and **psychological support services financed by the state**.

COMPENSATION

- The victim will be able to seek **compensation from perpetrators** for any of the offenses established in accordance with the Istanbul Convention.



- A new procedure for mandatory amicable settlement of litigations in cases involving family conflicts.
- The courts are **obliged to apply mediation** in cases of divorce even where there are claims of violence.

ALTERNATIVE DISPUTE RESOLUTION



- A **ban on mandatory alternative dispute resolution**, including mediation, for all forms of violence covered by the Istanbul Convention will be required. This is because the victim of violence cannot participate on an equal level with the perpetrator.



- Committing domestic violence in the presence of a child is not a ground for **deprivation of parental rights**.

CUSTODY AND VISITATION RIGHTS

- **Incidents** of violence against the non-abusive carer and against the child **must be taken into account** when decisions on custody and visitations rights are taken.

- **No special provisions in the national legislation** allowing for compulsory access of migrant and asylum-seeking women to support services and shelters irrespective of their residence status in the Republic of Moldova.
- No special procedures guaranteeing **gender-sensitive procedures** when interviewing asylum-seeking women.



MIGRANT AND ASYLUM-SEEKING WOMEN

- **Migrant women** in the Republic of Moldova will benefit from **protection** from any forms of gender-based violence.
- Asylum-seeking women experienced of gender-based violence will have access to **support services and shelters** irrespective of their residence status in the Republic of Moldova.
- Migrant women will be **able to separate from their abusive partner** or husband without losing the right to remain in the country or risking deportation.