

# STOP VIOLENCE NEWSLETTER

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WOMEN'S  
LAW CENTER

The Quarterly newsletter No. 3 (2015)

The newsletter contains the information on the activities of the Women's Law Center in the field of preventing and combating of domestic violence and violence against women, pursuant to the period of July-September 2015

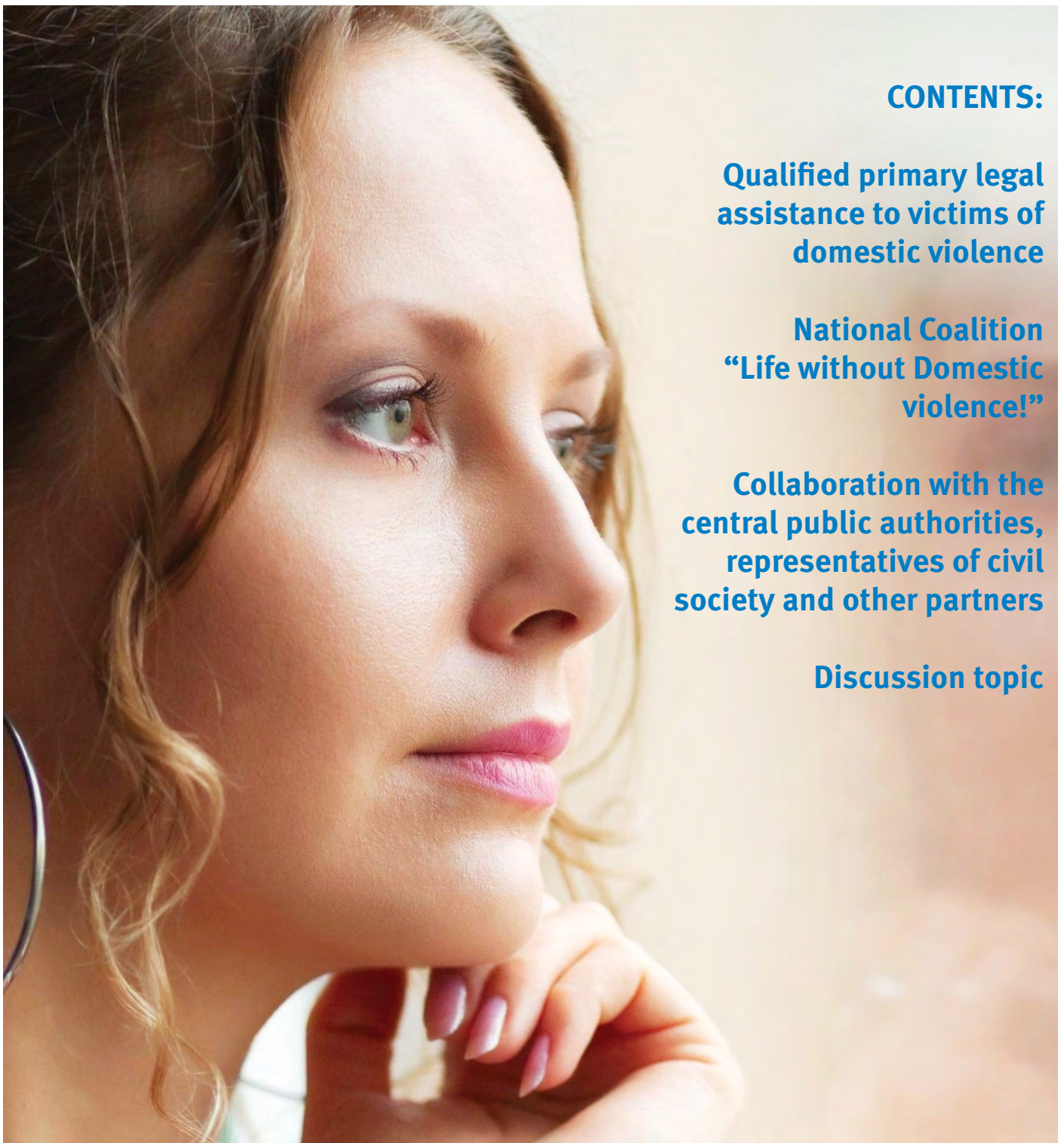
## CONTENTS:

**Qualified primary legal  
assistance to victims of  
domestic violence**

**National Coalition  
"Life without Domestic  
violence!"**

**Collaboration with the  
central public authorities,  
representatives of civil  
society and other partners**

**Discussion topic**



## Who are we?

### GENERAL INFORMATION:

The Women's Law Center is a non-governmental organisation, created in 2009 by a group of women-lawyers from the Republic of Moldova, which advocates for equal opportunities for men and women and contributes to preventing and combating of domestic violence and violence against women.

We are involved in the process of adjusting the national legislation framework to international standards and advocate for recognition, respect and defending of the women's rights as human rights. We render direct, free of charge and confidential legal aid (legal counseling, representation in court and psychological assistance) and offer support to women who succeeded to break the cycle of violence and started a new life.

We're a member of the National Coalition „Life without domestic violence!”, which comprises 18 organisations active in the field of preventing and combating of domestic violence and also hold the Coalition's Secretariat.

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**OAK**  
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#### CONTACT INFO:

WOMEN LAW CENTER  
Sfatul Țării 27 street, office 4  
MD 2012, Chișinău,  
Republic of Moldova

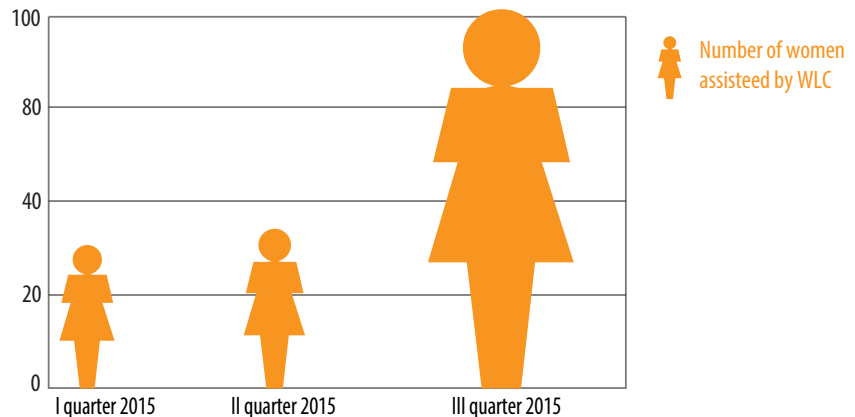
**Tel/fax:** (+373) 22 237 306

**Mobile:** (+373) 68 855 050



## Primary and specialised legal aid rendered to victims of domestic violence

**The three-fold increase of the number of women, victims of domestic violence which have accessed Women's Law Center for legal aid and help**



During the period of July-September 2015, the lawyers of the Women's Law Center rendered assistance to **105** women, survivors of domestic violence, which is a number three times higher when compared to the prior period of April -June 2015.

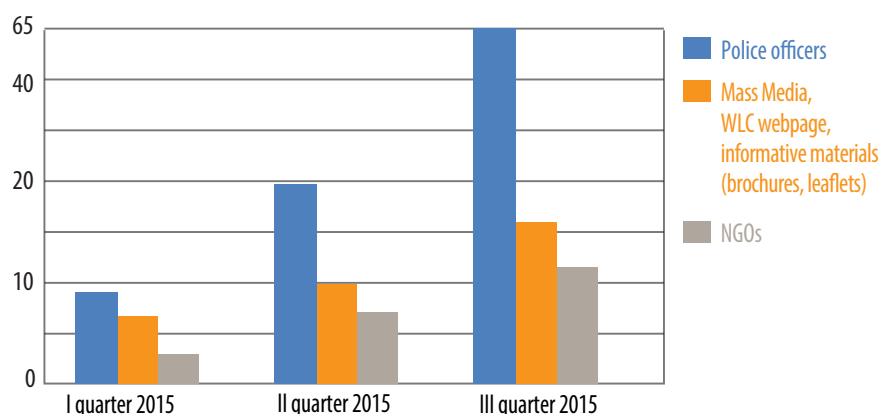
**48** women received urgent primary legal aid and namely, assistance in filing divorce petitions in

court, requests for establishing by the court of the child domicile and alimony, partition of property and filing of requests for obtaining a protection order.

The majority of aggressors are spouses, former spouses and concubines of the women. In all cases, minors were victims of violence or witnesses to violent scenes.

The increase in the number of police officers, sensitized to the phenomenon of domestic violence is also the result of the partnership agreement signed between the Women's law Center and the Police Inspectorate of Ciocana and Rîșcani city districts

of the Police Directorate of Chisinau municipality in the field of preventing and combating domestic violence.



# Why the protection order is not always an efficient measure to ensure the victims' protection?

The protection order, envisioned in the Law No. 45 and the Civil Procedure Code is a set of measures which ensure victim's protection against the aggressor, issued by a court of law within maximum 24 hours from the moment the request was filed, and contains a series of measures, including the obligation of the aggressor to leave the joint residence.

The analysis of the decisions issued by the courts of law regarding the refusal to issue protection orders reveals that the main arguments for the refusal are the insufficient evidence and that the domicile is owned by the perpetrator. The obligation of the aggressor to leave the living premises temporarily, in case he is the owner of the real estate, in most cases serves as the grounds for the refusal of the court of law to issue a protection order, despite the fact that the ECHR decisions against the Republic of Moldova state expressly that the right to bodily integrity and the right to life are superior to the property rights, and in cases of domestic violence the property rights of the aggressor shall not replace the right of the victim to life and physical and psychic integrity.

The enforcement of the protection order is also difficult in the



situation when the aggressor refuses to leave the living premises. On one hand, police officers do not want to be accused of the violation of domicile, on the other hand, the procedure for application of the contravention offence for the violation of the protection order takes longer than the term of the action of the protection order itself. Similarly, because the issuing of the protection order is in the jurisdiction of the court of law and the procedure requires time and a minimum of evidence, it cannot be obtained at the moment when emergency evacuation of the aggressor from the house is needed.

In this case, the authority of police to issue emergency restrictive

orders for a certain term would result in offering real and immediate protection to the victims of domestic violence and would supplement the protection measures of the victim with respect to immediate police intervention to eliminate the aggressor from the living premises.

To ensure the victim's protection, the draft law in the field of preventing and combating domestic violence, elaborated by the Ministry of Labor, Social Protection and Family envisages strengthening the mechanism of responding to acts of domestic violence and ensuring respect for the rights of the victims of crimes, including by setting up the mechanism of issuing emergency restrictive orders.

*Violeta Andriută, defense attorney of the Women's Law Center*



**Women are the only oppressed group in our society that lives in intimate association with their oppressors.**

— EVELYN CUNNINGHAM



# The National Coalition „Life without domestic violence!”

## How much longer does it take for the draft law on amending a series of legislative acts in the field of preventing and combating domestic violence to be approved?

In September 2015, the draft law on amending a series of legislative acts in the field of preventing and combating domestic violence was returned by the State Chancellery to the Ministry of Labor, Social Protection and Family for additional examining. To argument this decision, the Chancellery noted there were negative informative notes provided by the Ministry of Finance and the Ministry of Justice. which objected specifically to

introduction of the emergency restrictive order.

18 non-governmental organisations, members of the National Coalition „Life without domestic violence”, have addressed a letter to Mr. Valeriu Strelet, the Prime Minister of the Republic of Moldova, requesting a meeting to discuss the repeated tabling of the draft law. Further, within the Public Forum „Partnership for a Prosperous and Inclusive Moldova: women do matter!”, organised on 31 March 2015, the leaders of the parliamentary parties have promised to support the urgent adoption of this draft law, however this promise has not been honored to present.

Although the adopting of the

draft law is a necessary condition for signature and ratification of the Istanbul Convention, the promotion of the draft law which aims towards aligning of the national legislation to the international standards in the field of preventing and combating domestic violence has lasted more than three years. In the opinion of the Coalition members, the returning of the draft law for additional examining would result in further tabling of the draft law.

### Note:

*The National Coalition „Life without domestic violence” benefited from the assistance and support of the OAK Foundation.*



The monitoring the implementation of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) by the Parties is done by GREVIO which is the independent expert body.

GREVIO will draw up and publish reports evaluating legislative and other measures taken by the Parties to give effects to the provisions of the Convention. In

cases where action is required to prevent a serious, massive or persistent pattern of any acts of violence covered by the Convention, GREVIO may initiate a special inquiry procedure. GREVIO may also adopt, where appropriate, general recommendations on themes and concepts of the Convention.

More about GREVIO:

<http://www.coe.int/en/web/istanbul-convention/grevio>

On 26th of June 2015, Romania has signed the Convention of the Council of Europe on preventing and combating violence against women and domestic violence (Istanbul Convention). "Pursuant to this occasion, the Ministry of Labor, Family, Social Protection and Elderly Persons, Mrs. Rovana Plumb stated that "The signature of the Istanbul Convention is a natural step, made by the Government of Romania in order to offer support to the victims of domestic violence. Millions of women are subjected to this phenomenon, which I shall not hesitate to define as criminal".

# Cooperation with central public authorities, representatives of the civil society and other development partners

**Impressive results of the partnership established between the Women's Law Center and Police Inspectorates of Cio-cana and Rîscani districts of the Police Directorate of the Chisinau municipality**

On 16 September, the Women's Law Center has organized a roundtable to present the results of the project "Enhancing the efficiency of the police intervention in cases of domestic violence and enforcement of the protection orders in the Republic of Moldova by development and piloting of a monitoring mechanism in two pilot rayons".



At this event, the Women's Law Center presented the Practical Guidelines for the police intervention in domestic violence cases (hereinafter, the Guidelines), elaborated by the Women's Law Center in partnership with the Police Inspectorates of Cio-cana and Rîscani districts of the Police Directorate of Chisinau municipality, the National Council for State Guaranteed Legal Aid and General Department of Social Assistance of the Chisinau Municipal Council, with the financial support of the SOROS Foundation from Moldova and OAK Foundation.



The Guidelines contain three parts which refer to the phenomenon of domestic violence through the gender equality perspective, the practical response of the law enforcement bodies to cases of domestic violence and also contain a brief review of the relevant domestic violence cases which have been examined by ECHR, case studies and forms of procedural acts.

Based on the statements of Mrs. Angelina Zaporozhan-Pirgari, the President of the Women's Law Center, the Guidelines are addressed to police officers, responsible for preventing and combating domestic violence cases and is a working tool which shall contribute both to raising the awareness of police officers to domestic violence cases and to an improved level of knowledge by police officers of the national legislative framework and international standards and best practices.

The Guidelines for efficient response of police to cases of domestic violence may be accessed here:

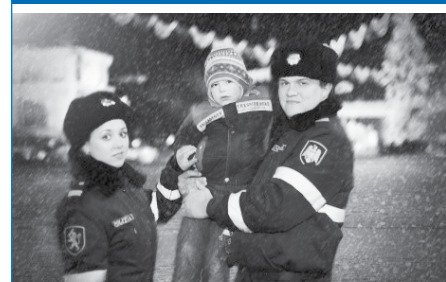
<http://cdf.md/rom/resources>



CENTRUL DE DREPT  
AL FEMEILOR

## GHID PRACTIC

privind intervenția eficientă a poliției  
în cazurile de violență în familie





## OTHER NEWS

**Women's Law Center, jointly with other 50 active civil society organisations throughout the country, reunited for the seventh edition of the NGOs Fair, organised on 25th of September in the municipality by FHI 360 and USAID.**

During the event, the WLC team presented the mission and activities of the organization and disseminated relevant information about domestic violence and the rights of the victims of domestic violence. Also, the lawyers of the Center explained to interested persons the measures for protection and services which are provided by the Women's Law Center to the victims of domestic violence and other forms of violence.



During the period of July-September, the Women's Law Centre participated at several meetings of the multi-disciplinary team from Ciocana district, at which domestic violence cases from district have been examined. The Women's Law Center requested to be included into the panel of

the multi-disciplinary teams of Ciocana and Riscani districts as representatives of the civil society in compliance with the Regulation on the activity of territorial multi-disciplinary teams within the National Referral System. Thus, the multi-disciplinary teams consist of the representatives of the City Hall, Police Inspectorate, Social Worker's Department, Territorial Medical Association and Probation Office of the Ciocana district, civil society and have the objective to ensure a systemic approach for protection and assistance to the victims of domestic violence and human trafficking. Within the meetings, the members of the teams shall perform the analysis of the cases of domestic violence to identify the necessary solutions and strengthen the cooperation mechanism between the key-actors involved.



On the 4th of September, the team of the Women's Law Center had a meeting with the representatives of the Municipal Department for the Protection of Children rights and its territorial subdivisions, at which was presented the activity of the Center and were discussed challenges

and shortcomings in the attitude towards and examining of the domestic violence.

Participants discussed about the difficulties in this sector, such as troublesome identification of the shelters for accommodation of victims of domestic violence, especially in cases when

victims are mothers with small children, the non-compliance of aggressors to protection orders, insufficient information of the victims about their rights and lack of mechanisms for cooperation between the involved actors.

# DISCUSSION TOPIC

## Women's Law Center' leadership in a group of experts for costing the domestic violence and violence against women in Moldova

*Mrs. Angelina Zaporojan –  
Pîrgari, what has aroused the  
interest to perform this study?*

**Mrs. Angelina Zaporojan –  
Pîrgari:**

This concept has been on our minds for some time, and starting with September 2015 the Women's Law Center is in the process to perform the Costing Study of domestic violence in Moldova, in partnership with the Ministry of Labor, Social Protection, with the financial support of the UN Women in Moldova and WHO office in Moldova. The results of the study shall be published in spring of 2016.

The objective of this Study is to evaluate the costs of domestic violence to the state and civil society, a useful exercise for budgetary planning to ensure an efficient response to cases of domestic violence in Moldova. In fact, identification of economic costs of domestic violence shall result in adopting better informed decisions at the policies' level and shall support elaboration and adequate financing of relevant policies in this field.

Also, the analysis of economic costs shall enhance the understanding on the outcomes of do-

mestic violence for society, and not only on the individual level of the victim, thus making more visible the scope of the phenomenon projected on the society. The study shall also comprise the costs for providing specialised services for assistance and protection of victims and the costs endured by the justice sector, health sector and economy.

*Could you provide us statistical data, if any, for costing the domestic violence and violence against women in other countries?*

**Mrs. Angelina Zaporojan –  
Pîrgari:**

At the international level, for example in the United States, the costs of intimate partner domestic violence has been evaluated at circa 5,8 billion US dollars per year, from which 4,1 billions were spent on healthcare services, with the expenditure of approximately 1,8 billions for the loss of the working capacity. At the European level, in compliance with the Study for estimative costs of gender based violence performed in 2014, the costs for the United Kingdom were estimated at 13,7 billion Euros, while for the EU member-states the overall costs

were estimated at 122,1 billions.

*What is the impact of this study?*

**Mrs. Angelina Zaporojan –  
Pîrgari:**

Actually, the Study shall allow to measure the impact of violence in monetary value, which is absolutely new to Moldova and has never been done. Thus, the analysis of the costs of domestic violence shall allow to understand comparatively the benefits of the policies for the prevention of violence, thus providing a clear framework for evaluation of the state policies for allocation of public funds for this priority area.

As a result, the data obtained in this Study shall aid to a clear understanding of the costs and necessary allocations for preventing domestic violence and for the assistance and protection of the survivors of domestic violence, thus purporting that an adequate enforcement of the national legal framework and also the aligning of the legislation to the standards of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) are vital.

## PARTNERS



Ministerul Muncii, Protecției Sociale și Familiei  
Ministerul Sănătății  
Consiliul Național de Asistență Juridică Garantată de Stat



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