

SUPPORTING THE IMPLEMENTATION OF THE ISTANBUL CONVENTION IN THE REPUBLIC OF MOLDOVA



Authors:
Susana Pavlou
and Tatiana Fomina

REPORT ON COORDINATION OF MULTI-AGENCY AND INTER-SECTOR COOPERATION IN THE FIELD OF PREVENTING AND COMBATING VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE (VAW/DV)

SUPPORTING THE IMPLEMENTATION OF THE ISTANBUL CONVENTION IN THE REPUBLIC OF MOLDOVA

Report on coordination of multi-agency and inter-sector cooperation in the field of preventing and combating violence against women and domestic violence (VAW/DV)

**Authors:
Susana Pavlou
and Tatiana Fomina**

English edition:
*Report on coordination of multi-agency and inter-sector
cooperation in the field of preventing and combating
violence against women and domestic violence (VAW/DV)*

This report was published within the Project
“Support for the implementation of the Istanbul
Convention in the Republic of Moldova”.

*The opinions expressed in this work are the
responsibility of the author(s) and do not necessarily
reflect the official policy of the Council of Europe.*

The reproduction of extracts (up to 500 words) is
authorised, except for commercial purposes as long
as the integrity of the text is preserved, the excerpt is
not used out of context, does not provide incomplete
information or does not otherwise mislead the reader
as to the nature, scope or content of the text. The
source text must always be acknowledged as follows
“© Council of Europe, year of the publication”. All other
requests concerning the reproduction/ translation of
all or part of the document, should be addressed to
the Directorate of Communications, Council of Europe
(F-67075 Strasbourg Cedex or publishing@coe.int).

Cover design and layout:
Foxtrot SRL, 1 Florilor str, Chisinau,
Republic of Moldova, www.tipografia.md
Photos: Council of Europe, ©Shutterstock

Council of Europe Publishing
F-67075 Strasbourg Cedex
<http://book.coe.int>

© Council of Europe, October 2023

Contents

1. EXECUTIVE SUMMARY	5
2. INTRODUCTION	8
3. KEY PRINCIPLES OF MULTI-AGENCY AND INTER-SECTOR COOPERATION (ISTANBUL CONVENTION)	9
4. LEGAL AND POLICY FRAMEWORK ON VIOLENCE AGAINST WOMEN AND DOMESTIC VIOLENCE IN THE REPUBLIC OF MOLDOVA	11
5. GENERAL OVERVIEW OF INSTITUTIONAL FRAMEWORK	13
6. COORDINATION OF MULTI-AGENCY AND INTER-SECTOR COOPERATION	14
6.1 Coordination at policy level	14
6.2 Coordination at operational level	21
7. CONCLUSIONS AND RECOMMENDATIONS	25
7.1 Policy level	25
7.2 Operational level	27
8. PROMISING PRACTICES IMPLEMENTED IN THE REPUBLIC OF MOLDOVA	29
9. PROMISING PRACTICES IMPLEMENTED ON OTHER COE MEMBER STATES	33
10. LIST OF REFERENCES	35

List of acronyms

ACRONYM	DEFINITION
ANAS	National Agency of Social Assistance
CJF	Family Justice Centre in Moldova
GREVIO	Group of Experts on Action against Violence against Women and Domestic Violence
ICC	Interministerial Coordinating Council for the Prevention and Combating of Domestic Violence
INL	Bureau of the International Narcotics and Law Enforcement Affairs
IOM	International Organization for Migration
MDT	Multi-disciplinary Team
MIA	Ministry of Internal Affairs
MLSP	Ministry of Labour and Social Protection
NCC	National Coordinating Council
NGOs	Non-governmental organizations
NRMV	National Referral Mechanism for protection and assistance to crime victims
NRS	National Referral System to Protect and Assist Victims and Potential Victims of Trafficking in Human Beings
VAW/DV	Violence against women and domestic violence

1. Executive summary

BACKGROUND

The present report was commissioned by the Council of Europe within the framework of the project “Supporting the implementation of the Istanbul Convention in the Republic of Moldova” that aims to support the Moldovan authorities in their first steps of implementation of the Istanbul Convention.

The study examines the existing institutional framework and mechanisms for the coordination of the implementation of the Istanbul Convention in the Republic of Moldova. It focuses on two dimensions of coordination mechanisms: the development, implementation, monitoring, and evaluation of policies (policy level) and the identification, referral, and assistance of victims (operational level). The research aims to identify gaps and barriers to effective multi-agency coordination in the Republic of Moldova and provide recommendations on what can be improved, including the division of tasks and responsibilities among competent ministries and other state agencies, the coordinating authorities and their mandates and functions, as well as cooperation with civil society. This is in line with the Council of Europe Convention on preventing and combating violence against women and domestic violence (the Istanbul Convention), which is based on the premise that no single agency or institution can deal with violence against women and domestic violence alone.

This research was done taking into account Article 7 on Comprehensive and coordinated policies and Article 10 on Coordinating body, and other relevant provisions of the Istanbul Convention.

The research methodology includes desk research, semi-structured interviews/focus group guides, field visits, and a series of needs assessment meetings with relevant stakeholders that took place during a field visit to the Republic of Moldova in March 2023.

MAIN FINDINGS

Coordination at policy level

During this research study, following the adoption of the National Program on preventing and combating of VAW/DV 2023-2027 and legislative amendments to Law 45/2007, the institutional framework for the coordination and implementation of policies on VAW/DV in the Republic of Moldova has undergone significant changes. These changes include the establishment of the National Agency on Preventing and Combating VAW/DV, subordinated to the government, and that is assigned the role of coordination and implementation of policy on preventing and combating VAW/DV at the national level, in line with Article 10 of the Istanbul Convention. Several responsibilities that were previously under the mandate of the MLSP have now been transferred to the new agency, including the coordination of data collection, supporting the inter-institutional implementation of programs in the field of VAW/DV, the coordination of training, capacity building for professionals, and the monitoring and evaluation of policies. The MLSP's role has been limited to policy planning in VAW/DV, and the development of specialist victim support services and programmes for perpetrators. Another significant development is the replacement of the ICC with the NCC, that will function as an advisory body to the National Agency.

Prior to these developments, several challenges were identified in the existing institutional framework for multi-agency cooperation in VAW/DV. These included:

- ▶ A lack of sufficient and sustainable financial and human resources for the MLSP and the ICC to effectively carry out their responsibilities for the coordination and implementation of policy in VAW/DV, including a lack of separate resources to finance activities to facilitate cooperation.
- ▶ Multiple layers of coordination leading to fragmentation in the policy planning and implementation in VAW/DV.
- ▶ Fragmentation and gaps in data collection on all forms of VAW/DV that impeded the monitoring of progress on the implementation of policy in the area.
- ▶ An absence of scientific evaluation of the impact and effectiveness of policies and measures in VAW/DV.
- ▶ Challenges in relation to the participation of NGOs and women's organisations in the coordinating mechanism, as well as lack of access to sufficient, flexible, and sustainable funding to meet the demand for specialised services for victims of VAW/DV.

With the recent amendments to the Law 45/2007 and the establishment of the National Agency that will be responsible for coordination and implementation of policy on VAW/DV, the present study identified a few potential risks that should be considered moving forward. Firstly, the establishment of the National Agency subordinated to the government, raises the question as to whether it can act independently of political mandates, and have the authority to hold all relevant state authorities to account and intervene where necessary. According to Article 10 of the Istanbul Convention, national co-ordinating bodies should be granted with a certain level of executive power to allow them to carry their co-ordinating function across relevant sectors of government. Furthermore, the establishment of the National Agency and the NCC outside the MLSP, which held the coordinating role until recently, may risk the loss of existing expertise that has been consolidated within the MLSP. In addition, it is unclear how the National Agency can support the implementation of policy at the local level, without the necessary territorial structures at regional and local level. Finally, the establishment of the new agency adds an additional layer of coordination in VAW/DV that risks further fragmentation rather than consolidation in the institutional framework that may undermine the coherence between policy planning and implementation.

Finally, the research confirmed the important role and contribution of international donors and development partners to the development of policy in VAW/DV as well as in providing funding for the implementation of policies and measures, commissioning research, and collaborating with NGOs and women's organisations active in the field. However, there is concern that there are gaps between government priorities and donor support, and that there is lack of coordination among the development partners leading to overlapping and fragmentation in funded programs and activities.

Coordination at operational level

The institutional framework in operational coordination is also experiencing significant changes in the Republic of Moldova. Moldova is in the process of reforming its social assistance system, that will reduce the role of ANAS – the agency responsible for ensuring coordination of all relevant stakeholders at the operational level – to the management of specialized social services. In addition, new territorial social assistance agencies will be created as well as a new directorate at the MLSP that will manage these agencies. Given that these social reforms are currently under development, it is not possible to assess how this may affect operational coordination in VAW/DV.

The MDT is the body responsible for operational coordination and the district and local levels and consists of a group of professionals from various disciplines that work collaboratively to effectively respond to cases of VAW/DV. The MDTs have been operating since 2014 on VAW/DV as well as in other areas (child abuse and trafficking in human beings), but there is little to no monitoring of the effectiveness of their functioning since there is no reporting mechanism to ensure communication from the local/district level to the national level. Another issue identified in the framework of this study, is the coexistence of parallel cooperation mechanisms within which the MDTs operate, which risk overlapping or duplicating each other when implemented at the regional and local levels.

In relation to training, with the help of non-governmental organisations, the Government of Moldova has designed initial and continuous training programs for professionals dealing with prevention and combating

violence against women and domestic violence. However, these training courses have not been institutionalised and their delivery depends on the funding provided by development partners and NGOs.

Finally, the research showed that the funding allocated by the government for specialist support services to victims of VAW/DV is insufficient. Most specialised assistance to women and children affected by domestic violence are provided by NGOs, and these activities rely heavily on the support of the development donors. Furthermore, the lack of specialist services for victims of VAW/DV at the local level impedes the MDTs from offering the full range of support to women and children affected by VAW/DV.

RECOMMENDATIONS

Policy level

- ▶ Given the new legislative developments, it would be important to ensure that there is coherence between policy planning and policy implementation through the creation of clear pathways of cooperation and communication between the National Agency and the MLSP to consolidate progress achieved and to drive forward policy implementation.
- ▶ It is essential that adequate resources be provided for the National Agency to effectively carry out its mandate. This also involves ensuring human resources with the relevant expertise and experience. The budget lines for the policy areas within the competence of the coordinating body should be clearly delineated and identifiable.
- ▶ Separate resources should be earmarked to finance activities to facilitate cooperation among all the relevant national, regional, and local authorities as well as the relevant civil society actors.
- ▶ The National Agency should be provided with sufficient resources for the establishment and management of a coordinated system of collection and analysis of administrative data and official statistics in the field.
- ▶ It is essential that sufficient resources be provided to the NCC to be able to meet on a regular basis and ensure wide participation of all relevant stakeholders, including all sectors of government and civil society organisations in the implementation of policy.
- ▶ The National Agency, in cooperation with the MLSP, should establish protocols and procedures to facilitate the meaningful participation of NGOs in policy formulation and implementation.
- ▶ The evaluation tasks of the National Agency must be based on an independent and scientific assessment, based on the collection robust data of relevant measures.
- ▶ The MLSP, in line with their responsibility for developing specialist services in VAW/D should ensure that NGOs, particularly those providing essential services to women and children, have access to flexible, sustainable, and sufficient funding to meet demand.
- ▶ A mechanism should be established to ensure that donor-led funding priorities are harmonized with the priorities of state authorities and ensure a cohesive approach to the implementation of funded programs and activities.

Operational level

- ▶ The National Agency should be assigned the necessary human and financial resources to fully carry out its mandate of strengthening the professional capacities of the personnel in the social assistance system, including the systematic training of MDT members.
- ▶ A systematized monitoring mechanism of the functioning of the MDTs should be set up to ensure communication from the local/district level to the national level.
- ▶ The National Agency, within this competence of providing methodological support to the MDTs, should address this overlapping to avoid confusions resulting from the parallel existence of cross-sectoral cooperation mechanisms and define more clearly the scope of each mechanism, in close cooperation with the MLSP.
- ▶ The ongoing and sustainable funding of specialised services for victims and perpetrators should be ensured as well as their geographical coverage across the Republic of Moldova.

2. Introduction

BACKGROUND

The research examines and assesses the existing institutional set-up and the mechanisms in place for the coordination of the implementation of the Istanbul Convention in the Republic of Moldova.

The research focuses on two important dimensions of coordination mechanisms of multi-agency and inter-sector cooperation in the field of preventing and combating violence against women and domestic violence (VAW/DV):

- i. the development, implementation, monitoring and evaluation of policies (policy level) and
- ii. the identification, referral, and assistance of victims (operational level).

The research is aimed to identify gaps and barriers to effective multi-agency coordination in the Republic of Moldova and provide recommendations on what can be improved, including the division of tasks and responsibilities among competent ministries and other state agencies, the coordinating authorities and their mandates and functions, as well as cooperation with civil society.

RESEARCH METHODOLOGY

An initial desk research was carried out to review the legislative and policy framework in the Republic of Moldova, existing research in VAW/DV, and reports by international institutions, and civil society actors, among others. The data collected was used to inform the development of the research outline and methodology, as well as the data collection tools.

Based on the desk research, semi-structured interview/focus group guides were developed for use during the field visit that took place on 20-24 March 2023. During the field visit, a series of needs assessment meetings with relevant stakeholders in the Republic of Moldova, including state and non-state actors, as well as the development partners. The purpose of the needs assessment meetings was to collect qualitative information regarding the two dimensions of multi-agency cooperation (policy and operational), to map and assess the existing framework, identify gaps and challenges in effective multi-agency responses to VAW/DV, and provide recommendations for improvement.

3. Key principles of multi-agency and inter-sector cooperation (Istanbul Convention)

This research considers Article 7 on Comprehensive and coordinated policies, Article 10 on Coordinating body, and other relevant provisions of the Council of Europe Convention on preventing and combating violence against women and domestic violence (hereinafter Istanbul Convention). In addition, the research will present promising practices from other states that have also ratified the Istanbul Convention.

Under Article 7 of the Istanbul Convention, states parties must take the necessary legislative and other measures to adopt and implement state-wide, comprehensive, and co-ordinated policies to ensure a holistic response to violence against women, sustained by the necessary institutional, financial and organisational structures. This type of co-operation requires guidelines and/or protocols for all agencies to follow, as well as sufficient training of professionals on their use and benefits. Article 7, paragraph 3, requires that all relevant stakeholders, including women's rights NGOs, are included in the design and implementation of policies. Finally, the Explanatory Report to the Istanbul Convention also notes that national action plans to prevent and combat violence against women can be instrumental to ensure state-wide application, as well as the participation of all relevant stakeholders. Thus, Article 7 implies developing comprehensive policies, ensuring sufficient financial resources to address violence against women and domestic violence, while co-operating with NGOs and implementing a multi-agency response.

Article 10 of the Istanbul Convention obliges states parties to establish one or more government structures to carry out specific functions to ensure comprehensive and effective efforts to combat violence against women (co-ordinating body). Article 10(1) of the Istanbul Convention sets down the four functions to be carried out in relation to policies and measures to prevent and combat all forms of violence against women. These are (i) co-ordination, (ii) implementation, (iii) monitoring and (iv) evaluation of state measures taken to combat the forms of violence against women covered by the Istanbul Convention. Article 10 provides for these functions to be performed by a single government body or by multiple government bodies.

A holistic response to violence against women requires strong inter-sectoral co-operation across all ministries, state agencies and civil society actors who have a role to play in preventing such violence, protecting, and supporting women victims and their children, and prosecuting perpetrators. It includes, among others, actors, and agencies responsible for social affairs, healthcare, judicial matters, prosecution services, custodial institutions, financial planning, education policies, and the media sector. To facilitate this national co-ordination, Article 10 of the Istanbul Convention sets out the obligation to designate or establish one or more official bodies in charge of co-ordinating, implementing, monitoring, and evaluating policies and measures to address all forms of violence against women and domestic violence. The aim of Article 10 is to ensure that state and civil actors do not operate in isolation, which could lead to gaps in implementing the Istanbul Convention.

While the Explanatory Report to the Istanbul Convention does not formulate detailed criteria for the four functions of the co-ordinating body, some criteria for an effective co-ordination of implementation of state

measures can be drawn from the Mid-term Horizontal Review of GREVIO baseline evaluation reports issued in 2021.¹

The following are among the criteria for the establishment of coordinating bodies emphasised by GREVIO in one or more of its reports:

- ▶ Fully institutionalised entities equipped with clear mandates, powers, and competences.
- ▶ A clear mandate that encompasses all forms of violence against women and domestic violence and extends to co-ordination, implementation, monitoring and evaluation of policies and measures in the field.
- ▶ Adequate human and financial resources to allow the co-ordination of all government actions.
- ▶ Involvement of the highest levels of government in the mechanism along with the engagement of all relevant ministries and state agencies.
- ▶ The ability to co-ordinate both on the horizontal level and among the various state levels to ensure action with full and coherent coverage.
- ▶ The inclusion of NGOs, including independent women’s organisations, at all levels of policy formulation and implementation.
- ▶ The coordination of the collection of disaggregated data on VAW among sectors of government.

According to the Explanatory Report to the Istanbul Convention, the monitoring function of the bodies requires documenting the progress of policy and measure implementation at the national, regional, and local levels. The evaluation of policies and measures requires subjecting them to scientific assessment to determine whether they appropriately address the needs of victims, whether they achieve their intended goals, and to identify any unintended effects. According to GREVIO, to ensure the robustness of the evaluation process and its results, this function should be assigned to an independent body and not be carried out by the same body that is responsible for the implementation of the policies.

Both the monitoring and evaluation functions require the collection of large amounts of data, as mandated by Article 11 for the states parties to the Istanbul Convention. This provision requires the Parties to collect “disaggregated relevant statistical data at regular intervals on cases of all forms of violence covered by the scope of this Convention”. States parties are also required to support research into all forms of gender-based violence and violence against women and girls.

Other relevant articles of the Istanbul Convention in relation to multi-agency cooperation and co-ordination are Articles 15 (Training of professionals) and 18 (General obligations). The second paragraph of Article 15 provides that states parties should ensure that training of professionals also covers co-ordinated multi-agency co-operation to allow for a comprehensive and appropriate handling of referrals in cases of violence covered by the scope of the convention.

Article 18 of the Convention sets out several general obligations to be respected in the provision of both general and specialist support services. These include the need for services to act in a concerted and co-ordinated manner with the involvement of all agencies concerned. Specifically, Article 18 paragraph 2, requires states parties to ensure that there are appropriate mechanisms in place that provide for effective co-operation among the following agencies: the judiciary, public prosecutors, law enforcement agencies, local and regional authorities and NGOs and other relevant entities and organisations.

4. Legal and policy framework on violence against women and domestic violence in the Republic of Moldova

LEGAL FRAMEWORK ON VAW/DV

On 14 October 2021, the Moldovan Parliament adopted Law No. 144/2021 on the ratification of the Istanbul Convention. On 31 of January 2022 the Republic of Moldova deposited the instrument of ratification of the Istanbul Convention, and it entered into force on 1 May 2022.²

However, the establishment of a coherent and effective system for combating domestic violence at the national level began in 2007 with the adoption of the Law on Preventing and Combating Domestic Violence (hereinafter Law No. 45/2007). Law No. 45/2007 defines the notion of domestic violence and its forms, establishing an institutional framework with detailed responsibilities for the competent authorities, provides for the creation of assistance centres for victims of violence and an effective mechanism for dealing with cases of violence through the possibility of filing complaints, the application of protective measures (emergency restraining order, protection order for the isolation of the domestic abuser) and observance of victims' rights.

Significant amendments to the Law No. 45/2007 were adopted on 31.07.2023 with the aim to strengthen the institutional framework in the field of VAW/DV, particularly in the area of coordination and implementation of policies. These amendments will be further discussed in the analysis below.

Within 2020–2022, several normative changes were made to the national legislation to further harmonise it with the provisions of the Istanbul Convention, making amendments to the Law no. 45/2007 on preventing and combating domestic violence.

With Law No. 113/2020 for the amendment of certain regulatory acts³, the legal framework was supplemented to define violence against women, and provide a detailed definition of psychological violence, as follows:

“violence against women – any act of gender-based violence that results in, or is likely to result in, physical, sexual, or mental harm or suffering to women, including threats of such acts, coercion or arbitrary deprivation of liberty, whether occurring in public or in private life”.

“*psychological violence* – imposition of will or personal control; provoking tension and mental suffering by offending, taunting, swearing, insulting, name-calling, blackmailing, demonstrative destruction of objects, verbal threats, ostentatious display of weapons or hitting of domestic animals, neglect; interference in

2. The Istanbul Convention was signed by the Republic of Moldova on February 6, 2017 and ratified by the legislator on October 14, 2021. On October 19, 2021, the President of the Republic of Moldova promulgated the Law no. 144 of October 14, 2021 on the ratification of the Istanbul Convention, thus, the Republic of Moldova becoming a member state of the instrument. According to the Convention, for States which subsequently express their consent to be bound by the Treaty, it shall enter into force on the first day of the month following the expiration of a period of three months after the date of deposit of the instrument of ratification, acceptance or approval.

personal life; acts of jealousy; imposition of isolation by detention, including in the family home; isolation from family, community, friends; prohibition and/or creation of impediments to professional achievement or prohibition and/or creation of impediments to educational achievement in the education institution; persecution by contacting or attempting to contact by any means or through any other person the victim who has been caused anxiety, fear for their own safety or the safety of close relatives and forced to change their life conduct; dispossession of identity documents; deliberate deprivation of access to information; other actions with similar effect”;

Law No. 113/2020 also introduced the requirement to establish, within a three-year deadline, a structure in charge with preventing and combating domestic violence within the Territorial Structures of Social Assistance (TSSA), as a local public authority empowered to implement policies related to the prevention of domestic violence and social assistance of victims and perpetrators.

Law No. 85/2020 on amendments to some regulatory acts⁴ also amended Law No. 45/2007 to provide probation authorities the power to electronically monitor domestic abusers when a victim protection measure is applied by the court. The amendments also allow victims and their family members to be monitored electronically by an electronic surveillance system (such as a small GSM phone), provided they give their written consent.

NATIONAL POLICY FRAMEWORK ON VAW/DV

In 2018, the Government approved the first policy document in this field – *the National Strategy for Preventing and Combating Violence against Women and Domestic Violence for 2018–2023* and the Action Plan for 2018–2020 as well as 2021–2022 (Government Decision No. 281/2018), which is based on the four-pillar approach of the Istanbul Convention: Prevention, Protection, Prosecution, and Integrated Policies. However, the Strategy lost its validity in July 2022 in accordance with Government Decision No. 365/2020, which introduced new requirements for national policy documents.

In 2022, the Government approved the *Program for the creation and development of the National Referral Mechanism to provide assistance and protection to victims of crime for 2022–2026* and the Action Plan for 2022–2024 for its implementation approved by the (Government Decision No. 182/2022). This new policy document is aimed at effective coordination of the activities of all stakeholders responsible for protection and fulfilment of the rights of victims of crime, including victims of VAW/DV.

In the beginning of 2023, the Ministry of Labour and Social Protection (MLSP) announced the development of the National Program on preventing and combating VAW/DV for 2023–2027, to ensure the implementation of the Istanbul Convention. In April 2023, the draft National Program was published for public consultation and was officially approved on 31 May 2023. This document contains proposals on strengthening the institutional framework for policy coordination in preventing and combating VAW/DV that will be further discussed and analysed below.

4. LAW No. 85 of 11-06-2020 for the modification of some normative acts https://www.legis.md/cautare/getResults?doc_id=122005&lang=ro

5. General overview of institutional framework

According to Law No. 45/2007, Law No. 144/2021 and other legal normative acts, the following institutions and actors have responsibilities in preventing and combating VAW/DV:

Ministry of Labour and Social Protection – Directorate of Policies on Gender Equality (responsible for national policy coordination in the field of VAW/DV)
National Agency of Social Assistance (ANAS) (responsible for operative coordination)
Ministry of Internal Affairs (national policy level)
General Inspectorate of Police (operational level)
Ministry of Education and Research (national policy level)
Ministry of Health (national policy level)
Centre of Forensic Medicine (operational level)
Ministry of Justice (national policy level)
Representatives of district regional/rayon departments of social assistance and family protection (responsible for implementation of policy/DV)
Local Multidisciplinary Teams (MDTs) – operational coordination body (local operational level)

6. Coordination of multi-agency and inter-sector cooperation

6.1 COORDINATION AT POLICY LEVEL

Ministry of Labour and Social Protection

According to the Law No.144/2021 (art.3), the MLSP is assigned the role of National Coordinator in the field of preventing and combating VAW/DV. The MLSP is also charged with the development and implementation of policies in the field of preventing and combating domestic violence at the national level. With the new amendments to Law 45/2007 and the establishment of a National Agency for the Prevention and Combating of Violence against Women and Domestic Violence, the MLSP – to date the body assigned with the role of coordination according to Article 3 of the Law 144/2021 – will retain only the function of policy planning and development, as well as the development of victims support services and services for perpetrators of VAW/DV.

Specifically, Article 8 of Law 45/207 assigns the MLSP with the following responsibilities in VAW/DV:

- a) develop policies to prevent and combat violence against women and domestic violence, and provide protection and assistance to victims of violence, as well as advise to perpetrators, and to contribute to the implementation of these policies.
- b) ensure the establishment and maintenance of the anonymous and confidential free telephone assistance service for victims.
- c) manage administrative data sources from the field of social assistance and protection on VAW/DV.
- d) participate, in collaboration with competent institutions as well as with representatives of civil society, in research, studies and information campaigns for the prevention and combating of VAW/DV.
- e) ensure the establishment of assistance and rehabilitation services for victims of violence and assistance and counselling services for perpetrators.
- f) analyse, in collaboration with the territorial social assistance structures, the development needs of the network of assistance and protection centres/services for victims of violence, as well as assistance and counselling centres/services for perpetrators.
- g) ensure the integration of the field of preventing and combating violence against women and family violence into the National Referral Mechanism for the protection and assistance of crime victims.
- h) contribute to the economic empowerment of victims of violence.

The role of the MLSP in the framework of institutional mechanisms of coordination considering new legislative amendments will be further assessed below.

National Agency for Preventing and Combating Violence against Women and Domestic Violence

An important objective of the National Program on preventing and combating VAW/DV for 2023-2027 is to further develop and strengthen the institutional framework by creating a specialised entity (National Agency) in the field of preventing and combating VAW/DV under the MLSP. On 31 July 2023, new amendments to the Law 45/207 were adopted by Parliament establishing the National Agency for the Prevention and Combating of Violence against Women and Family Violence. The National Agency, which is expected to be operational by November 2023, will operate as a central administrative authority – directly subordinated to the Government – and having the functions of coordination, implementation, monitoring, evaluation and reporting of the results of national policies in this field.

Specifically, according to the amendments to Law 45/2007, the main responsibilities of the Agency will be as follows:

- a) coordinates, at the national level, the implementation of policies to prevent and combat violence against women and domestic violence, ensures the monitoring and evaluation of public policies in the field.
- b) supports the inter-institutional implementation of national programs in the field of preventing and combating violence against women and domestic violence.
- c) organizes and conducts the meetings of the National Coordinating Council.
- d) provides methodological support for the unified and efficient implementation, at the central and local level, of the normative framework and policies to prevent and combat violence against women and domestic violence, including the activity of Multi-disciplinary Teams.
- e) organizes training through multidisciplinary modules for specialists with functions to prevent and combat violence against women and domestic violence.
- f) facilitates cooperation and dialogue with civil society and development partners.
- g) establishes and manages a coordinated system of collection and analysis of administrative data and official statistics in the field.
- h) plans and organizes the conduct of research, studies and information campaigns for the prevention and combating of violence against women and violence in the family.
- i) prepares the annual report on violence against women and domestic violence with the contribution and participation of all authorities and institutions empowered with functions in the field. The annual report is presented to the Government.
- j) prepares the national reports and ensures the arrangements for the monitoring visits in the country of the Group of experts for the action against violence against women and domestic violence (GREVIO).

During the field visit that occurred in March 2023, the Agency was in the proposal stage within the draft National Program for the prevention and combating of violence against women and domestic violence (2023-2027), which was undergoing consultation. In the draft program, the Agency was foreseen as a specialised agency subordinate to the MLSP that would consolidate the work of the MLSP in the field of VAW/DV by coordinating the implementation of policy at national level and providing methodological support for the implementation of policies at the local level.

However, according to the amendments to Law 45/2007, the National Agency will not be established under the MLSP but will be subordinated to the Government of the Republic of Moldova. It is unclear, however, whether the creation of a National Agency outside the MLSP can ensure the capitalisation of knowledge on VAW/DV and that existing expertise can be transferred to new and future staff members of the National Agency. During the stakeholder meetings, several participants expressed support for the idea of a national agency, arguing that it could potentially consolidate the work of the MLSP for more effective coordination of the implementation of policies, and help avoid duplication of actions. They pointed out, however, that to achieve this, the Agency will require trained specialised staff and sufficient financial resources to provide methodological guidance, and the power to hold all relevant state authorities to account and intervene where necessary. Furthermore, the MLSP has an existing institutional framework, including territorial structures, and can theoretically function independently from political mandates. Given the National Agency's mandate to provide methodological support for the effective implementation of policy at the central as well

as the local level, it is unclear how this can be achieved without the necessary territorial structures at regional and local level that the MLSP already has in place.

Importantly, with the establishment of a new national agency, the MLSP – to date the body assigned with the role of coordination according to Article 3 of the Law 144/2021 – would retain the function of policy planning and development. However, experts in the field of national administration criticise the idea of separating the roles of policy development and implementation as being too simplistic, overlooking the fact that the boundary between policymaking and implementation is difficult to define and that it changes over time. Furthermore, they underline that policy design relies on the involvement of those who know the policy area best, because they are involved in day-to-day policy implementation, and that administrative discretion - necessary for administrative action - implies choices that affect policymaking.

Some stakeholders expressed concern that there are already multiple layers of coordination, and that if additional layers are added, the final beneficiary – the victim of VAW/DV – will not benefit, since each agency is interested in carrying out its own mandate and agenda. In their view, there are already many public authorities responsible for gender equality and combatting VAW/DV, and as well as NGOs/women's organisations and networks. The establishment of a new agency risks further fragmentation rather than consolidation in the institutional framework in the field of VAW/DV, and the coherence between policy planning and implementation may be undermined.

Given the new legislative developments, it would be important to ensure that there is coherence between policy planning and policy implementation through the creation of clear pathways of cooperation and communication between the National Agency and the MLSP to consolidate progress achieved and to drive forward policy implementation. This should include a clear division of roles and responsibilities in VAW/DV, the establishment of regular and structured communication channels, and the transfer of knowledge and expertise to the National Agency. Furthermore, it would be important therefore to ensure that continuity and sustainability in the co-ordination of policies and measures is guaranteed within the National Agency, and that existing technical expertise is not lost.

Interministerial Coordinating Council

In 2012, the Government of Moldova created a special inter-agency coordinating body, namely the Interministerial Coordinating Council for the Prevention and Combating of Domestic Violence (hereinafter – ICC or Council) under the MLSP. The Council was established with the aim of ensuring the co-ordination of activities among ministries and other central administrative authorities with competences in the field of preventing and combating domestic violence. The Council members are representatives of the central competent authorities. Representatives of civil society organisations, academia, the media and intergovernmental organisations/development partners can participate in the meetings of the Council with the status of participants but cannot be members.

The ICC members represent the intermediate level of decision-making in the relevant ministries, such as heads or deputy heads of sections or divisions with competencies to develop policies and coordinate their implementation in the relevant area. Representatives of civil society, academia and media are nominated as participants of the Council for a period of two years. They have the right to participate in ICC meetings to provide expert input on specific issues as they arise or are identified by the MLSP or committee members. However, as non-members they do not have right to vote.

Representatives of intergovernmental organisations/development partners are also invited to participate in ICC meetings, which provides them with the opportunity to share their activities and align their goals with state authorities, with a view to complementarity and avoiding duplication.

The MLSP organises meetings of ICC every quarter (up to 4 times per year), as well as ad hoc meetings, and serves as a platform for discussion among all relevant stakeholders involved in the prevention and combatting of DV/VAW.

The mandate of the ICC is regulated according to Government Decision 72/2012, in accordance with art. 7(3) of Law No.45/2007, as follows:

1. Promoting the multidisciplinary approach of the aspects of preventing and combating the phenomenon of domestic violence in the national and sectoral policies and plans.
2. Coordinating the activities of the competent authorities with attributions in the field of preventing and combating domestic violence.

3. Examination/expertise of the normative framework regarding the development of the services infrastructure addressed to the subjects of domestic violence.
4. Examining legislative problems/gaps regarding the mechanisms for implementing the normative framework in the field.
5. Identifying the needs for conducting studies, including in the field of domestic violence.
6. Methodological coordination of the organisation and development of thematic campaigns in the field of prevention/information and formation of the nonviolent culture among society.

The activities of the ICC include the following:

- ▶ Coordinating the activities of state authorities in the field, monitoring compliance with the principle of ensuring the best interests of victims of domestic violence, considering international standards in the field.
- ▶ Monitoring the process of harmonization of the national legal framework with the provisions of the international legal framework to ensure the prevention and combating of domestic violence.
- ▶ Examining the reports and recommendations of national and international experts to streamline the implementation of specific policies and programs for preventing and combating domestic violence.
- ▶ Examination of sectoral reports on the degree of application of legislation and activities carried out in the field.
- ▶ Informing public opinion on the situation regarding the prevention and combating domestic violence.
- ▶ Facilitating the process of exchanging experience and information regarding the activities carried out by the authorities/institutions/organizations with competences in the field.
- ▶ Presentation of an annual report of activities of the ICC to the Government.

It was clear from the interviews conducted within the framework of this research, that the ICC, while providing an important platform for direct communication of the relevant agencies, is not able to perform functions as stipulated in the ICC Regulation approved by GD no. 72/2012. The ICC essentially functions as an advisory body of the MLSP, acting as a hub for the exchange of information and inter-ministerial communication among medium-level decision-makers, and for making recommendations. There is no voting procedure and, in practice there is no difference between members and participants of ICC. In addition, according to stakeholders interviewed, the ICC decisions are not always fulfilled because they are not legally binding to central administrative authorities. Furthermore, the Law on central sectoral public administration [No. 98/2012] does not provide the creation of collegial decision-making bodies under the ministries.

Therefore, despite its ambitious mandate, in practice Government Decision No. 72/2012 assigns the ICC a multitude of coordinating responsibilities that it does not have the capacity to deliver as it lacks a permanent state mechanism with dedicated resources and does not currently meet the criteria of a coordinating body under Art. 10.

On 31 July 2023, Law 45/2007 was amended to create National Coordinating Council (NCC) in the field of preventing and combating violence against women and domestic violence, (a collegial consultative body) that will replace the ICC. The NCC will function as an advisory body to the National Agency and will include representatives of specialized central public administration authorities, representatives of civil society and other interested parties. The role of the NCC is to ensure collaboration between state authorities and other institutions, including civil society and the development partners, as well as to serve as a platform for discussion and consultation on the implementation of policies on VAW/DV.

Given the lessons learned from the functioning of the ICC, it is essential that sufficient resources are provided to the NCC to be able to meet on a regular basis and ensure wide participation of all relevant stakeholders, including all sectors of government and civil society organisations in the implementation of policy. Furthermore, the NCC's role should not be limited to the implementation of policy, but also should also serve as a knowledge incubator with the ability to make recommendation directly to the MSLP to ensure that national policies and measures adequately respond to current needs in VAW/DV.

Human and financial resources for coordination

GREVIO has repeated in its baseline reports the importance of assigning the role of governmental coordinating body under Art. 10 of the IC to fully institutionalised entities, to equip these with clear mandates, powers, and competences and to allocate the necessary human and financial resources to these entities.⁵

The importance of resources for the effective coordination of the implementation of policies and measures to prevent and combat VAW/DV was an issue repeatedly highlighted during the interviews with stakeholders. In relation to the implementation of Strategy on preventing and combating violence against women and domestic violence (2018–2022), there were no specific budget allocations for the implementation of actions. According to the State Report to GREVIO⁶ and the information gathered during the field visit, most actions are implemented with external funding provided by intergovernmental organisations / development partners. Dedicating sustainable resources to the national coordinating bodies is also an important element for coordination as identified by GREVIO's baseline reports.⁷ While state authorities often underestimate the costs involved in effective coordination, without financial underpinning, institutional structures will inevitably be ineffective. For example, one interviewee pointed out that the ICC was unable to hold meetings as often as needed, due to lack of human and financial resources in the relevant department of the MLSP that provides administrative support.

Currently, the Directorate of Policies on Gender Equality within the MLSP has a staffing scheme consisting of six people and the Directorate's mandate covers not only violence against women and domestic violence, trafficking in human beings, as well as policies on equal opportunities between women and men. This inevitably results in a struggle over resources for preventing and combating VAW/DV even within its own department: it is just one of many areas competing for resources and political support. Furthermore, given that the coordination function was, until recently, assigned to an existing body in addition to other tasks, it is more difficult to quantify the budget associated with this function, and the human resources required to carry it out.

With the creation of the National Agency and its central coordinating role in the area of VAW/DV, it is essential that adequate resources be provided for it to effectively carry out its mandate. This also involves ensuring human resources with the relevant expertise and experience. The skills, expertise, and promising practices to address violence against women and domestic violence need to be preserved within the National Agency, regardless of staff turnover or changes in government.

In addition to dedicated resources for the functioning of the coordinating body, it is also important to earmark separate resources to finance activities to facilitate cooperation among all the relevant national, regional, and local authorities as well as the relevant civil society actors. Equally important is for other ministries with competences in the field of VAW/DV to have sufficient resources and expertise available since they are also an integral part of the coordination process. They too need a clear mandate and the necessary resources to carry it out, and the National Agency should have the authority to hold them to account.

Monitoring and evaluation of policy

According to Art. 10 of the Istanbul Convention, two essential functions of the coordinating body are monitoring and evaluation of policies. However, according to the GREVIO's Mid-term Horizontal Review⁸, there is little understanding among countries as to what evaluation and monitoring mean, how the two functions differ and who is best suited to carry out these functions. While, monitoring and evaluation are terms often used in conjunction, they constitute two distinct functions. Monitoring consists of the continuous assessment of policies and measures based on timely and detailed information on the progress or delay of the ongoing assessed activities. According to the Explanatory Report to the IC, "the monitoring task...is limited to the monitoring of how and how effectively policies and measures to prevent and combat all forms of violence covered by the scope of this Convention are being implemented at the national and/or regional and local level."⁹ The evaluation function, on the other hand, "comprises the scientific evaluation of a particular policy or measure in order to assess whether it meets the needs of victims and fulfils its purpose as well as

5. Council of Europe. Mid-term Horizontal Review of GREVIO baseline evaluation reports. 2022. Para. 94

6. Report submitted by Moldova pursuant to Article 68, paragraph 1 of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Baseline Report), pp. 14–15.

7. Council of Europe. Mid-term Horizontal Review of GREVIO baseline evaluation reports, para. 96.

8. Council of Europe. Mid-term Horizontal Review of GREVIO baseline evaluation reports, para. 97.

9. Explanatory Report to the Istanbul Convention, p. 13.

to uncover unintended consequences.”¹⁰ Evaluation, in other words, is a systematic and objective examination concerning the relevance, effectiveness, efficiency, impact and sustainability of activities in the light of specified objectives.¹¹

Importantly, despite the difference between these two functions, both require access to robust data. Article 10 taken together with Article 11 of the IC means that collecting and analysing data are integral to a state’s monitoring and evaluation functions.

In relation to monitoring of policies, prior to the amendments of 31.07.2023, Law No. 45/2007 assigned the MLSP with the function of monitoring the implementation of legislation and national strategies and policies in VAW/DV. In addition, the Regulation on organisation and functioning of MLSP approved by the GD No. 149/2021 (p. 7) also refers to the responsibility the MLSP for monitoring the quality of public policies and regulations in areas of competence specific to the ministry. However, Law No. 45/2007 did not explicitly assign it with the responsibility to coordinate the collection and analysis of data, except for the purposes of producing an annual report.

The fragmentation and gaps in data collection on all forms of violence against women hinders the monitoring function assigned to the coordinating body as defined by Article 10 of the IC and the recommendations of GREVIO. The data collected in different sectors in the Republic of Moldova are not harmonised in terms of common indicators, and in some sectors, relevant indicators are lacking altogether. Furthermore, there are no automated systems for the collection and processing of statistical data on VAW/DV. This not only makes difficult the task of drafting the Annual Report on domestic violence and violence against women, but also impedes the monitoring of progress on the implementation of policy.

With the new amendments to Law No. 45/2007 adopted on 31 July 2023, the National Agency will be responsible for establishing and managing a coordinated system of collection and analysis of administrative data and official statistics in the field. It is vital that sufficient resources be made available for this purpose. To support this work, qualitative and quantitative indicators should accompany policy measures to measure progress against specific, predetermined criteria.

In contrast with monitoring, the function of policy evaluation was not foreseen in the tasks and responsibilities of the MLSP under Law No. 45/2007, nor did it fall under the mandate of the ICC according to Government Decision 72/2012. With the creation of the new National Agency for Preventing and Combating Violence against Women and Domestic Violence with amendments to the Law 45/2007, this responsibility will now be assigned to the National Agency. It is worth mentioning that, according to GREVIO¹², it is crucial that the same body responsible for the implementation of the policies should not carry out the evaluation function. A situation in which close institutional ties exist between those who implement measures and bear political responsibility for them on the one hand and those who are supposed to evaluate the efficacy of those measures on the other, constitutes a conflict of interest and can weaken the analysis. GREVIO has thus strongly encouraged the authorities to ensure that evaluation of policies and measures is carried out by an independent entity based on robust data in relation to the implementation of the public policies to prevent and combat VAW/DV.¹³ This ensures the political and institutional independence of the entity assigned with the evaluation task.

The assigning of the evaluation function to an independent entity is supported by the Regulation on planning, development, approval, implementation, monitoring and evaluation of public policy documents (p. 58) approved by the GD No. 386/2020. This regulation stipulates that the function of evaluation must be carried out by an independent entity contracted by the central public administration authority responsible for the evaluation, or by development partners (external evaluation).

Co-operation with NGOs

Article 9 of the Istanbul Convention emphasises the key contribution of relevant civil society actors, particularly women’s NGOs, to addressing violence against women, requiring state parties to recognise their work by

10. Explanatory Report to the Istanbul Convention, p. 13.

11. A UNICEF Guide for Monitoring and Evaluation – Making a Difference. <https://www.corecommitments.unicef.org/kp/a-unicef-guide-for-monitoring-and-evaluation-making-a-difference>

12. Mid-term Horizontal Review of GREVIO baseline evaluation reports, para. 89.

13. *Ibid.*

tapping into their expertise and involving them as partners in multi-agency co-operation efforts and in the implementation of comprehensive government policies.

A basic principle of Law 45/2007 is cooperation between public administration authorities, civil society, and international organisations. Specifically, the Law requires that the relevant state bodies, such as the Ministry of Labour and Social Protection, the Ministry of Health, the Ministry of Education and Research, the Ministry of Internal Affairs, and Ministry of Justice, cooperate with the non-governmental organisations, individuals and legal entities involved in violence prevention and response activities.

Most NGOs in the field of VAW/DV in the Republic of Moldova provide complex, specialised assistance (shelter, social, legal psychological, financial, economic empowerment, etc.) to women and children victims, in addition to being active in community mobilisation, policy advocacy and policy monitoring, and working with public authorities and donors to implement programmes. According to the data available, 60% of services are delivered by NGOs and funded by external donors.¹⁴

A positive example of cooperation between state authorities and NGOs in the field of VAW/DV is the cooperation of the MLSP that, in its capacity as the central public authority promoting domestic violence policies, has been procuring since 2017 the services of the toll-free telephone trust line for victims of VAW/DV (080088008) operated by the non-governmental organisation International Center “La Strada” (Moldova).

However, NGOs in the Republic of Moldova have reported several challenges in relation to their participation in the coordinating mechanism, whether formal or informal. Firstly, due to multiple mechanisms and bodies active in the field, requests for the participation of NGOs, particularly smaller NGOs working at the grass roots level is not always possible due to limited capacity and resources. This essentially limits NGOs access to decision-making processes and in defining policy and funding priorities. It is therefore important to bear in mind the resources that NGOs have at their disposal when setting up coordination mechanisms and ensure that participation processes are streamlined to prevent further burdening the already stretched organisations. It is also recommended that financial resources are made available to compensate them for travel and/or other expenses incurred to facilitate their participation.

National and local NGOs also report that requirements for accessing funding have become more complicated and technically demanding, making it difficult for local grassroots organisations to access funding to provide vital services to vulnerable groups.¹⁵ It is therefore important that funding for NGOs, particularly those providing essential services to women and children, have access to flexible, sustainable and sufficient funding to meet demands, and that reporting requirements do not pose undue administrative burden, essentially preventing them from equal access to decision-making.

The role of international donors / development partners

The high dependency on external funding and donor-led activities has been highlighted by GREVIO in its horizontal review, stating that it may hinder effective coordination among state actors, as actions are implemented in a fragmented manner with different bodies, mechanisms, and policies in place with little recognition of links between them. Furthermore, donor-led activities also risk limiting the responsibility and accountability of the public authorities in meeting their obligations.

The Republic of Moldova has a diverse International Donor Community active in the field of VAW/DV and trafficking in human beings. The role of development partners in VAW/DV is clearly recognized in the Law 45/2007 as well as in the National Program 2023–2027. They were active members of the ICC and will also participate in the NCC and play a role in the implementation of activities by financing initiatives led by women’s organisations and NGOs, including victims support services.

However, the NGOs expressed concern that there are gaps between government priorities and donor support, stating that these are not always aligned. Furthermore, donor-led funding priorities often overlap, and donors do not always coordinate amongst each other resulting in fragmentation in the funded programs and activities, leading to a lack of a coherent approach.

14. UN Women Moldova (2016). Report on Costing of Domestic Violence and Violence against Women in Moldova <https://moldova.unwomen.org/sites/default/files/Field%20Office%20Moldova/Attachments/Publications/2016/Report%20Costing%20of%20Violence%20-%20EN.pdf>

15. The response of the National Coalition “Life without Domestic Violence” to the refugee crisis in the Republic of Moldova from the perspective of the women organizations <https://www.scribd.com/document/578398098/The-response-of-the-National-Coalition-Life-without-Domestic-Violence-to-the-refugee-crisis-in-the-Republic-of-Moldova-from-the-perspective-of-the-w#>

6.2 COORDINATION AT OPERATIONAL LEVEL

National Agency of Social Assistance

The authority assigned with the national coordination of policies at the operational level is the National Agency of Social Assistance (hereinafter ANAS) under the MLSP. The ANAS is also the responsible agency for the provision of intersectoral training and ensuring operational coordination at the local/district level. The ANAS was established in 2016 by Government Decision 1263¹⁶ to undertake the core functions of:

- a) developing the methodological framework for uniform application of legislation on social assistance.
- b) management of the activities of public institutions in which the MLSP is the founder.
- c) facilitating professional capacity building of staff in the social assistance system.
- d) management of financial resources for financing special-purpose programs in the field of social assistance and a minimum package of social services.

In 2022, with the approval of the Programme for the creation and development of the National Referral Mechanism for protection and assistance to crime victims (Government Decision No. 182/2022), the ANAS became responsible for ensuring coordination of all relevant stakeholders at the operational level (p. 49).

According to the announced plan for social reform “RESTART”, ANAS will be reorganized into an agency responsible for the management of highly specialized social services.¹⁷ In addition, 11 territorial social assistance agencies will be subordinated to the MLSP as well as a new directorate in the MLSP that will manage these agencies. However, it is not clear why such fragmentation of administrative bodies is necessary, when human and financial resources could be dedicated in a similar manner to support and strengthen existing statutory responsibilities for coordination in the field of VAW/DV at the policy and operational level, such as the Directorate of Policies on Gender Equality, as well as the ANAS.

Given that the RESTART social reform is currently under development, it is not possible at this stage to assess how this may affect operational coordination in VAW/DV or make relevant recommendations in this regard.

MDTs – coordinating bodies at local level

The Multi-disciplinary Team (MDT) is the body responsible for operational coordination of identification, referral and assistance of victims at the district and local levels (rayons, cities, villages). The MDTs represent a group of professionals who represent various disciplines and work collaboratively from the initial report of abuse to assure the most effective coordinated response possible for every victim. The functioning of MDTs is regulated by GD no. #228/2014 on approving the Regulations of activity of the territorial MDT within the National Referral System¹⁸. According to the GD no. #228/2014, “all the members of the multidisciplinary territorial team have competences in ensuring the access of the beneficiary of the National Referral System, identified by the members of the multidisciplinary territorial team, to the necessary protection and assistance, using the potential of the multidisciplinary territorial team”.¹⁹ The representative of the district/rayon’s department of social assistance and family protection is the coordinator of the MDT.

At the local level, the members of the MDTs include:

- a. mayor or deputy mayor.
- b. social worker.
- c. police officer.
- d. family doctor.
- e. representatives of public authorities or civil society (educators, priests, community mediators, relatives of beneficiaries, etc.), of public associations with attributions in the field, depending on the specifics of the case and the individual needs of the beneficiary of the National Referral System.

16. Government Decision no. 1263 of 18.11.2016 “On approving the Regulation on the organization and operation of the National Agency of Social Assistance, its structure and staff” (Official Gazette of the Republic of Moldova, 2016, no. 405-414, art. 1361).

17. <https://gov.md/en/content/moldovan-government-continues-reform-social-assistance-system>

18. GD no. 228 of 28.03.2014 on approving the Regulations of Activity of the Territorial Multidisciplinary Teams within the National Referral System, available in Romanian at: https://www.legis.md/cautare/getResults?doc_id=19094&lang=ro

19. *Ibid.*, pt. 15, para. 1.

At the district level, the representatives of the MDTs include:

- a. Department/Directorate of social assistance and family protection.
- b. Education Directorate.
- c. district medical and sanitary institutions.
- d. the regional section of the Centre for combating human trafficking within the National Investigation Inspectorate of the General Police Inspectorate.
- e. civil status office.
- f. territorial employment agency.
- g. territorial subdivisions of the State Enterprise “CRIS “Registru” of the Ministry of Information Technology and Communications, responsible for population records and issuing identity documents.
- h. public associations, as well as from other social actors with attributions in the field.

The duties of the MDT members include:

- (i) Ensuring the access of the beneficiary identified to the protection and assistance required, using the potential of the territorial or local MDT, or, if necessary, providing a referral to the specialised or highly specialised social services.
- (ii) Ensuring the access of the beneficiary who lives continuously or has a residence visa in another administrative-territorial unit, to emergency protection and assistance, and referring, after providing the necessary assistance, to the territorial MDT at the place of residence for further assistance.
- (iii) Applying the necessary measures for the assistance and protection of beneficiaries.²⁰

In addition, the MDTs develop annual activity plans on the activities regarding the prevention and combating of domestic violence in the community that are integrated with the local development strategies.²¹

According to a report by UNICEF and UN Women on the assessment of functionality of the MDTs in cases of violence, the main services provided by MDTs consist of: 1. information about the protective measures and services available to victims of violence, 2. referral to medical examination, counselling, and vocational training, and 3. primary and secondary family support, social allowances and in severe cases – placement.²²

Research carried out by the International Organisation for Migration (IOM) on the functioning of the NRS²³, reported that there is low engagement and motivation of professionals within MDTs, and that members perceive their activity in the NRS as additional work. This results in the effectiveness of an MDT depends on one or several active members without the existence of external incentives. The study also reports that professionals from the district and community levels sense a lack of coordination between different structures at the national level and the existence of parallel or overlapping cross-sectoral cooperation mechanisms (see above). Another issue raised is that front-line professionals are often unaware of the contents of the various instructions and guidelines, and there are no mechanisms in place to ensure that they are aware of and trained on their effective implementation.

Based on the interviews with stakeholders, despite the MDTs operating since 2014 on VAW/DV as well as in other areas (child abuse and trafficking in human beings), there is little to no monitoring of the effectiveness of their functioning, since there is no reporting mechanism to ensure communication from the local/district level to the national level. Therefore, while there may be cohesion of service provision by the MDTs on paper, it may not necessarily be leading to strengthened cohesion among professionals working in the field.

20. According to item 15 of the Guidelines, the MDT will exercise its powers in accordance with the provisions of article 8, paragraphs (8) and (9) of the Law no. 45/2007 and the GD no. 228/2014 on approving the Regulations of activity of the territorial MDT within the National Referral System.

21. Item 16 of Guidelines regarding the intersectoral cooperation mechanism in cases of domestic violence, available: https://moldova.unwomen.org/sites/default/files/2022-08/Instruciuni%20mecanism%20intersectorial%20de%20interventie_25.05.%202022.pdf

22. In partnership with UN Women, UNICEF Moldova implemented the European Union (EU)-funded programme, Strengthened Gender Action in Cahul and Ungheni districts (EVA), which promotes gender equality and women's empowerment, and addresses domestic violence affecting women and children. Within the EVA project, an assessment of the functionality of multidisciplinary teams on cases of domestic violence, to understand the needs and support their legal responsibilities, was included.

23. International Organisation for Migration (2017). The Functioning of the National Referral System for the protection and assistance of victims and potential victims of trafficking in human beings (NRS) in the Republic of Moldova. Lessons learnt and perspectives https://moldova.iom.int/sites/g/files/tmzbd1626/files/documents/NRS_function_english.pdf

Another issue raised in the interviews conducted in the framework of this study, is the coexistence of parallel cooperation mechanisms within which the MDTs operate,²⁴ which risk overlapping or duplicating each other when implemented at the regional and local levels. Given that the MDTs have a central role in the implementation of mechanisms, this results in the same specialists participating simultaneously in several coordination structures created to solve similar social problems.

The national Agency, within this competence of providing methodological support to the MDTs, should address this overlapping to avoid confusions resulting from the parallel existence of cross-sectoral cooperation mechanisms and define more clearly the scope of each mechanism, either in the body of the Instructions or through comprehensive training of front-line professionals. It should do so in close cooperation with the MLSP given that the coordinators of the MDTs are directly subordinated to the MLSP.

Training of professionals at operational level

In relation to operational coordination of multi-agency training of professionals, the fieldwork revealed a lack of common vision among stakeholders regarding which state authority should be responsible for initial and on-going capacity building of all professionals responding to violence against women and domestic violence cases. The development of the necessary skills of specialists is ensured only within the framework of the system of professional training established in each ministry. According to the interviews conducted within the framework of this research, joint intersectoral training of professionals are carried out with the support of development partners projects but this is not done systematically to ensure a uniform and co-ordinated approach to the response. The results of the EVA project²⁵ carried out by UN Women and UNICEF revealed the importance of joint training programmes for MDTs, with members reporting that the collaboration between members had improved due to the training in the framework of the project.²⁶

Furthermore, and consistent with the recommendations made in the study carried out by the IOM²⁷, MDT members should be incentivised through the organisation of study visits for the exchange of good practices, as well by improving their working conditions (including in relation to pay). Furthermore, a system should be in place to ensure that MDT meetings take place at regular intervals and in full attendance, and that responsibilities within the MDTs are clearly distributed and delegated. Finally, the ANAS should develop a mechanism for monitoring MDT intervention in cases of domestic violence so that it can effectively assess the functioning of the MDTs and identify challenges.

Until recently, the ANAS was mandated with the function of strengthening the professional capacities of the personnel in the social assistance system. The future training of MDT members, as well as the training of social workers in preventing and combating violence, will now be the responsibility of the National Agency. Such trainings should be implemented systematically, based on a robust needs analysis, and in close cooperation with the MLSP with the aim to strengthen the role of the MDTs in intervention in cases of VAW/DV. NGOs providing training to MDTs should submit the training program to the National Agency to receive approval, to ensure coherence and continuity, as well as even distribution of resources and competences.

Provision of specialized services and support for victims of VAW/DV

As per Article 11 of Law No. 45/2007, the right of the victim to benefit from counselling activities for the physical, psychological, and social rehabilitation is guaranteed. In this regard, Article 10 established conditions and procedures for creation of centres for rehabilitation of victims. According to the law, the centre for rehabilitation of victims provides protection and accommodation to the victims and offers psychological, pedagogical, social, and legal assistance, as well as medical care for the members of the family who are or who can potentially become victims of domestic violence. The centres should offer free of charge: specialised

24. Mechanism for intersectoral cooperation in the field of identification, evaluation, referral, assistance and monitoring of child victims and potential victims of violence, neglect, exploitation and trafficking established by the Government Decision No. 270/2014).

25. Strengthened Gender Action in Cahul and Ungheni districts Programme (EVA) <https://euneighbourseast.eu/projects/eu-project-page/?id=845#:~:text=The%20Strengthened%20Gender%20Action%20in,two%20focal%20regions%3A%20Ungheni%20and>

26. UN Women Moldova and UNICEF Moldova (2023), Assessment of the functionality of multidisciplinary teams in cases of domestic violence in the 23 settlements of Cahul and Ungheni districts <https://www.unicef.org/moldova/en/strengthened-gender-action-cahul-and-ungheni-districts-eva#:~:text=The%20overall%20purpose%20of%20the,violence%20affecting%20women%20and%20children>

27. International Organisation for Migration (2017). The Functioning of the National Referral System for the protection and assistance of victims and potential victims of trafficking in human beings (NRS) in the Republic of Moldova. Lessons learnt and perspectives https://moldova.iom.int/sites/g/files/tmzbd1626/files/documents/NRS_function_english.pdf

social services, housing, protection, and temporary placement to victims of domestic violence; as well as legal, social, psychological and urgent medical assistance.

Despite the legal obligation of the state to provide services to victims of VAW/DV, according to a study conducted by the NGO Women's Law Centre²⁸, the funding allocated by the government for specialist support services to victims of VAW/DV is insufficient. Most specialised assistance to women and children affected by domestic violence are provided by NGOs, and these activities rely heavily on the support of the development donors. The study revealed that 60% of the costs of social services provided to victims of DV and VAW are covered by civil society organisations.²⁹ Budget allocations often seem to be given to local authorities without specific guidance, while many services, such as shelters and helplines, are run by NGOs that are poorly supported by the state, if at all, making those services unsustainable in the long term.

Another issue raised that presents challenges to the effective function of intersectoral cooperation, is the lack of specialist services for victims of VAW/DV at local level (see below). This lack of specialist services for victims impedes the MDTs from offering the full range of support to women and children affected by VAW/DV, limiting their role to the provision of information to victims on their rights.

Despite the above, partnerships between the civil society and public authorities have proven to be effective over time in addressing issues related to preventing and combating domestic violence and advancing multiple protection arrangements for victims of violence. A positive example of NGO contracting in the field of VAW is the Helpline for Women and Girls 0 8008 8008.³⁰ Another example of effective partnerships with NGOs is the forging of an alliance between a local MDT and the Rehabilitation Centre for Victims of Torture "Memoria" for the referral of women victims of VAW/DV to the specialist services of Memoria.³¹

The sustainable operation of specialist services is a core element of coordination at the operational level. It should therefore be a priority of the national authorities to take on the responsibility for the ongoing funding of such services as well as ensuring even geographical coverage.

7. Conclusions and recommendations

7.1 POLICY LEVEL

Conclusions

A first important criterion for effective coordination of policy in VAW/DV is the establishment of dedicated body to carry out the task. The position of a national coordinator at the centre of the overall coordinating mechanism is crucial for ensuring a comprehensive approach and the involvement of all relevant actors in the design and implementation of national policies, as required by art.7 of the Istanbul Convention. A national coordinator can ensure that all relevant bodies are informed and included in the policy coordination process, drive forward the development of policies and measures in the area, and ensure that policies are implemented effectively and according to strategic priorities and objectives. The Explanatory Report to the Istanbul Convention (para.70) clearly states that only officially established government entities or institutions within the government, provided with sufficient human and financial resources, should be mandated with the four functions of coordination according to art. 10 of the Convention - co-ordination, implementation, and monitoring and evaluation of policies and measures to prevent and combat all forms of VAW/DV.

During this research study, following the adoption of the National Program on preventing and combating of VAW/DV 2023-2027 and legislative amendments to Law 45/2007, the institutional framework for the coordination and implementation of policies on VAW/DV in the Republic of Moldova has undergone significant changes. These changes include the establishment of the National Agency on Preventing and Combating VAW/DV, subordinated to the government, and that is assigned the role of coordination and implementation of policy on preventing and combating VAW/DV at the national level, in line with Article 10 of the Istanbul Convention. A number of responsibilities that were previously under the mandate of the MLSP have now been transferred to the new agency, including the coordination of data collection, supporting the inter-institutional implementation of programs in the field of VAW/DV, the coordination of training and capacity building for professionals, and the monitoring and evaluation of policies. The MLSP's role has been limited to policy planning in VAW/DV, and the development of specialist victim support services and programmes for perpetrators. Another significant development is the replacement of the ICC with the NCC, that will function as an advisory body to the National Agency.

Prior to these developments, several challenges were identified in the existing institutional framework for multi-agency cooperation in the area of VAW/DV. These included:

- ▶ A lack of sufficient and sustainable financial and human resources for the MLSP and the ICC to effectively carry out their responsibilities for the coordination and implementation of policy in VAW/DV, including a lack of separate resources to finance activities to facilitate cooperation.
- ▶ Multiple layers of coordination leading to fragmentation in the policy planning and implementation in VAW/DV.
- ▶ Fragmentation and gaps in data collection on all forms of VAW/DV that impeded the monitoring of progress on the implementation of policy in the area.
- ▶ An absence of scientific evaluation of the impact and effectiveness of policies and measures in VAW/DV.

- ▶ Challenges in relation to the participation of NGOs and women's organisations in the coordinating mechanism, as well as lack of access to sufficient, flexible, and sustainable funding in order to meet the demand for specialised services for victims of VAW/DV.

With the recent amendments to the Law 45/2007 and the establishment of the National Agency that will be responsible for coordination and implementation of policy on VAW/DV, the present study identified several potential risks that should be taken into account moving forward. Firstly, the establishment of the National Agency subordinated to the government, raises the question as to whether can act independently of political mandates, and have the authority to hold all relevant state authorities to account and intervene where necessary. According to Article 10 of the Istanbul Convention, national co-ordinating bodies should be granted with a certain level of executive power to allow them to carry their co-ordinating function across relevant sectors of government. Furthermore, the establishment of the National Agency and the NCC outside the MLSP, which held the coordinating role until recently, may risk the loss of existing expertise that has been consolidated within the MLSP. In addition, it is unclear how the National Agency can support the implementation of policy at the local level, without the necessary territorial structures at regional and local level. Finally, the establishment of the new agency adds an additional layer of coordination in VAW/DV that risks further fragmentation rather than consolidation in the institutional framework that may undermine the coherence between policy planning and implementation.

Finally, the research confirmed the important role and contribution of international donors and development partners to the development of policy in VAW/DV as well as in proving funding for the implementation of policies and measures, commissioning research, and collaborating with NGOs and women's organisations active in the field. However, there is concern that there are gaps between government priorities and donor support, and that there is lack of coordination among the development partners leading to overlapping and fragmentation in funded programs and activities.

Recommendations

- ▶ Given the new legislative developments, it would be important to ensure that there is coherence between policy planning and policy implementation through the creation of clear pathways of cooperation and communication between the National Agency and the MLSP to consolidate progress achieved and to drive forward policy implementation. This should include a clear division of roles and responsibilities in VAW/DV, the establishment of regular and structured communication channels, and the transfer of knowledge and expertise to the National Agency. Furthermore, it would be important therefore to ensure that continuity and sustainability in the co-ordination of policies and measures is guaranteed within the National Agency, and that existing technical expertise is not lost.
- ▶ With the creation of the National Agency and its central coordinating role in VAW/DV, it is essential that adequate resources be provided for it to effectively carry out its mandate. This also involves ensuring human resources with the relevant expertise and experience. The skills, expertise, and promising practices to address violence against women and domestic violence need to be preserved within the National Agency, regardless of staff turnover or changes in government. The budget lines for the policy areas within the competence of the coordinating body should be clearly delineated and identifiable.
- ▶ In addition to dedicated resources for the functioning of the National Agency, it is also important to earmark separate resources to finance activities to facilitate cooperation among all the relevant national, regional, and local authorities as well as the relevant civil society actors. Equally important is for other ministries with competences in the field of VAW/DV to have sufficient resources and expertise available since they are also an integral part of the coordination process. They too need a clear mandate and the necessary resources to carry it out, and the National Agency should have the authority to hold them to account.
- ▶ The National Agency should be provided with sufficient resources for the establishment and management of a coordinated system of collection and analysis of administrative data and official statistics in the field, in line with the new amendments to Law No. 45/2007 adopted on 31 July 2023. To support this work, qualitative and quantitative indicators should accompany policy measures in order to measure progress against specific, predetermined criteria.
- ▶ Given the lessons learned from the functioning of the ICC, it is essential that sufficient resources be provided to the NCC to be able to meet on a regular basis and ensure wide participation of all relevant stakeholders, including all sectors of government and civil society organisations in the implementation

of policy. Furthermore, the NCC's role should not be limited to the implementation of policy, but also should also serve as a knowledge incubator with the ability to make recommendations directly to the MSLP to ensure that national policies and measures adequately respond to current needs in VAW/DV.

- ▶ Coordination mechanisms should ensure that participation processes are streamlined to prevent further burdening already stretched organisations, and financial resources should be made available to compensate them for travel and/or other expenses incurred to facilitate their participation in coordinating mechanisms.
- ▶ NGOs, particularly those providing essential services to women and children, must have access to flexible, sustainable, and sufficient funding to meet demand, and reporting requirements should not pose an undue administrative burden.
- ▶ The evaluation tasks of the National Agency must be based on an independent and scientific assessment, based on the collection robust data of relevant measures. In line with the recommendations of GREVIO, should be assigned to an independent or autonomous entity. The criteria for selection should be based on the deep knowledge, expertise, and experience of the tenderer in this field, and the administration issuing the mandate does not influence the selection and presentation of the findings.
- ▶ The National Agency, in cooperation with the MLSP, should establish protocols and procedures to facilitate the meaningful participation of NGOs in policy formulation and implementation, by streamlining participation processes, including by making available financial resources to compensate them for travel and/or other expenses incurred to enable participation and contribution. Furthermore, reporting requirements to national authorities should not pose undue administrative burden that would prevent them from equal access to decision-making.
- ▶ The MLSP, in line with their responsibility for developing specialist services in VAW/DV should ensure that NGOs, particularly those providing essential services to women and children, have access to flexible, sustainable, and sufficient funding to meet demand.
- ▶ A mechanism should be established to ensure that donor-led funding priorities are harmonized with the priorities of state authorities and ensure a cohesive approach to the implementation of funded programs and activities.

7.2 OPERATIONAL LEVEL

The institutional framework in operational coordination is also experiencing significant changes in the Republic of Moldova. Moldova is in the process of reforming its social assistance system, that will reduce the role of ANAS – the agency responsible for ensuring coordination of all relevant stakeholders at the operational level – to the management of specialized social services. In addition, new territorial social assistance agencies will be created as well as a new directorate at the MLSP that will manage these agencies. Given that these social reforms are currently under development, it is not possible to assess how this may affect operational coordination in VAW/DV.

The MTD is the body responsible for operational coordination and the district and local levels and consists of a group of professionals from various disciplines that work collaboratively to effectively respond to cases of VAW/DV. The MDTs have been operating since 2014 on VAW/DV as well as in other areas (child abuse and trafficking in human beings), but there is little to no monitoring of the effectiveness of their functioning since there is no reporting mechanism to ensure communication from the local/district level to the national level. Therefore, while there may be cohesion of service provision by the MDTs on paper, it may not necessarily be leading to strengthened cohesion among professionals working in the field. Another issue identified in the framework of this study, is the coexistence of parallel cooperation mechanisms within which the MDTs operate, which risk overlapping or duplicating each other when implemented at the regional and local levels.

In relation to training, with the help of non-governmental organisations, the Government has designed initial and continuous training programs for professionals dealing with prevention and combating violence against women and domestic violence. However, these training courses have not been institutionalised and their delivery depends on the funding provided by development partners and NGOs.

Finally, the sustainable operation of specialist services is a core element of coordination at the operational level. The research showed that the funding allocated by the government for specialist support services to victims of VAW/DV is insufficient. Most specialised assistance to women and children affected by domestic violence are provided by NGOs, and these activities rely heavily on the support of the development donors.

Furthermore, the lack of specialist services for victims of VAW/DV at the local level impedes the MDTs from offering the full range of support to women and children affected by VAW/DV.

Recommendations

- ▶ The National Agency should be assigned the necessary human and financial resources to fully carry out its mandate of strengthening the professional capacities of the personnel in the social assistance system, including the systematic training of MDT members. Such training should apply an integrated and holistic approach and strengthen the role of the MDTs in intervention in cases of VAW/DV. NGOs providing training to MDTs should submit the training programme to the National Agency to receive approval, to ensure coherence and continuity, as well as even distribution of resources and competences.
- ▶ A systematized monitoring mechanism of the functioning of the MDTs should be set up to ensure communication from the local/district level to the national level to identify gaps in service provision, training needs of members of MDTs, and to strengthen cohesion among professionals working in the field.
- ▶ The National Agency, within this competence of providing methodological support to the MDTs, should address this overlapping to avoid confusions resulting from the parallel existence of cross-sectoral cooperation mechanisms and define more clearly the scope of each mechanism, either in the body of the Instructions or through comprehensive training of front-line professionals. It should be so in close cooperation with the MLSP given that the coordinators of the MDTs are directly subordinate to the MLSP.
- ▶ The ongoing and sustainable funding of specialised services for victims of VAW/DV and perpetrator programmes services should be a priority of the MLSP, as well as ensuring even geographical coverage of such services. Budget allocations to local authorities should be accompanied with clear and standardized instructions for the support of front-line services provided by women's organisations and NGOs.

8. Promising practices implemented in the Republic of Moldova

THE NATIONAL REFERRAL SYSTEM (NRS)

The National Referral System to Protect and Assist Victims and Potential Victims of Trafficking in Human Beings (NRS), initially created in 2006 in the framework of joint project of MLSP and the IOM, was officially approved in 2008.³² Domestic violence victims, who were seen as potential victims of trafficking, were recognized as beneficiaries of NRS and obtained access to the necessary assistance in the framework of this model of coordination.

The NRS became a first countrywide system/model of multi-agency and inter-sector coordination of cooperation at policy level and operational level established in Moldova aimed at the fulfilment of rights of victims of human trafficking and potential victims of trafficking, including domestic violence victims.³³ It covered the area of cooperation of national public authorities, civil society organisations and development partners in policy development, implementation, monitoring and evaluation. In addition it provides creation of multi-disciplinary teams from representatives of police, social assistants, teachers, territorial employment agencies, health care professionals, etc. in villages and rayons to coordinate direct assistance to victims at local level.

The NRS strategy also envisaged the development of a service network at the local level for victims and potential victims of THB, endowment of this network with equipment and materials, as well as improving the quality of services in partnership with international donors and the civil society.

Even at the stage of implementation of the NRS Strategy – in 2012, this model of inter-sector cooperation created in Moldova in the implementation of the rights of victims of human trafficking was recognized by US experts as a best practice and model for other countries in the region.³⁴

The Republic of Moldova's unique National Referral System and multi-disciplinary teams have great potential to promote victim safety and offender accountability. The National Referral System operates as a response system that coordinated referrals and services for victims. After an initial meeting with a social assistant, the National Referral System assigns a multi-disciplinary team to a victim depending on their specific needs.

NATIONAL REFERRAL MECHANISM FOR PROTECTION AND ASSISTANCE TO CRIME VICTIMS

In March 2022, the Government approved the *Programme for the creation and development of the NRMV for 2022–2026* (Government Decision No. 182/2022).³⁵ This Program provides adaption of NRS (model of coordinating cooperation aimed at practical realisation of the rights of victims of human trafficking) to the needs of all victims of crime. This new NRMV model should ensure the effective coordination of all structures involved

32. Decision of the Parliament of Moldova no. 257-XVI of 5 December 2008 "On the approval of the Strategy of the National Referral System for the protection and assistance of victims and potential victims of trafficking in human beings (2009–2016) and the Action Plan for the implementation of the Strategy of the National Referral System for the protection and assistance of victims and potential victims of trafficking in human beings (2009–2011)" (Official Gazette, 2009, no. 27–29, art. 66).

35. Government Decision No. 182/2022 on the approval of the Program for developing of the National Referral Mechanism for protection and assistance of crime victims//O.G. No. 129-133, art. 327

in protection and assistance to victims of crime through a special cooperation framework through which state institutions coordinate their efforts under a strategic partnership with non-government and international organisations that work in this area.³⁶

The NRMV Program is aimed at the practical realisation of crime victims' rights through:

- 1) creation of an effective model of coordination of multi-agency and inter-sectoral cooperation for assisting victims of crimes including trafficking in human beings, domestic violence, torture and other crimes listed by the Law on rehabilitation of crime victims No. 137/2016.
- 2) ensuring an integrated approach to policies and services for victims of crimes, including integrating the NRMV into the national social protection system and the creation of integrated services.

The NRMV model of coordination of multi-agency and inter-sectoral cooperation for assisting victims of crimes is clearly described in the Programme for the creation and development of the MNRV (chapter IV). It includes the institutional framework and coordinating bodies, normative base, capacity building activities, communication and information management and budgeting. In addition, the NRMV model contains the description of key procedures in the framework of the NRMV, which are the object of multi-agency and inter-sectoral cooperation. The MLSP is responsible for coordination of cooperation at police level and the ANAS is responsible for the operative coordination of interaction between state and non-state bodies within the NRMV. The coordination mechanism includes the Multidisciplinary Teams (district/community-based coordination) and basic operational units at the local level, ensuring inter-sector cooperation for assistance and protection of crime victims.

STANDARDISATION OF INTER-SECTOR COOPERATION

On 21 June 2022, the MLSP, Ministry of Justice, Ministry of Internal Affairs, Ministry of Health representatives, and the National Council signed the Order on the approval of the *Guidelines regarding the inter-sectoral cooperation mechanism in cases of domestic violence*.

The inter-sectoral cooperation mechanism on the intervention in cases of domestic violence establishes the interaction process between representatives of relevant public authorities to address domestic violence. The purpose of the Guidelines is to streamline the cooperation between relevant authorities to ensure the protection, safety, and observance of the rights of victims of domestic violence as well as to improve the monitoring of perpetrators of domestic violence, including reducing their abusive behaviour.

The specific objectives of the inter-sectoral cooperation mechanism for assistance and protection victims of domestic violence are:

- 1) ensuring common understanding of the purpose, objectives and principles of assistance and protection of victims of domestic violence.
- 2) ensuring cooperation between the institutions with the powers provided for herein Instruction for the effective protection and assistance of victims of violence in the family.
- 3) determining the role and responsibility of all actors involved in common cooperation platform.
- 4) clear and transparent communication between institutions.
- 5) improving the mechanism for reporting cases of family violence from public institutions, territorial support structures social and/or medical service providers and referral of victims of domestic violence to specialized services or organizations, and in cases of violence against children – informing the local authority.
- 6) the principle of non-discrimination – victims of domestic violence will be treated without discrimination based on sex, race, colour, language, religion, political opinion or any other opinions, national or social origin, ethnicity, wealth, birth, marital status, educational and socio-economic status, disability or any other criterion.
- 7) the principle of confidentiality – confidentiality will be respected at all stages of intersectoral cooperation, with the exceptions provided for herein Instruction.
- 8) the principle of making family aggressors responsible – the aggressor bears liability according to the law for acts of violence produced in the family.

³⁶ Republic of Moldova (2022), State Report addressed to GREVIO, p. 34

- 9) the principle of cooperation and interoperability – the bodies empowered with competences in the field, will intervene promptly, in the field of competence, at every notification about acts of domestic violence and will cooperate in the view establishing all the circumstances of the case, ensuring the protection of the victim and holding the aggressor accountable.

At the operational level of intersectoral cooperation, the responsible institutions for the protection and assistance of victims of domestic violence are:

- ▶ Police.
- ▶ Territorial structures of social assistance.
- ▶ Public medical and sanitary institutions of all types and levels, including community mental health centres.
- ▶ Courts of law.
- ▶ Territorial legal assistance offices guaranteed by the state.
- ▶ Territorial employment structures.
- ▶ Probation offices.
- ▶ Other services/authorities/organizations (to ensure placement or social reintegration of the victim and counselling of the aggressor).

Thus, the intersectoral cooperation mechanism represents all coordinated measures taken for the identification and documentation of cases of domestic violence, case recording and assessment of risks of re-offending, reporting of the cases of domestic violence, referral of victims to relevant services as well as supervision of the enforcement of protective measures, including the electronic monitoring of perpetrators of domestic violence.³⁷

The second positive example of standardisation of operational coordination in the field of combating DV includes the establishment of the *Mechanism for the monitoring and analysis of cases of domestic violence resulting in victims' death or serious bodily harm, to prevent the risk of lethality*. The key element on this mechanism is the Commission for the monitoring and analysis of cases of domestic violence resulting in victims' death or serious bodily harm that was created under the aegis of the Ministry of Internal Affairs, which should play the role of permanent secretariat of the Commission. This Commission represents the coordinating body that should analyse femicide cases and elaborate recommendations for their elimination. The purpose of the Commission is to reduce repeated violence and re-victimisation, provide quality services including perpetrator programmes, as well as to conduct case reviews and analysis.

FAMILY JUSTICE CENTRE (CJF)

In February 2020, the pilot project for the creation of the Family Justice Centre in Moldova (CJF)³⁸ was launched as a model of an integrated approach and intersectoral cooperation of specialists from the police, justice, health, social protection bodies, etc. all under the same roof to ensure access immediate referral of victims of domestic violence and sexual violence to urgent and specialised services. The project is implemented by the Te Doy Foundation, through a consortium of non-governmental organisations, funded by the US Department of State, Criminal Justice and Law Enforcement Division (INL). In October 2020, the Cooperation Memorandum between Te Doy Foundation and Ministry of Internal Affairs (MIA) was signed, whereby MAI is the authority responsible for organising and the creation of the CJF.

The model regulation on the activity of the Family Justice Centre of the police and Minimum Quality Standards were approved by the Government Decision No. 173/2023.

The CJF Moldova will offer people who have survived all forms of violence a full range of services in a safe space. All services, which include provision of emergency medical assistance as well as psychological and legal counselling, will be provided in the same building, and specialists will be present to provide comprehensive assistance to victims of domestic violence and sexual violence 24/7.

37. Item 18 of Guidelines regarding the intersectoral cooperation mechanism in cases of domestic violence, available: https://moldova.unwomen.org/sites/default/files/2022-08/Instructiuni%20mecanism%20intersectorial%20de%20interventie_25.05.%202022.pdf

38. <https://moldova.iom.int/news/moldovas-first-family-justice-center-open-soon>

TRAINING FOR MEDICAL PROFESSIONALS “DOMESTIC AND GENDER-BASED VIOLENCE”

A training manual on domestic and gender-based violence was developed for Moldovan doctors. This was possible thanks to the support of the Women’s Law Center, offered in the framework of the project “Strengthening efficiency and access to justice in Moldova”, implemented by UNDP Moldova with the financial support of Sweden.³⁹

The training manual is intended for medical students, residents, clinicians and teachers at the State University of Medicine and Pharmacy “Nicolae Testemitanu”. The manual contains theoretical information to help doctors and future doctors to better understand the issues of domestic and gender-based violence, to streamline their professional intervention and to ensure that victims’ rights are respected. At the same time, it includes recommendations for documenting the medical act and bodily injuries, on how to assess the risks and other useful materials for the development of doctors’ practical skills. The course “Domestic and gender-based violence”, established in 2018, was recently awarded a silver medal at the European Exhibition of Creativity and Innovation 2022.

39. <https://www.undp.org/moldova/press-releases/training-manual-doctors-domestic-and-gender-based-violence-developed-support-undp-and-sweden>

9. Promising practices implemented on other CoE member states

NETWORK OF VIOLENCE PROTECTION CENTRES – AUSTRIA

Austria has established Domestic Violence Intervention Centres in all nine provinces, to provide proactive, comprehensive support.⁴⁰ These centres are run by NGOs and are fully funded by the State. They offer multi-sectoral services, coordinating with the criminal justice system, police, civil court, health system, social services, women's services, child protection, probation, and CSOs working with specific populations, such as migrants. Intervention Centres take a proactive approach, reaching out via phone to contact victims, who may not seek assistance on their own due to fear or depression. Victims can freely accept or reject offers of assistance. One of the core tasks of the Intervention Centres is to conduct a risk assessment to plan for necessary safety measures in cooperation with the victim, including whether a temporary move to a shelter is necessary in addition to the issuance of a protection order. Intervention Centres provide victims access to legal aid and accompany them in court for legal proceedings. Because escaping situations of violence is almost never a short-term process, Intervention Centres provide for medium and long-term counselling. The Centres contact victims three months after any domestic violence-related intervention. On-going contact facilitates victims calling on the Intervention Centre in case of an emergency and sends an important signal to the perpetrators that the family's case is being monitored. Intervention Centres are also a point of contact for financial aid and housing. They can quickly obtain social welfare assistance for victims financially dependent upon the perpetrators, without lengthy administrative procedures. Social housing is also available, including for immigrants. Anti-violence training for perpetrators is also offered by Intervention Centres, involving weekly group sessions that last 32 weeks. Most of participants do not attend voluntarily, but rather, pursuant to a court order.

NATIONAL OBSERVATORY ON VIOLENCE AGAINST WOMEN – SPAIN

Spain has established a comprehensive organizational framework for combating violence against women.⁴¹ Articles 29 and 30 of the Organic Act 1/2004 on Integrated Protection Measures against Gender-based Violence provide for the establishment of two bodies at the national level: the Government Delegation on Violence against Women (shortened to Government Delegation below) and the State Observatory on Violence against Women. These bodies are charged with performing all the functions arising from Article 10 of the Istanbul Convention. Both bodies established under the legislation named above operate on a high administrative level, under the aegis of the Ministry of Labour, Migration and Social Security. The Chair of both bodies is the State Secretary for Social Services and Equality. The State Observatory is charged with providing expert advice to the Delegation.

The Government Delegation is charged with developing policies and with coordinating the relevant bodies to ensure effective policy implementation. It receives an annual budget of approximately 26 million Euros

40. https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2019/05/Bosnia%20and%20Herzegovina%20domestic%20violence/Good%20practices_ENG_final_compressed.pdf

41. <https://rm.coe.int/article-10-eng/16809eefb2> and https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2019/05/Bosnia%20and%20Herzegovina%20domestic%20violence/Good%20practices_ENG_final_compressed.pdf

and maintains approximately 30 staff. It is responsible for the drafting of government policies on violence against women, and co-ordinating and promoting all actions taken in this area. It is also responsible for generating specialized, harmonized statistics across all involved ministries with the support of the National Institute of Statistics.

The State Observatory on Violence against Women whose functions and role within the co-ordinating mechanism were further elaborated in the royal decree (253/2006) is a collegial body and has two rotating vice Chairs: one representing one of the 17 governments and autonomous communities in Spain; the other, an NGO representative. The State Observatory meets once or twice annually, including all the ministries, regional governments, CSO representatives and scientific experts. State Observatory members form working groups to address specific concerns, produce reports about developments and evaluate the measures and policies implemented. It also issues annual reports.

INTER-AGENCY COOPERATION – ALBANIA

In Albania, Coordinated Referral Mechanisms (CRMs), a centrepiece of the country's co-ordinated multi-agency response to violence against women, are now established in all 61 municipalities and are mandated to identify and provide support in respect of other forms of violence against women, beyond domestic violence. They operate at the municipal level and bring together a wide array of representatives from the relevant authorities and civil society that compose a team of community professionals who have institutional responsibility to respond and address the various needs of survivors of domestic violence.

CRM is composed of three inter-linked structures:

1. Steering Committees (SC) representing relevant institutions at local level led by mayor of LGU,
2. Multidisciplinary Technical Teams (MTT), whose members are appointed by SCs and are technical representatives of SC member institutions and
3. Local Coordinator for Domestic Violence (LCDV) who leads and coordinates the work and services of MTTs to refer and respond to cases of domestic violence at local level.

The CRM functions based on a coordinated multi-sectoral approach and is composed of a network of local institutions, such as the municipalities, the police, the courts, prosecutor's offices, the bailiff service, forensic experts, health care, education, and employment services, the state social service, social care services, civil society organisations providing specialised support services, etc. Each of the institutions/organisations involved in the CRM structure, appoints an expert to the Interdisciplinary Technical Team responsible for the direct management of cases of domestic violence and violence against women. The Local Self-Government Units (municipalities) are in charge of setting up their CRM and appointing the Local Coordinator, which is a full-time position. A new DCoM regulating the functioning of the CRMs was adopted in June 2021, which contains more extensive references to the Istanbul Convention and addresses all forms of violence against women.

Importantly, the establishment of CRM's has contributed to the development of a national online data collection system for violence against women and domestic violence cases. Information about reported cases and their management within the CRM is held in an electronic system, which is now operational in all 61 municipalities in the country and regularly updated by the LCs.

10. List of references

Group of Experts on Action against Violence against Women and Domestic Violence. (2022), *Report of the Republic of Moldova on the Implementation of the Council of Europe Convention on Combating Violence Against Women and Domestic Violence*, Council of Europe, available at: <https://rm.coe.int/state-report-on-moldova-grevio-inf-2022-23/1680a86207>

United Nations Development Programme. (2020), *Local Action to End Gender-based Violence in Moldova. Summary Brief*, The Government of the Republic of Korea, available at: https://www.undp.org/sites/g/files/zskgke326/files/publications/undp-md_Local_Action_to_End_Gender-based_Violence_in_Moldova.pdf

Women's Law Center, UN Women Moldova and World Health Organisation. (2016), *Report on Costing of Domestic Violence and Violence Against Women in Moldova*, UN Women, available at: <https://moldova.unwomen.org/sites/default/files/Field%20Office%20Moldova/Attachments/Publications/2016/Report%20Costing%20of%20Violence%20-%20EN.pdf>

National Coalition "Life without Violence". (2023), *Implementation of the Istanbul Convention in Moldova. Shadow Report of women's NGOs*, Republic of Moldova

Lutenco A. and Fomina T. (2017), *The Functioning of the National Referral System for the protection and assistance of victims and potential victims of trafficking in human beings (NRS) in the Republic of Moldova. Lessons learnt and perspectives*, International Organization for Migration, available at: https://moldova.iom.int/sites/g/files/tmzbd1626/files/documents/NRS_function_english.pdf

Andrasek V. and Vilcu N. (2020), *Advancing towards the ratification and implementation of the Istanbul Convention: good practices from states parties*, Council of Europe, available at: <https://rm.coe.int/good-practices-in-the-progress-of-ratification-en/16809feffc>

GBV Sub-Working Group. (2022), *Legal Framework Analysis for Mandatory Reporting on Gender-Based Violence in Moldova*, United Nations Population Fund, available at: <https://www.unhcr.org/md/en/16083-16083.html>

Group of Experts on Action against Violence against Women and Domestic Violence. (2022), *Mid-term Horizontal Review of GREVIO baseline evaluation reports*, Council of Europe, available at: <https://rm.coe.int/prems-010522-gbr-grevio-mid-term-horizontal-review-rev-february-2022/1680a58499>

Perevoznic I., Țurcan A. and Rusu L. (2019), *Raport De Analiză. A compatibilității legislației Republicii Moldova cu prevederile Convenției Consiliului Europei privind prevenirea și combaterea violenței împotriva femeilor și a violenței domestice*, UN Women, available at: <https://moldova.unwomen.org/sites/default/files/Field%20Office%20Moldova/Attachments/Publications/2020/CDF%20Raport%20compatibilitate.pdf>

Lori M. (2019), *Good Practices in Responding to Domestic Violence: A Comparative Study*, UN Women, available at: https://eca.unwomen.org/sites/default/files/Field%20Office%20ECA/Attachments/Publications/2019/05/Bosnia%20and%20Herzegovina%20domestic%20violence/Good%20practices_ENG_final_compressed.pdf

Organisation for Security and Co-operation in Europe. (2019), *Well-Being and Safety of Women*, UN Population Fund, available at: <https://www.osce.org/secretariat/424979>

UNICEF Evaluation Office. (1991), *A UNICEF Guide for Monitoring and Evaluation: Making a Difference?*, available at: https://b2315f08-09cf-4a7a-b224-5b9df6403e51.usrfiles.com/ugd/b2315f_3ff09db365cc4511b43e22d7df232a12.pdf

Panico C. (n.d.), *Alternative Report on measures giving effect to the provisions of Council of Europe Convention on preventing and combating violence against women and domestic violence*, National Human Rights Institution, available at: <https://rm.coe.int/alternative-report-submitted-by-the-national-human-rights-institution-/1680aabe28>

OECD. (2007), *Organising the Central State Administration: Policies & Instruments*, SIGMA Papers, No. 43, OECD Publishing, available at: <https://doi.org/10.1787/5kml60q2n27c-en>

UN Women. (2023), *Assessment of the Functionality of the Multidisciplinary Teams in Cases of Violence*, UNICEF

www.coe.int

The Council of Europe is the continent's leading human rights organisation. It comprises 46 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.