

STOP VIOLENCE NEWSLETTER

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WOMEN'S
LAW CENTER

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Quarterly newsletter lists the activities of the Women's Law Center in the field of preventing and combating domestic violence and violence against women within the period of January - March 2017.

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Training Monitors for Courts to Work Better



From 30 January to 1 February of this year, the Women's Law Centre conducted a training for the persons who will monitor and document how court proceedings take place in cases of domestic violence and trafficking in human beings, which is a first-time experience for the civil society.

The theoretical aspects and key-terms in the area of domestic violence and trafficking in human beings were introduced at the be-

ginning of the training, which was followed then by an analysis of particular cases and situations that one could encounter in court.

The international experts Cheryl Thomas, founder of Global Rights for Women, and Amy Lauricell, Staff Attorney at the same organisation, shared the best practices in this field. The participants had the chance to learn first-hand what is the court monitoring practice like in the USA and what an efficient response of the

system in court proceedings involving domestic violence and human trafficking cases is, in a way that it can be called transparent and democratic.

Court monitoring will last for about nine months. Experts' findings and recommendations will be aggregated and laid down in a report that the WLC intends to publish by the end of the year.

The Court Monitoring Project in Moldova is supported by the Embassy of the United States of America.

Participants' Feedback on the Training:

"I understood at the training how bad the issue of domestic violence is. The statistics we saw cannot leave one unmoved. This project gives us the chance to participate in activities that can boost the efficiency of courts. This is a well-thought-out exercise that includes both theoretical aspects and role playing. Our participating in the training means that the civil society, including lawyers, cares. We all want true justice."





Mariana Sargarovschi, legal adviser and teacher at Moldova State University.

“This was a useful training because we had the chance to learn about international practices in the area of monitoring. We can learn from others’ mistakes and do better. I believe I’ll find it interesting to watch, observe and remark the behaviour of each actor, what they were supposed to do, how the rights of each of the parties were respected. I hope it turns out to be an exercise that will lead to improvements, including improvements to the legislation”. **Rodica Savciuc, participant in the training.**

“The training was very well prepared. Practical matters were addressed, the legislation was referred to and also the issues that the actors involved in the justice system deal with were discussed too”. **Ion Lunca, participant in the training.**

International Experts’ Impressions

Cheryl Thomas, Founder of Global Rights for Women

“We founded in 1992 in Minnesota the first non-governmental organisation in the USA specialising in court monitoring. Similarly with what we are doing now in Moldova, we trained persons to assist in court proceedings. Hundreds of monitors were going to court to observe how the trials took place. Some of them were doing it voluntarily. We found both gaps and good response practices of the system in both criminal and civil cases of violence. Violence is indeed a universal problem, but sometimes it is challenging for the system to take efficient actions in cases of violence involving intimate partners or in cases of sexual violence. We try to identify where can the system respond better, we make recommendations on improvements and we work together, not against the system. It is important to monitor courts to make sure that everything works transparently, that the justice system is accountable to citizens and that it does not disregard citizens’ interests.”

Amy Lauricell, Staff Attorney at Global Rights for Women

“The purpose of this training was to provide detailed and useful information to future court monitors. The participants were well-prepared, involved, dedicated, well-informed and they understood quickly the aspects of this process. A monitor must be objective, incorruptible, must not interrupt the court proceedings, but learn from what they see. Monitors must be vigilant and insightful enough to document what can be improved, what are the gaps of the system that can affect the trial. They do not monitor how the victim is being treated, but how the rights and the procedures of the both parties are observed.

I was a monitor too when I was a student. What I have learnt and observed in courts one cannot learn from books. I found my observations useful when I started working as a lawyer. I knew how to better defend my client, I new that I had to prepare the client for trial.”

Organisations Working in the Area of Domestic Violence Made the National Strategy to Prevent and Fight Violence Against Women and Domestic Violence Available for Public Consultations



Representatives of the civil society, of the Ministry of Labour, Social Protection and Family, alongside the international community and domestic violence survivors participated in public consultations on the 2017-2022 National Strategy to Prevent and Fight Violence Against Women and Domestic Violence.

During the two days of discussions, four key-pillars of the Strategy were analysed: Protection, Prevention, Prosecution and Integrated Policy. These are the conceptual benchmarks of the Istanbul Convention, a document that is to be ratified soon by Moldova as well.

“This exercise is the first attempt of the Government to strategically address the phenomena of violence

against women and domestic violence. The expectations are high, but we need to be realistic and to plan our actions step by step”, said Lilia Pascal, Head of the Gender Equality Policy Division of the Ministry of Labour, Social Protection and Family.

The action plan and the measures proposed to improve the response of the system to acts of violence were analysed by working groups. The final purpose was to provide a set of recommendations to improve the initial draft of the Strategy.

“This is the first consultation and we want to try out ideas and under-

stand whether we are on the same page. As soon as we get all the recommendations of the participants, we'll be able to estimate every action's implementation cost”, clarified Angelina Zaporozjan-Pirgari, Director at Women's Law Centre.

In the same train of thoughts, Eduard Mihalas, Analyst on Population and Development and Gender at UNFPA Moldova said that “Stereotypes can be broken only by taking long-term action and by involving all relevant ministries. The Ministry of Education plays a key-role alongside the Ministry of Labour, since we must help children understand the importance of a non-violent behaviour when they are still in school.”



The strategy represents the systemic vision of how to reform this field and ensures the implementation of the new amendments proposed in the context of harmonization of the legislation with the Istanbul Convention. The need to develop this document ensued from the last recommendations made to the Government of the Republic of Moldova in 2016, on the basis of the report on the Periodic Universal Review of human rights.



The Good Activity Practices of the Women's Law Centre were Shared at International Level

The experience of the Women's Law Centre in facilitating women's access to justice, but also the main system issues it had to deal with were mentioned by Angelina Zaporozjan-Pirgari, Director at WLC, at the *"Improving Women's Access to Justice in Five Eastern Partnership Countries"* international conference, which took place in February in Strasbourg.

In the plenary session, the role of Moldova women's human rights organizations in improving the access of female victims of violence to justice was discussed. The role of law professionals in improving women's access to justice was highlighted, and the specific training needs of these professionals were also enumerated.

The Women's Law Centre activity is given as an example to follow in terms of:

- training specialists in justice and multi-disciplinary teams;
- organizing trainings on the effi-



cient response of the police and of the justice system in cases of domestic violence;

- monitoring how police responds and developing tools to identify the risks that the victims are exposed to;
- ensuring access to justice;
- taking holistic measures in cases

involving women subject to domestic violence.

The Gender Equality Commission of the Council of Europe included these activities in a set of best practices to reduce obstacles and facilitate the access of women to justice. These activities are implemented by the member states.

The Emergency Restraining Order Entered Into Force

Recently, the Procedural Guidelines for Police Interventions in Preventing and Combating Cases of Domestic Violence entered into force. This means that the police – once informed by the domestic violence victim – can take measures immediately and get the abuser out of the common home. The guidelines include a detailed description of how the emergency restraining order is to be issued in cases of domestic violence. The mechanism to assess risks of domestic violence cases and the supervision of the emergency restraining order enforcement are also described. Enforcing an emergency restrain-

ing order grants the victims of abuse more protection. So far, the victims

had to wait for days or even weeks for the restraining order to be issued.



We Showed Solidarity by Dancing to say NO to Exploitation and Violence Against Women



This year, Moldova participated for the first time in the One Billion Rising campaign, the most ample mass action in the world targeting violence against women.

The Women's Law Centre team joined the other members of the "Life Without Domestic Violence"

National Coalition and danced to express thereby their protest against all forms of violence. We danced together hoping for a violence-free world and life.

Using art as a strong resistance and protest tool, the participants in the event – among which employees

of the General Police Inspectorate, representatives of the international community, mass-media, volunteers and supporters – pushed stereotypes away and danced to express their freedom and the joy of being part of a supportive society that supports you, that cares, where violence will become one day unthinkable of.



The "Life Without Domestic Violence" National Coalition organized this event to ring the alarm about the exploitation and violence that women all around the world are subjected to.

Although we live in the 21st century, the statistics show that worldwide, one woman out of three is beaten or raped at one point in her lifetime. Considering that world's population is now about 7 billion – more than a billion women and girls suffer.



The Assistance that the Women's Law Centre Provides to Domestic Violence Victims

From January to March 2017, WLC provided legal and psychological assistance to 99 women, victims of domestic violence. The WLC team provided support in obtaining the restraining order and represented the victims in civil and criminal cases.

Physical violence was found in 91 cases, psychological violence – in 99 cases, economic violence – in 45 cases, and sexual violence – in 6 cases. Most of the women who sought WLC are between 25 and 44 years of age. In 90% of cases the aggressors are the cohabitants, husbands or ex-husbands. The number of children assaulting their parents that they live together with is still small but, nevertheless, alarmingly increasing.

The provided assistance:

- In 77 cases, primary legal aid was provided: drafting applications regarding protection measures, drafting divorce applications, applications regarding compensation for moral and material damages caused by the offences, etc.;
- As many as 14 restraining orders were issued;
- 22 victims continue to be provided with skilled legal aid, their interests being represented in criminal and civil trials by the WLC lawyers;
- 46 victims were provided with psychological rehabilitation advice, while 10 domestic violence victims were included in a support group to overcome the crisis period;

The victims sought WLC after having been told to do so in court, police inspectorates, by lawyers, psychologists, maternity centres, “Casa Marioarei” NGO, as well as upon the recommendation of acquaintances, former WLC beneficiaries or the internet.

The Guidelines for Health Care Specialist Regarding Their Efficient Response in Cases of Violence Against Women were Approved



CENTRUL DE DREPT
AL FEMEILOR

GHID

pentru specialiștii din sistemul de sănătate
privind intervenția eficientă în cazurile
de violență împotriva femeilor



The Ministry of Health (MoH) approved by Government Decision the *Guidelines for Health Care Specialist Regarding Their Efficient Response in Cases of Violence Against Women*. The guidelines, which were developed by the Women's Law Centre in partnership with the MoH, contain both the theoretical and the practical aspects of health care workers' intervention in settling gender-based violence cases.

The reasoning underlying these guidelines is that abused women often seek medical care without telling that they've been subjected to aggression or other acts of violence. The surveys show that

women would trust health care workers more and would be willing to talk to them about the act of aggression. To this end, health care workers are in that exclusive position to intervene, provide medical care, vital information and appropriate support in critical situations.

The guidelines provide, in a way that is easy to understand, information to comprehend better the nature and dynamics of gender-based violence, to raise awareness among the health care workers about quick and case-specific response.

Trainings for a more Efficient Multi-Sectoral Response to Domestic Violence Cases



On 16 February of this year, the Women's Law Centre organised a training on best practices in terms of response to cases of domestic violence for police officers and social workers from Ialoveni district. The police response model in the context of the new legislative amendments was discussed and the efficient collaboration of the police with social workers was analysed. The participants also talked about a few domestic violence cases and said what they think needs to be done to help a victim.

“By our efforts, we must help victims, guide them to solutions.

The fact that a victim came to us is already something. It is our duty to provide support. One can hardly find a family where there is no domestic violence. Sometimes we witness cases of abuse unintentionally. Together we can be more efficient, we can spot the gaps in the system and remodel the legislative acts. It is important that after this training you are informed, able to reproduce the response model from Ialoveni in other parts of the country too.” said Anatolie Dimitriu, President of Ialoveni district, in his the opening speech.

Besides that, Angelina Zaporo-

jan-Pirgari, Director of the Women's Law Centre, specified that every actor involved in domestic violence cases has a key-role. “Violence does not disappear by itself. Our efforts must target prevention. School plays an important role, as well as police, social workers, doctors – all of them can prevent cases in which it might otherwise turn out to be too late. It is the duty of each and every one of us to take action to stop violence”.

As a number of training needs were identified, the Women's Law Centre will go back to Ialoveni in the near future to conduct other trainings.



Moldova Signed the Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence



On 6 February 2017, the Republic of Moldova signed in Strasbourg the Council of Europe Convention on Preventing and Combating Violence

Against Women and Domestic Violence. Once the Convention is ratified and enters into force, Moldova will have the obligation to

comply with its provisions.

The Governments that ratified the Convention commit to ensure there are services to protect victims and their children, as well as to provide refuge, round-the-clock hot lines, legal advice and medical care, and to create a mechanism for domestic violence victims to receive compensations.

The Istanbul Convention is the first legally binding document at the European level for preventing, investigating and punishing violence against women and domestic violence. Moldova is the 44th state to sign the treaty.

The Women's Law Centre was Included on the List of the 2% Recipients

From January to April 2017, individuals paying income tax will be able to direct 2% of the tax paid to the state, to a non-governmental organization conducting public benefit activities and contributing to changes in the community or in the society as a whole.

To designate 2% of one's income tax amount accrued and paid to the budget for 2016, the individual must do the following:

1. pay income tax on time (until 30 April), where such taxes must be paid;
2. submit to the tax authority the Income Tax Return no later than 30 April 2017;
3. choose one single recipient from the list of entities that can receive these 2%, which is avail-



able on the website of the Ministry of Justice;

4. put down the state identification number (IDNO) of the desired recipient;
5. fill in the Individual Income Tax Return;
6. introduce in the "Percentage Designation" field the tax identification number (IDNO) of the recipient.

The Women's Law Centre is registered the 396th with the Ministry of Justice on the list of entities entitled to receive the 2% and can receive your contribution to continue its activity to support women victims of domestic violence by providing legal and psychological services, and in some cases – economic rehabilitation services for our beneficiaries.

Domestic Violence and Women in the Rusca Penitentiary: Past, Present and Future

"I never had my father's love, I never learnt what fatherly love is like. I only had a mother that I still have... (cries). It is painful indeed. I got married when I was 14 and gave birth to my daughter at 15. My father used to drink, beat my mother. We would go to sleep dressed up and with our shoes right next to the bed... Even on cold days we would run away and sleep wherever we could. We've slept in tractor trailers, pig sties... holding my daughter. When we slept there, I remember my mother bringing soup stealthily for us to eat. I was there with my daughter. My father caught her doing that and beat her. We would go around asking people whether they had work for us to do and earn ourselves something to eat, a warm place to sleep... He was inhuman... I cannot find the words to define him. I want to say something good about him, I try to find something good, but I can't... He is my father..." — "Was he an alcoholic?"

"Yes. He would bring women we didn't know at home, sleep with

them. He would beat mom. He would tell me (his daughter) – 'Take your offspring and go away (foul language)'. We had a house, not a very nice-looking one. He kicked my daughter so hard that it sent her flying... She was only one year and a half and he kicked her..."

These are testimonies of women in Rusca penitentiary, who participated in the latest anthropology survey conducted by the Norwegian Expert Mission of Rule of Law Advisers to Moldova (NORLAM), launched this year in March. The survey contains prisoners' flashbacks into the past, showing that almost 50% of the women suffered violence before their sentencing. During childhood and adolescence, the father is most often the physical, verbal and sexual abuser, while later in life – the husband or partner abuses the victim.

The data analysis revealed that out of the 129 women who experienced domestic violence, 109 were sentenced for violent crimes against



their husbands/partners, against one of their parents or against another person. The interviewed women said that the acts of violence they were put through left them with a number of physical traumas like bruises, injuries, broken bones, head injuries, miscarriages, etc. From the emotional and psychological point of view, such experiences trigger depression, anxiety, phobias, post-traumatic stress.

During 2017, the Women's Law Centre will implement a project for the women staying in the penitentiary, to provide them the legal and psychological aid they need. This project is supported by the Swiss Agency for Development and Cooperation.

Domestic Violence Victim, Discriminated Against on Grounds of Gender

The Council on Prevention and Elimination of Discrimination and Ensuring Equality delivered a decision whereby it establishes a presumption of discrimination on grounds of gender and single mother marital status in equal protection of the law. This is about a decision pronounced in the case of Nina Mindru – beneficiary of the Women's Law Centre – who, although ill-treated by her partner, was not protected by the relevant authorities, and neither were her children.

The WLC provided her legal aid and managed to prove that "The single mother marital status and the impossibility to stand up to the violence

of the former partner, the inconsistency of the protection measures taken by the relevant authorities lead to the fact that the petitioner – a domestic violence victim – was not provided effective protection".

It was also found that the action – or, rather – the inaction of the Rezina Police Inspectorate, of the prosecutor, of the social assistance, represent gender-based discrimination to equal protection of the law and discrimination on grounds of single mother marital status.

The inaction of the relevant authorities, through the lens of the Law on Ensuring Equality, attests that avoiding to hold the aggressor crimi-

nally liable gives a feeling of tolerance to the deeds of the aggressor, which made the petitioner feel discriminated against. The Council highlighted that the law is not equally used for protection when the system focuses more on protecting the rights of suspects charged with committing acts of domestic violence and less on actually granting victims' rights, which encourages aggressors to do again what they did.

The decision of the Council on Prevention and Elimination of Discrimination and Ensuring Equality is available on: https://www.egalitate.md/media/files/files/draft_decizie_constatare_498_2016_expeditat_3737888.pdf

NEWS IN BRIEF

This year we intend to inform as many persons who may need the support of our organization as possible about the activity of the Women's Law Centre. To this end, we started to collaborate with the Novateca Project in order to distribute to more than 1040 public libraries across the country a set of informative materials about domestic violence and guidelines meant for specialists to prevent and respond efficiently to cases of domestic abuse.



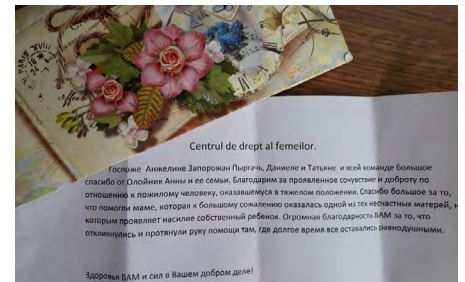
A wonderful collaboration also started with one of the most popular

websites dedicated to our target group – www.mama.md, where we have the possibility to post useful information for domestic violence victims and also to share success stories in which the Women's Law Centre was maximally efficient. We hope that these collaborations will allow us to get even closer to our beneficiaries and provide the help they need.



The Women's Law Centre shared its experience of work with domestic violence victims at a meeting organised by the Ciocana district Child Protection Division. The possible future

collaboration through organization of trainings for specialists involved in domestic violence cases was also discussed.



There is no stronger motivation than the thought that what you do can make someone's life better. All of it make us feel even more determined to do our job, work tenaciously every day to help women experiencing domestic abuse.

WORLD NEWS

Women's March Global Promoting Gender Equality



"Women's rights are human rights and human rights are women's rights" – this is how the Women's March Global begins. This demonstration took place in the United States and in 66 other countries, among which are Poland, the Czech Republic, Spain, the Great Britain, France, Norway, Hungary and the Saudi Arabia.

More than one million people

joined the protest and demanded for human rights to be observed, urged for tolerance for minorities, advocated for access to contraception and family planning, for the protection of the environment and for receiving refugees.

This movement is an answer to Donald Trump's statements, who made a number of offensive remarks about women, migrants and persons with disabilities during his election campaign, which made many minorities feel insulted and threatened.

No Action is Taken to Stop Femicide

On the eve of 8 March, the European Cooperation in Science and Technology association published a press release expressing its concern with the fact that not enough is done to stop femicide, although in

2013, more than 30 European countries made the commitment to fight against this phenomenon.

"Femicide is the main cause of girls' and women's premature death worldwide. In 70% of the cases, the murders were committed by victim's intimate partner or by family members who decided to "save the honour" of the victim, says the press release.

To put femicide on the public agenda, the Association initiated the first discussions on the matter of femicide in a number of European parliaments. Some states draft reports on the situation of women experiencing domestic violence, recounting stories of murdered women and what happens to their aggressors' conviction files.



Who are we?

Public Association "Women's Law Center" (hereinafter – WLC) is a non-governmental organization, established in 2009.

The purpose of WLC is to ensure women's rights from gender perspective, both in the process of elaboration and implementation of the law.

WLC carries out activities aimed at preventing and combating domestic violence, provides direct legal and psychological assistance to the victims of domestic violence. WLC advocates for equal opportunities among men and women in public and private life, is a credible partner of the government and civil society and participates in elaboration of public policies.

WLC ensures Secretariat of the National Coalition „Life without Domestic Violence (hereinafter National Coalition). National Coalition comprises 18 non-governmental organizations and public institutions active in preventing and combating domestic violence and violence against women.

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Rule of Law Institutional
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