

# ASSESSMENT REPORT

of cases examined by the Commission for  
Monitoring and Analysis of Domestic Violence  
Cases resulting in death or serious bodily harm  
to victims in 2024





This report has been prepared by the Ministry of Internal Affairs in collaboration with the Women's Law Center in the context of the work of the Commission for Monitoring and Analysis of Domestic Violence Cases resulting in Death or Serious Bodily Harm to Victims, with the support of UN Women and funded by Sweden.

The report was prepared by the Ministry of Internal Affairs with the support of the team of national experts based on data collected during 2024 from Commission members on cases of domestic violence resulting in death or serious bodily harm of victims.

The report is the result of the analysis of the data collected, as well as the process of consultation with the Commission members in their meetings during 2024.

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# ABBREVIATIONS

<b>NPA</b>	National Penitentiary Administration
<b>LPA</b>	Local Public Administration
<b>TSAA</b>	Territorial Social Assistance Agency
<b>NBS</b>	National Bureau of Statistics
<b>CC</b>	Contravention Code
<b>WLC</b>	Women's Law Center
<b>CEDAW</b>	UN Committee on the Elimination of Discrimination Against Women
<b>IC</b>	Istanbul Convention (Council of Europe Convention on preventing and combating violence against women and domestic violence)
<b>ILETC</b>	Integrated Law Enforcement Training Center
<b>FJC</b>	Family Justice Center
<b>CFM</b>	Center for Forensic Medicine
<b>NCSGLA</b>	National Council for State Guaranteed Legal Aid
<b>CC</b>	Criminal Code
<b>CCC</b>	Code of Civil Procedure
<b>CPC</b>	Code of Criminal Procedure
<b>TPCF</b>	Temporary Placement Center for Foreigners
<b>CATUM</b>	Classification of Administrative Territorial Units of the Republic of Moldova
<b>CPD</b>	Criminal Prosecution Directorate
<b>MDT</b>	multidisciplinary team
<b>ICCS</b>	International Classification of Crime for Statistical Purposes
<b>GIM</b>	General Inspectorate for Migration
<b>GIP</b>	General Inspectorate of Police of MAI
<b>NPI</b>	National Probation Inspectorate
<b>NPSI</b>	National Public Security Inspectorate of the IGP of the MAI
<b>MIA</b>	Ministry of Internal Affairs
<b>MJ</b>	Ministry of Justice



<b>UCS</b>	unpaid community service
<b>MLSP</b>	Ministry of Labor and Social Protection
<b>NGO</b>	non-governmental organisation
<b>PO</b>	protection order
<b>RM</b>	Republic of Moldova
<b>TSAU</b>	Territorial Social Assistance Unit
<b>UNODC</b>	United Nations Office on Drugs and Crime
<b>DV</b>	domestic violence
<b>VAW</b>	violence against women
<b>SV</b>	sexual violence
<b>VDV</b>	victims of domestic violence

# INTRODUCTION

Fundamental human rights and freedoms are constitutional prerogatives conferred by national law and recognized by international law on each individual in his or her relations with the community and the State, giving expression to fundamental social values.

The establishment and consolidation of the Republic of Moldova as an independent and democratic state with the status of a subject of international law (1991) led to the harmonisation of national law, particularly in the field of the protection of human rights and fundamental freedoms, through the ratification of numerous universal human rights documents, paving the way for a system of international protection.

One international instrument adopted in the field of the protection of fundamental rights and freedoms is the Council of Europe Convention on preventing and combating violence against women and domestic violence, also known as the Istanbul Convention.

By Law No. 144/2021<sup>1</sup> the Republic of Moldova has ratified the Istanbul Convention, thus demonstrating the importance it attaches to the issue of preventing and combating violence against women and domestic violence and its firm commitment to implement the necessary measures in this regard. Since May 1, 2022 the Republic of Moldova, as a Party to the Convention, has been included in the evaluation procedure.

On October 26, 2023 GREVIO adopted the Evaluation Report on legislative and other measures taken at national level to implement the provisions of the Istanbul Convention<sup>2</sup>. The Report is the result of the first (baseline) evaluation procedure carried out regarding the Republic of Moldova. The evaluation focused on measures taken in relation to "all forms of violence against women, including domestic violence, which disproportionately affect women" and includes conclusions and recommendations. In this context, GREVIO strongly encourages the authorities of the Republic of Moldova to take all necessary measures to implement the Istanbul Convention concerning all forms of violence against women covered by it. Since, the national regulatory framework provided a mechanism to prevent and combat domestic violence, but did not provide an effective remedy for women victims of other forms of violence covered by the Istanbul Convention, Law No. 231 of 31.07.2024 on the amendment of Law No. 45/2007 on preventing and combating domestic violence, in force since 15.08.24, amended the name of Law No. 45/2007 and introduced the term "violence against women" and the notion of "femicide" throughout the text of Law No. 45/2007.

In order to prevent the risk of lethality, the Joint Order of the Minister of Internal Affairs, the Minister of Justice, the Attorney General, the Ministry of Health, the Ministry of Labor and Social Protection and the Ministry of Education and Research No. 89/22/172/56/20/121 of 28.02.2022 established the mechanism for monitoring and analyzing cases of domestic violence resulting in death or serious bodily harm of the victims. ***The Commission for Monitoring and Examination of Cases of Domestic Violence resulting in death or serious bodily harm to victims*** (hereinafter – the Commission) was set up to apply this mechanism.

<sup>1</sup> [www.legis.md/cautare/getResults?doc\\_id=128240&lang=ro](http://www.legis.md/cautare/getResults?doc_id=128240&lang=ro)

<sup>2</sup> Published on November 14, 2023, [www.coe.int/conventionviolence](http://www.coe.int/conventionviolence).

The purpose of the Commission is to analyse cases falling within its competence, following an objective and multilateral examination of the circumstances, in order to identify the actions/inactions of the competent authorities and institutions. In doing so, the Commission aims to identify gaps in the intervention system, make recommendations, and propose practical, concrete measures for a coordinated, prompt, and effective institutional response to cases of domestic violence.

According to the Regulation, the Commission is obliged to present an annual **Assessment Report** on the situation, highlighting the gaps and shortcomings that have not been remedied. The annual analysis of cases of domestic violence is a crucial step in understanding and combating this deep-rooted phenomenon. Likewise, the Report will provide recommendations for improving the response of the national system, including proposals for adjusting legislation, promoting intersectoral cooperation, improving prevention activities, increasing access to support services for victims of domestic violence, etc.

In the context of the above obligation, the Report was prepared by the Ministry of Internal Affairs, with the support of the team of national experts from the Women's Law Center, based on data collected by the Commission during 2024, with the support of UN Women and funded by Sweden.

## ■ The need to measure femicide

Femicide is the most extreme manifestation of gender-based violence and is a manifestation of the imbalance of power in society that promotes unequal status between men and women.

According to data from the Global Homicide Survey (UNODC, 2020), homicide cases in the private sphere affect both sexes. However, the proportion of women killed by intimate partners or other family members is higher, representing about 6 in 10. The home remains the most dangerous place for women, who continue to bear the heaviest burden, becoming victims and even losing their lives as a result of gender inequality and stereotypes. The killing of women and girls by intimate partners or other family members they are supposed to trust is one of the most extreme manifestations of gender-based violence. Such crimes are often the culmination of previous experiences of gender-based violence which can include physical, psychological, spiritual, sexual and economic violence.

The lack of uniform data is an obstacle to measuring femicide, a phenomenon that is somewhat invisible among general homicide data. To encourage states to collect comparable data, the United Nations Office on Drugs and Crime published in 2015 the International Classification of Crimes for Statistical Purposes which has been endorsed as a standard for international statistical data collection.

By Law No. 231 of July 31, 2024, Law No. 45/2007 was supplemented with a new concept "**femicide**". Thus femicide was recognized by law as the most extreme form of manifestation of gender-based violence. Femicide is now defined as an act of violence against women, including girls, which involves the death of the victim as a result of the crime of intentional homicide or the crime of intentional serious harm to body or health or the crime of domestic violence, or the suicide of the victim as a result of inducing or facilitating the victim's death or as a result of domestic violence committed for reasons of gender-based bias.

Building on the legal recognition of femicide and the need to raise awareness that the violent death of women and girls is a crime not to be confused with the term homicide, separate data on femicide cases are included in this Report. The separate analysis of femicide cases is also motivated by the fact that femicide differs from other crimes as follows: (i) in the majority of cases, acts of femicide are committed by current or former life partners; (ii) acts of femicide are preceded by ongoing do-



mestic violence, threats or intimidation, sexual violence; (iii) acts of femicide are characterized by the unequal balance of power and resources of the victims and their partners. This Report has only analyzed cases of violence against women and girls within the limits of the Commission's competence, i.e. the term femicide is restricted to femicide committed by an intimate partner or family member. At the same time the results of this Report will contribute to the development of a concept to improve the State's response to cases of domestic violence resulting in death or serious bodily harm to victims and to reduce the number of lethal cases, including the prevention of femicide cases.



# RESEARCH FRAMEWORK

## 1.1. Purpose and objectives of the report

The purpose of this Report is to establish the particularities of cases of domestic violence resulting in death, including documenting and analyzing cases of femicide<sup>3</sup>, in order to improve institutional mechanisms for responding to cases of gender-based violence and domestic violence and reduce the number of lethal cases.

### Specific objectives:

- To analyze statistical data on the number of homicide/femicide cases due to violent acts by family members or intimate partners;
- To analyze cases of domestic violence resulting in death or serious bodily harm to provide objective information regarding trends in judicial practice;
- To recognize and identify lethality factors;
- To identify the main obstacles in ensuring adequate victim protection in these cases;
- To formulate recommendations for improving institutional mechanisms for responding to cases of domestic violence resulting in death or serious bodily harm to victims.

## 1.2. Research methodology

A methodologically complex approach was used to achieve the research purpose and objectives, which included the application of the following key methods:

***Collecting and analyzing data on the circumstances of the commission of the facts falling within the Commission's competence***, namely on cases qualified under Art. 145 par. (2) let. e<sup>1)</sup>,

<sup>3</sup> **Note:** Due to the introduction of the concept of "femicide" in the legislation of the Republic of Moldova by Law No. 231 of 31.07.2024 on the amendment of Law No. 45/2007 on preventing and combating domestic violence, in force since 15.08.24, the efforts to measure femicide for the year 2024 will cover only cases of intentional killing of female victims committed by intimate partners or family members, with cases covered by the Commission in the drafting of the Commission Regulation of 2024 being analyzed. For the following years, femicide cases will be examined in the light of new legislative changes and in line with the new provisions of the Commission Regulation.

Art. 201<sup>1</sup> par. (3) let. (a), Art. 201<sup>1</sup> par. (3) let. (b), Art. 201<sup>1</sup> par. (4), Art. 146 and Art. 156 of the Criminal Code for any of the situations in which the aggressor and the victim:

- 1) are family members within the meaning of Article 133<sup>1</sup> of the Criminal Code;
- 2) lived together at some point in time;
- 3) had a relationship similar to a relationship between partners;
- 4) the perpetrator was stalking or persecuting the victim because of or in connection with the intimate nature of their relationship.

The cases subject to analysis by the Commission were identified based on the data collection form in cases of domestic violence resulting in death or serious bodily harm of the victims according to Annex No. 2 to the Regulation on the organization and functioning of the Commission for the monitoring and analysis of cases of domestic violence resulting in death or serious bodily harm of the victims, approved by Interinstitutional Order No 89/22/172/56/20/121 of 28 February 2022.

Thus, in the period of 2024, law enforcement agencies registered **93 cases/facts** subject to the Commission's investigation, of which **87 criminal cases** were analyzed<sup>4</sup>. It is important to note that in the present Report, 6 criminal cases were excluded from the analysis of the profile of the subjects of violence, due to the fact that in one case the participants were found not to be subjects of domestic violence, three criminal cases were connected to three other criminal cases from the year 2023, which were examined by the Commission, and two criminal cases were connected with two other criminal cases from the year 2024.

Compared to the year 2023 when 75 cases were examined, in the year 2024 **there was an increase in domestic violence cases resulting in death or serious bodily harm to the victims from 75 to 87 examined criminal cases.**

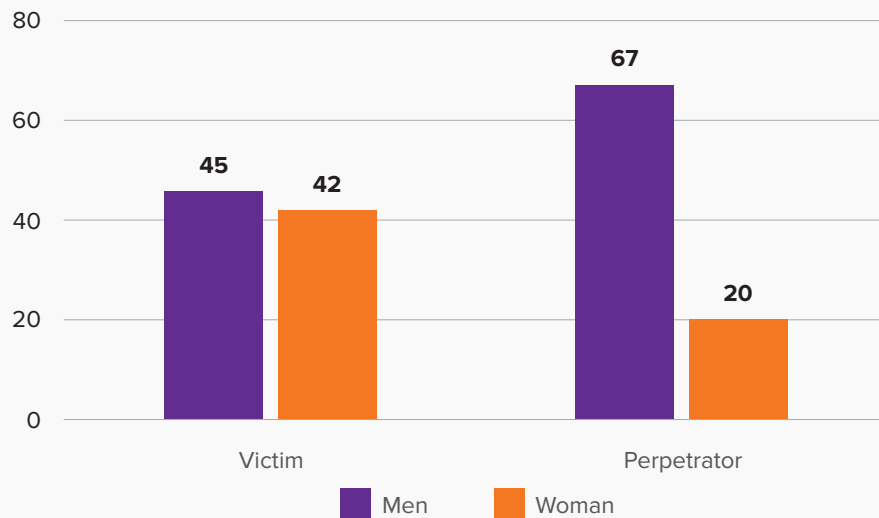
In this Report, the information contained in **87 criminal cases** of domestic violence resulting in death or serious bodily harm of victims, irrespective of sex and relationship between victim and perpetrator (*hereinafter – DV*), has been analyzed and structured. At the same time, separately, information is presented for cases resulting in death or serious bodily harm to female victims only, where the perpetrator is male only (*hereinafter, femicide*). Data were also analyzed and presented separately for cases of bodily harm and those resulting in the death of victims.

In the following, we will refer to the analysis of the cases from the **statistical profile for 87 criminal cases of domestic violence** resulting in death or serious bodily harm of the victims.

**In cases of DV, the predominance of male perpetrators is more than three times higher than that of female perpetrators.** The data analyzed by the Commission shows that out of **87 criminal cases**, in **67 cases the perpetrators** were male and in 20 female. In **45 criminal cases the victim** was male and in 42 female (*Figure 1*).

<sup>4</sup> **Note:** Of the 93 registered cases, 6 cases were excluded from the analysis because in one case the participants were not subjects of domestic violence (wrongly filled in the indicator in BCD), in three cases the criminal cases were linked to three other criminal cases from 2023, which the Commission examined, and in two cases the connection with two other criminal cases from 2024 was established.

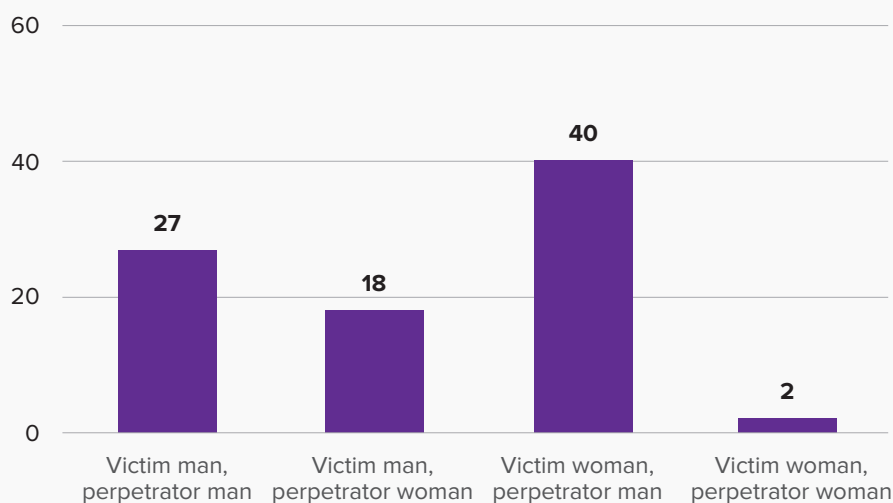
Figure 1. **Statistical profile of the analyzed cases**



These data show that **males predominate in criminal cases both as aggressors/perpetrators and as victims**, suggesting a complex dynamic of domestic violence in which not only women are victims. However, the predominance of male perpetrators more than 3 times, highlights the need for prevention and intervention programs focused on aggressive male behavior.

Out of the **87 criminal cases** analyzed by the Commission, **40 cases** involved female victims and male perpetrators, **27 cases** involved men in both roles, **18 cases** involved women perpetrating violence against men and **2 cases** involved women in both roles. (Figure 2). The relatively low number of criminal cases in which both the perpetrator and the victim are women (in two criminal cases) indicates a lower, but not non-existent, incidence of violence in relationships between women or in other types of family relationships.

Figure 2. **Statistical profile of perpetrator and victim in the analyzed criminal cases**



This diversity of configurations of victims and perpetrators reveals the profound, multidimensional and multifaceted nature of domestic violence and calls for a reconceptualization of prevention and intervention policies. Domestic violence must be understood as a structural and relational phenomenon that passes through several stages and involves multiple patterns of power, control, vulnerability and resistance. Therefore, institutional strategies must reflect this reality, offering support and protection to all categories of victims, and ensuring interventions tailored to the specific profile of perpetrators – predominantly male, but not exclusively.

Compared to 2023, in 2024 there was a decrease<sup>5</sup> in the share of cases in which the perpetrator is male and the victim female (*Figure 3*).

Figure 3. **Comparative analysis of the perpetrator and victim profile in domestic violence cases resulting in death or serious bodily harm to victims for the years 2023-2024**



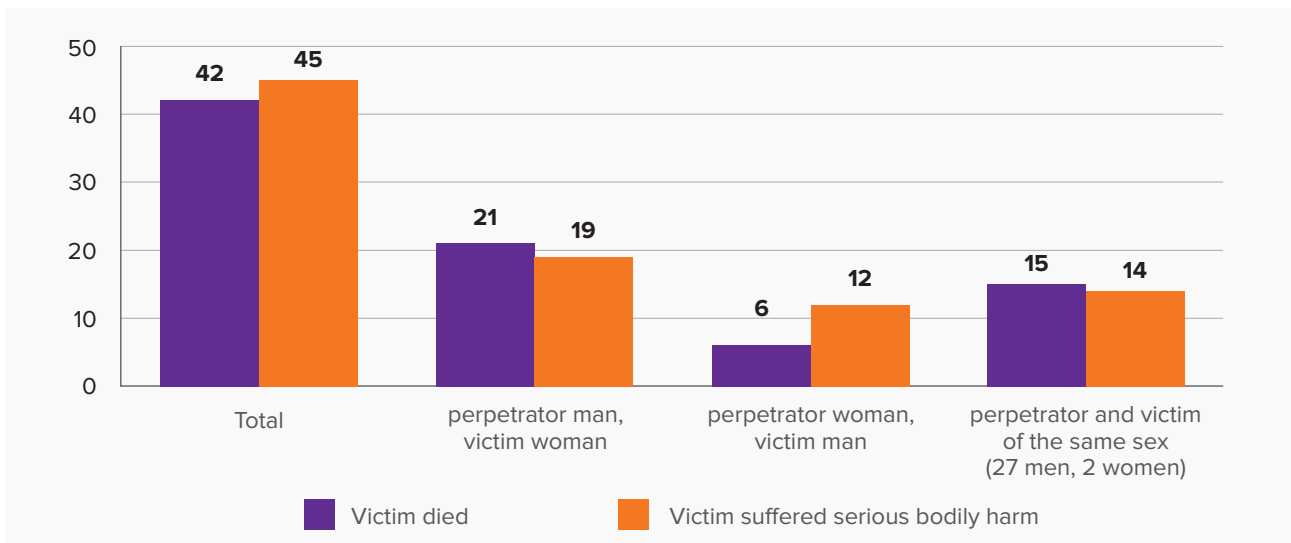
In almost half of the cases (**42**), domestic violence had **lethal consequences** – **37 victims** died immediately and another 14 later as a result of the trauma. Of these, **21 cases, or 24% of all cases**, constitute **femicide** – violence by a man against a woman resulting in death. In **45 criminal cases** the victim survived.

The analyzed data attests that the death rate is highest **in cases of violence of men against women**, where the number of deceased victims (21) exceeds the number of survivors (19) and emphasizes the hazardous nature of this type of violence.

In 2022, 24 cases of femicide were recorded, in 2023 – 21 cases, and in 2024 again 21 cases. Out of **all cases of male violence against women**, femicide accounted for 53% in 2022 (24 deaths out of 45 cases of male violence against women), in 2023 it accounted for 54% of all cases of male violence against women (21 deaths out of 39 cases of male violence against women). **In 2024 femicide also accounted for 53%**, the same as in 2022 and very close to the figure for 2023. This constancy in the lethal proportion of men's violence against women confirms its extremely dangerous nature and reveals a persistent pattern requiring urgent, specialized and well-coordinated interventions between institutions (*Figure 4*).

<sup>5</sup> **Explanation:** even if in 2024 there were 40 cases and in 2023 – 39 cases, because in 2024 there were more cases in total, 40 as a share is less than in 2023. In 2022 there were 45 cases where the victim was female and the perpetrator male. Respectively the decreasing trend is seen for 3 consecutive years.

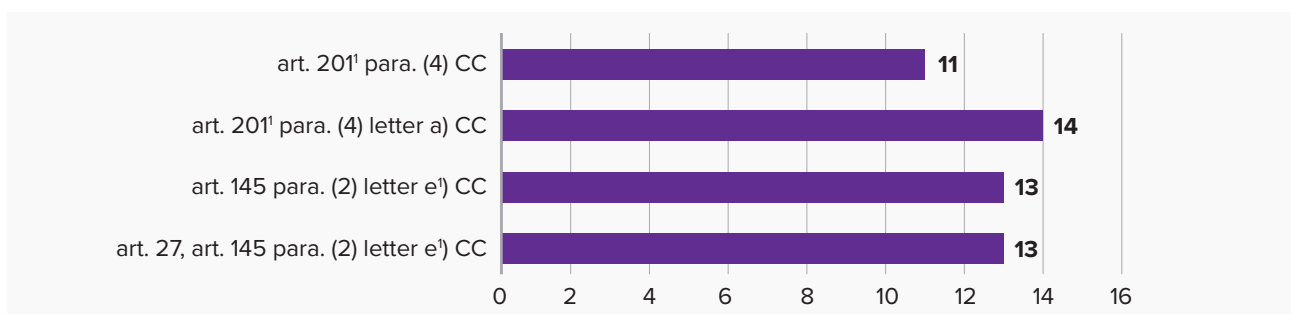
Figure 4. **Specificity of cases of domestic violence resulting in death or serious bodily harm of victims**



For the purpose of this report, 51 criminal cases with adopted judgments/decisions<sup>6</sup>, published in the database of the courts were analyzed from the category of cases examined by the Commission in 2024. Out of the 51 cases in which there is a court judgment - in 45 criminal cases at the stage of this report only the judgment of the first instance court had been rendered, and in 6 cases the judgment was rendered in both the first instance and the appellate court. At the stage of preparation of the present report, 16 criminal cases are under judicial examination, including 9 cases on Art. 201<sup>1</sup> (3) let. a) CC, 3 cases on Art. 201<sup>1</sup> (4) CC, 3 cases on Art. 145 CC and 1 case on both Art. 27 and 145 CC.<sup>7</sup> Several cases have been pending for more than 1 year.

The analysis of the criminal cases is reflected in Chapters II and III of this Report, which includes all the findings related to the practice of the actors in the justice system with regard to the offenses under investigation by the Commission. The typology of criminal cases analyzed is reflected in *Figure 5*.

Figure 5. **Typology of sentencing cases analyzed**



<sup>6</sup> **Note:** Only criminal cases with final sentences were analyzed in this research. Cases pending before the courts as of January 01, 2025, in which there was no judgment were not analyzed.

<sup>7</sup> c/c 2024140044: on Art. 145(2), as of 31.01.2024; c/c 2024030179: on Art. 201<sup>1</sup> (3)(a), as of 29.02.2024; c/c 2024470045: on Art. 201<sup>1</sup> (3)(a), as of 25.03.2024; c/c 2024270300: on Art. 201<sup>1</sup> (4), as of 25.03.2024; c/c 2024380122: on Art. 201<sup>1</sup> para.(3) let. a), of 11.07.2024; c/c 2024380100: on Art. 201<sup>1</sup> para.(3) let. a), of 26.07.2024; c/c 2024020451: on Art. 145 para.(2), of 07.08.2024; c/c 2024010470: on Art. 27, 145 para. (2), of 29.10.2024; c/c 2024270311: on Art. 201<sup>1</sup> para. (3) let. a), of 07.11.2024; c/c 2024350116: on Art. 145 para. (2), of 06.12.2024; c/c 2024240343: on Art. 201<sup>1</sup> para.(3) let. a), of 10.01.2025; c/c 2024150556: on Art. 201<sup>1</sup> para. (3) let. a), of 14.01.2025; c/c 2024360421: on Art. 201<sup>1</sup> (3)(a), of 14.01.2025; c/c 2024260199: on Art. 201<sup>1</sup> (4), of 05.02.2025; c/c 2024360438: on Art. 201<sup>1</sup> (4), of 28.02.2025; c/c 2024180462: on Art. 201<sup>1</sup> (3)(a), of 11.03.2025;

### 1.3.Challenges and limitations in the analysis of cases by the Commission for Monitoring and Analyzing Cases of Domestic Violence resulting in death or serious bodily harm of victims

#### *Collection and analysis of statistical data*

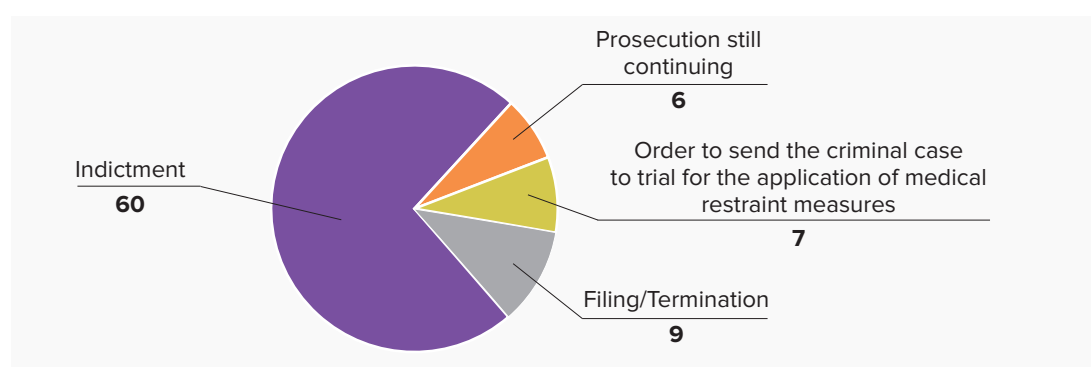
As data collection systems vary from one institution to another, efficiently documenting and obtaining comparable data to carry out an evidence-based analysis and to determine existing gaps was a challenge for the Commission Secretariat. Even though the case information was based on the information collected by the improved and adjusted form completed by all actors who would potentially have information on the parties involved – victim, perpetrator or witnesses, the quality of the data is insufficient and often the information is presented with the phrase "not known". Information from the medical sector is lacking. The information from the Penitentiary Administration, most often, is about the current behavior of the convicted perpetrator, for the offense under analysis and not about past situations, if he/she was previously subject to the penitentiary system.

The information from the social sector is insufficient, often, data are presented about the actions taken regarding the family, or the victim or the perpetrator separately. However, the purpose of the information from the various sectors is to see what actions have been taken by the specific department, whether the parties involved have been under the scrutiny of the representatives of the sector, in order to be able to identify possible gaps in prevention and prophylaxis activities.

#### *Decisions handed down by prosecuting authorities and courts on the cases analyzed*

At the beginning of 2025, a large proportion of the criminal cases initiated had reached the court. Out of the 87 criminal cases analyzed, 67 cases were sent to court, including 60 criminal cases with indictments and 7 criminal cases with an order to send to court for the application of medical restraining measures. In 9 cases, the prosecuting body adopted orders to discontinue criminal proceedings and to close the criminal case.<sup>8</sup> In 6 other cases, the criminal proceedings were still ongoing at the time of the analysis (*Figure 6*).

Figure 6. **Number of criminal cases sent for prosecution on January 01, 2025**



<sup>8</sup> 2024480263: on Art. 201<sup>1</sup> (3) let. a), of 14.06.2024 – 275 p.3 CPC (lacks the composition of the offense); 2024020150: on Art. 201<sup>1</sup> (3) let. a), of 18.07.2024 – 275 p. 1 CPC (lacks the fact of the offense); 2024440305: on Art. 145 (2), from 28.10.2024 – 275 p. 5 CPC (death of the perpetrator); 2024440026: on Art. 27, 145 (2), from 27.03.2024 – 275 p. 5 CPC (death of the perpetrator); 2024180334: on Art. 27, 145 (2), from 17.12.2024 – 275 p. 5 CPC (death of the perpetrator); 2024240085: on Art.201<sup>1</sup> (3) let. a), of 29.03.2024 – 275 p. 3 CPC (lack of an offense component); 2024260006: on Art. 201<sup>1</sup> (3) let. a), of 15.01.2024 – 36 CC and 275 p. 9 CPC (other circumstances established by law); 2024350043: on Art. 27, 145 (2), of 10.03.2024 – 275 p. 5 CPC (death of the perpetrator); 2024250118: on Art. 145 (2), of 28.06.2024 – 275 p. 5 CPC (death of the perpetrator);

# LEGAL-CRIMINAL ANALYSIS OF CASES EXAMINED BY THE COMMISSION IN 2024

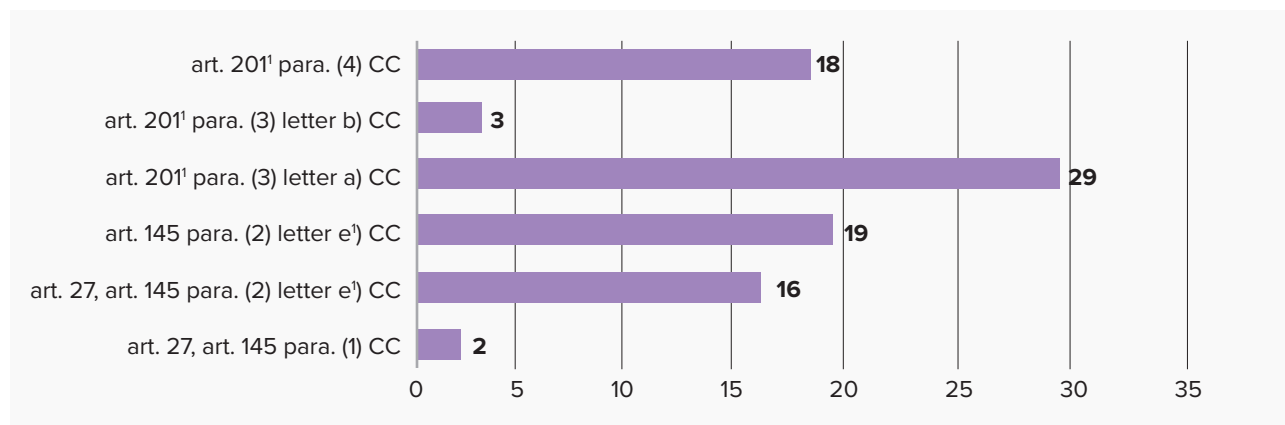
## 2.1. Classification of offences in the cases examined by the Commission

In this Report **87 criminal cases** are analyzed for acts of domestic violence resulting in death or serious bodily harm of the victims, submitted for analysis to the Commission for Monitoring and Analysis of Cases of Domestic Violence resulting in death or serious bodily harm of the victims.

Out of the **87 criminal cases**, in **42 cases** violent acts ended in the death of the victim, including **21 criminal cases** qualified under Art. 145 CC (in some cases there was reclassification from attempted murder), 18 criminal cases qualified under Art. 201<sup>1</sup> (4) CC and 3 criminal cases qualified under Art. 201<sup>1</sup> (3) let. b) CC (*Figure 7*):

The analysis of the data reflected above shows that **in cases where the victim is female and the perpetrator is male, the classification of aggravated homicide prevails, often in combination with attempted murder (Art. 27 CC), which confirms the increased lethal risk in this dynamic.** Qualification of the crime under Art. 145 par. 2 let. e') CC and in cases in which the victims are men shows a balanced approach of the legal system to the seriousness of the crime, regardless of gender.

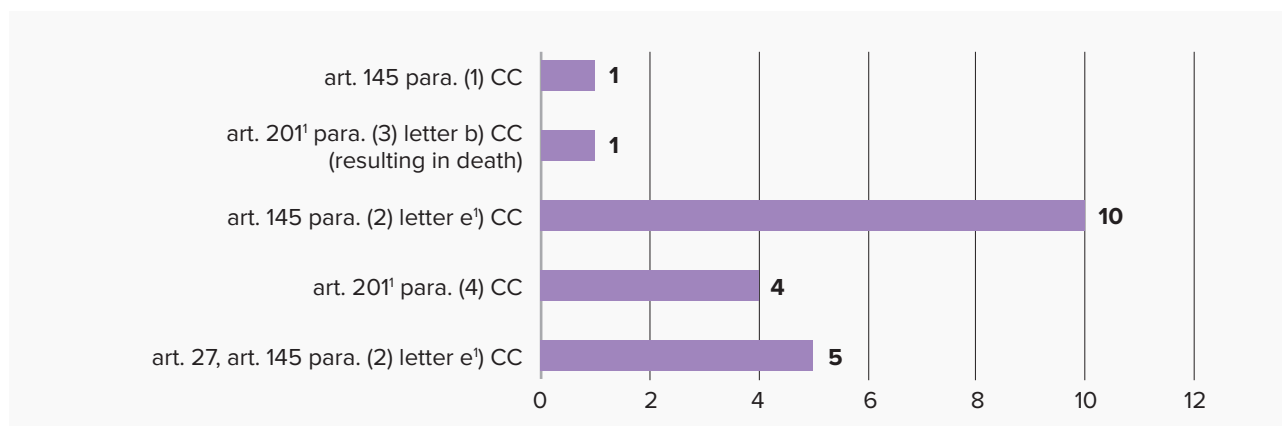
Figure 7. Legal classification of DV





Of the **87 cases** analyzed, **21 cases** of domestic violence in which the perpetrator was male and the victim was female resulted in the death of the victim. Most cases of femicide were classified as **aggravated homicide** (Art. 145 par. (2) let. e<sup>1</sup>) of the CC of the RM), reflecting **the seriousness and aggravating nature of the crime** (kinship, cruelty, vulnerability), and in ¼ of the cases in Art. 201<sup>1</sup> par. (4) of the CC of the RM (*Figure 8*).

Figura 8. **Legal classification of femicide**



According to the data provided by the General Prosecutor's Office, out of the **87 criminal cases** analyzed by the Commission, the majority were solved by prosecutors by drawing up the indictment and sending the case to court (60 cases). In 9 cases the prosecutor's office adopted orders to cease criminal proceedings and to close the criminal case<sup>9</sup>, and in 7 cases an order of referral to court for the application of medical restraining measures was issued. In 11 other cases, the criminal proceedings were still ongoing at the time of the analysis.

In the femicide cases analyzed, most of the criminal cases (16 out of the total) were finalized with an indictment and referral to court, reflecting the gravity of the acts and the need for full prosecution. In 2 cases, prosecutors issued orders to send the case to court for the purpose of applying medical restraint measures. Another 3 criminal cases were still at the prosecution stage. This distribution confirms a clear interest in holding femicide cases criminally liable, with an emphasis on firm judicial interventions.

As mentioned above, out of the total number of **87 cases** analyzed, in 9 cases the prosecution body adopted orders to discontinue the criminal prosecution and to cease the criminal proceedings<sup>10</sup>.

<sup>9</sup> 2024480263: on Art. 201<sup>1</sup> (3) let. a), of 14.06.2024 – 275 p.3 CPC (missing elements of an offense); 2024020150: on Art. 201<sup>1</sup> (3) let. a), of 18.07.2024 – 275 p. 1 CPC (missing elements of an offense); 2024440305: on Art. 145 (2), from 28.10.2024 – 275 p. 5 CPC (death of the perpetrator); 2024440026: on Art. 27, 145 (2), from 27.03.2024 – 275 p. 5 CPC (death of the perpetrator); 2024180334: on Art. 27, 145 (2), from 17.12.2024 – 275 p.5 CPC (death of the perpetrator); 2024240085: on Art. 201<sup>1</sup> (3) let. a), of 29.03.2024 – 275 p.3 CPC (lack of offense component); 2024260006: on Art. 201<sup>1</sup> (3) let. a), of 15.01.2024 – 36 CC and 275 p. 9 CPC (other circumstances established by law); 2024350043: on Art. 27, 145 (2), of 10.03.2024 – 275 p. 5 CPC (death of the perpetrator); 2024250118: on Art. 145 (2), of 28.06.2024 – 275 p. 5 CPC (death of the perpetrator).

<sup>10</sup> 2024480263: on Art. 201<sup>1</sup> (3) let. a), of 14.06.2024 – 275 p. 3 CPC (lacks the composition of the offense); 2024020150: on Art. 201<sup>1</sup> (3) let. a), of 18.07.2024 – 275 p. 1 CPC (lacks the elements of an offense); 2024440305: on Art. 145 (2), from 28.10.2024 – 275 p. 5 CPC (death of the perpetrator); 2024440026: on Art. 27, 145 (2), from 27.03.2024 – 275 p. 5 CPC (death of the offender); 2024180334: on Art. 27, 145 (2), from 17.12.2024 – 275 p.5 CPC (death of the perpetrator); 2024240085: on Art. 201<sup>1</sup> (3) let. a), of 29.03.2024 – 275 p. 3 CPC (lack of offense component); 2024260006: on Art. 201<sup>1</sup> (3) let. a), of 15.01.2024 – 36 CC and 275 p. 9 CPC (other circumstances established by law); 2024350043: on Art. 27, 145 (2), of 10.03.2024 – 275 p.5 CPC (death of the perpetrator); 2024250118: on Art. 145 (2), of 28.06.2024 – 275 p. 5 CPC (death of the perpetrator).

The analysis of **the reasons for dismissal** or termination of criminal prosecution in the cases of violence cases under the Commission's jurisdiction shows that in the majority of cases (in 5 out of 9 cases), the reason for termination of criminal prosecution was **the death of the perpetrator**, according to Art. 275, par. 5 of the Criminal Procedure Code. Other reasons identified include:

- Absence of the act stipulated by the criminal law or absence of the constituent elements of the offense (Art. 275 par. 1 and 3 of the CPC).
- The existence of a justifying or non-imputability ground (e.g. self-defense, criminal non-responsibility), indirectly mentioned by reference to Art. 36 CC and Art. 275, par. 9 CPC.

It was difficult for the authors of the report to identify the reasons for the adoption of the decision to close or discontinue the criminal proceedings, because in some cases the information gathered, including from the data collection forms on cases of domestic violence resulting in death or serious bodily harm to the victims, does not allow for clarity as to the soundness of the solutions adopted by the authorities. In this regard, the following case can be mentioned<sup>11</sup>: *"On February 16, 2024, being at their common residence in mun. Chisinau, C.V. inflicted on his son, C.A., a blow with a knife in the abdomen region, causing him injuries that qualify as serious harm to bodily integrity or health. Both the assailant and the victim were intoxicated at the time of the crime. Both were abusing alcohol."*

*The Social Welfare Service indicates in the Data Collection Form that in the last 5 years there have been 4 reports of violence, but it does not mention anything about the solutions adopted. The Police have not reported anything on this issue. Given that the National Probation Inspectorate claims that the victim and the perpetrator have not previously been subjects of probation, it follows that no remedies have been adopted on any of the 4 complaints. However, the Prosecutor's Office informs that on 14.06.2024, on the criminal case initiated based on Art. 201' par. (3) let. a) CPC, the criminal proceedings were terminated, pursuant to Art. 275 par. (3) CPC, due to the lack of the constitutive elements of the crime".*

Analysis of the facts reflected in the form shows that a serious offense has been committed and the offender is not on his first offense. He has previously demonstrated stable aggressive behaviour towards the victim in this case. However, without clear explanations, the dismissal of the criminal case is ordered under rehabilitative circumstances. In the data collection form and in the information provided by the authorities, nothing is mentioned about the assessment of the risk of committing acts of violence, preventive work with the aggressor and with the victim as a potential aggressor, nor about any measures to initiate alcohol treatment for both subjects. In the absence of specialized interventions, the risk of violence persists and the victim is not safe.

Uncertainties regarding the soundness of the solution adopted persist also in the following case<sup>12</sup>: *"On 17.12.2023, M.S. was admitted to the hospital with bodily injuries on various parts of the body and fractures, the occurrence of which is unlikely to be a result of a fall, according to the expert report dated 19.01.2024. The bodily injuries caused as a result of physical assault at home, under unknown circumstances, were qualified as serious harm to bodily integrity or health. On 19.03.2024 the criminal prosecution was initiated under Art. 201' par. (3) let. a) CC. There was a reasonable suspicion that the victim's sister, with whom he lives, had committed the crime. Since there was not sufficient evidence that the suspected person committed the crime, on 29.03.2024 it was ordered to terminate the criminal prosecution and to dismiss the case based on Art. 275, par. (3) of the CPC – the act does not meet the elements of the crime."*

From the analysis of the facts reflected in the form and the information provided by the authorities, it was not possible to establish what happened next, the prosecution's actions taken to examine all

<sup>11</sup> c/c No. 2024480263;

<sup>12</sup> c/c No. 2024240085;

aspects of the case, or to establish the objective picture of the case. However, it is a serious crime. It was therefore necessary to take all the required steps to elucidate the facts. If, during the investigation process, the involvement of the suspect was not confirmed, the suspect was to be removed from the criminal prosecution, and the investigation process was to continue under normal conditions.

The data analysis shows that in a number of criminal cases the criminal acts were reclassified during the criminal investigation. The analysis of some cases revealed certain shortcomings in the classification of the alleged offence by the prosecution bodies and prosecutors. In this regard, the following case can be evoked<sup>13</sup>: *"On 07.07.2024, M.V., being at home in a drunken state, following the conflict with the mother of his concubine, he hit her several times with his fists, and when the victim wanted to call the police, he stabbed her with a knife in the neck region, as a result of which on 08.07.2024 the latter died in hospital. A criminal prosecution was initiated on the same day under Art. 145 par. (2) let. e1) CC. The assailant M.V. is an alcohol addict and is registered with the police as a family offender. Previously, there had been several complaints from the victim and her daughter, who were cohabiting with the perpetrator. The latter, on 14.09.2021 was sentenced under Article 320<sup>1</sup> CC to 130 hours of unpaid community service. On 28.02.2024 under Art. 201<sup>1</sup> par. (1) let. b) and Art. 201<sup>1</sup> par. (2) let. a) and a<sup>1</sup>) – he was sentenced to 4 years, suspended on probation for 5 years. Also, in the period from 2022 to 2023, he was sentenced 8 times for contraventions under Art. 69 (1), Art. 354 (1), Art. 355 (2) of the Contraventions Code. At the same time, he also committed contraventions during the probation period after his criminal conviction on 28.02.2024 under Art. 201<sup>1</sup> par. (1) let. b) and Art. 201<sup>1</sup> par. (2) let. a) and a<sup>1</sup>) CC. The offence was reclassified in court on Art. 145 par. (1) CC, i.e. it was not recognized as domestic violence. The defendant was sentenced to 12 years and 6 months imprisonment. Based on Art. 85 par. (1) CC, his sentence imposed on February 28, 2024 was only partially cumulated and his final sentence of 15 years in a closed prison was set".*

The reclassification of the offender's actions on the basis of Art. 145 par. (1) CC, indicates the need to revise the current wording of Art. 133<sup>1</sup> CC, which defines family members in cases of domestic violence. Although the reference norm attributes the status of family member to persons in a relationship similar to that between parents and children (minors are not specified), not all professionals recognize the status of family member of the perpetrator, for example the parents of the cohabiting partner, even if they have a common domicile. This problem is all the more topical in today's situation, when more and more people prefer cohabiting relationships.

This case also confirms that the lack of appropriate reactions from the authorities has extremely serious consequences. Thus, it has been noted that there had previously been cases of domestic violence, the victims being the wife and children of the perpetrator. On several occasions the perpetrator violated the protective measures, while the most serious sanction was the imposition of unpaid community service. In several cases of domestic violence, the police preferred to initiate misdemeanour proceedings on offences of insult (Art. 69 CC), less serious hooliganism (Art. 354 CC), etc. Even in the situation when the perpetrator over several years had demonstrated a stable aggressive behaviour, after several crimes and misdemeanours, on 28.02.2024 he was still given a non-custodial sentence for repeated acts falling under Art. 201<sup>1</sup> par. (1) let. b) and Art. 201<sup>1</sup> par. (2) let. a) and a<sup>1</sup>) CC. It should be recalled that, according to Art. 90 par. (1) CC, a sentence with conditional suspension of execution of the sentence is applicable if the court *"...taking into account the circumstances of the case and of the guilty person, concludes that it is not rational for him to serve the sentence imposed..."*. The court did not find it necessary to require the perpetrator to participate in violent behaviour correction programmes. The court's conclusion not to impose imprisonment on the perpetrator, even though he had consistently engaged in antisocial behaviour, to some extent

<sup>13</sup> c/c No. 2024360227;

encouraged him to commit an even more serious crime within the probation term, namely to murder a family member.

Prosecutors should vigorously promote the characterization of such cases as domestic violence and the application of the appropriate punishment for the circumstances of the case.

In the analysis of the Commission's cases, it was found that in some instances the prosecutors fail to indicate the aggravating circumstances provided by law, such as: - the commission of the crime by a person who has previously been convicted of a similar crime or other acts relevant to the case; - the commission of the crime while under the influence of alcohol; the commission of the crime knowingly taking advantage of the victim's known or obvious helplessness, due to advanced age. The analysis of the following case reflects the omission to indicate the aggravating circumstances provided for by law<sup>14</sup>: *"On 20.02.2024, I.I., during the conflict with I.M., her stepson (her husband's son from another marriage), inflicted on the latter a stab wound with a knife in the right lung region. The victim died a few hours later. On this case on 20.02.2024 criminal proceedings were initiated under Art. 27, 145 par. (1) CC, being reclassified under Art. 145 par. (1) CC after the victim's death. The offender and the victim had a common residence. Both were in a state of alcoholic inebriation at the time of the offense. Previously the victim had been assaulted on 01.02.2024 and the assailant was convicted on Art. 201<sup>1</sup> par. (1) let. a) and Art. 320<sup>1</sup> CC to 200 hours of unpaid community service, she was on the Police's nominal register as a family offender. Following the commission of the offense, the perpetrator attempted suicide. On 25.04.2024 the criminal case was referred with indictment to the court on Art. 145 par. (1) CC. The sentence does not contain any analysis of the quality of the subjects of violence. The court accepted the qualification of the prosecutor and sentenced the defendant on Art. 145 par. (1) CC. On 14.05.2024, a sentence of 10 years and 1 month imprisonment was pronounced, with the application of Art.85 CC. The case was examined in a simplified procedure, pursuant to Art. 364<sup>1</sup> CPC."*

In-depth analysis of the case indicates that the perpetrator's offense was incorrectly characterized under Art. 145 par. (1) CC, which establishes criminal liability for the murder of a person. The murder of a family member is qualified under Art. 145 par. (2) let. e)<sup>1</sup> CC. This is because, according to Article 133<sup>1</sup> of the Criminal Code, a family member means, in the condition of cohabiting: persons in a marriage, their relatives, their collateral relatives, persons in a relationship similar to that between parents and children, etc. Also, according to Article 134 of the Criminal Code (Family relations), the relatives of one spouse are the affinity relatives of the other spouse. The accused being in a marriage relationship with I.V., makes her husband's son from an earlier marriage her relative (stepson), and in conditions of cohabitation the relations of the perpetrator with the victim are similar to those between parent and child. Therefore, according to the law, it was a violent act between family members. All the more so as the perpetrator's previous acts of violence against the same victim were qualified under Art. 201<sup>1</sup> par. (1) let.a) and Art. 320<sup>1</sup> CC, as acts of domestic violence, for which the perpetrator was sentenced to 200 hours of unpaid community service. That is to say, at the time, the victim I.M. was recognized as a family member in relation to the actions of the aggressor I.I., and in the present case the actions of the defendant were qualified under Art. 145 (1) CC. Thus, we are in situation where a sentence is adopted that does not correspond to the objective circumstances of the case, and the sentence should be set at 15 years imprisonment.

<sup>14</sup> c/c No. 2024270071;

Another case reflecting divergences in the initial qualification and re-qualification is the following<sup>15</sup>: *"The pensioner C.M. reported to the criminal prosecution body that on 20.02.2024 her grandson C.A., being in a state of inebriation, attacked and strangled her with a rope. When the victim fell to the floor, the assailant applied with a split wood multiple blows in the head region, but the victim managed to escape and fled to the neighbors. On 03.04.2024 a criminal prosecution was initiated on Art. 27, 145 (2) let. e), e', j) CC. The perpetrator, with alcohol addiction, is on the nominal register of the police as a domestic abuser (protection order of 27.02.2024 was violated on 07.03.2024, criminal prosecution was initiated on Art. 320<sup>1</sup> CC). The perpetrator was sentenced in 2016 on Art. 145 par. (2) CC, Art. 201<sup>1</sup> par. (1) CC to 13 years imprisonment. During the criminal prosecution the offense was reclassified under Art. 201<sup>1</sup> par. (2) let. a') CC and on 22.05.2024 the criminal case with indictment on Art. 201<sup>1</sup> par. (2) let. a') CC and Art. 320<sup>1</sup> CC was sent for trial. The defendant did not admit the offence and the case was examined in general procedure. By the judgment of 17.01.2025 the assailant was sentenced on the basis of Art. 201<sup>1</sup> par. (2) let. a' CC – to 5 years and on the basis of Art. 320<sup>1</sup> CC – to 2 years. On the basis of Art. 84 CC, he was sentenced to 6 years imprisonment. On the basis of Art. 85 of the Criminal Code, by partial accumulation, he was sentenced to 7 years in a closed penitentiary".*

From the materials of the case, including from the forensic expert's report, it appears that the violent actions of the assailant caused the victim multiple bruises of the body, bodily injuries that fall into the category of light bodily harm to the bodily integrity and health. This, it seems, prompted the prosecutors to requalify the crime under Art. 201<sup>1</sup> par. (2) let. a' of the Criminal Code, i.e. based on the consequences of the violent action described in the expert report.

In-depth analysis of the case indicates that there was a reclassification of the offense from attempted murder at the criminal prosecution stage, based on Art. 27, 145 par. (2) let. e), e'), j) CC, to domestic violence under Art. 201<sup>1</sup> par. (2) let. a') CC. The prosecutors disregarded the circumstances that elucidate the perpetrator's intent, materialized by efforts to strangle the victim's throat with a rope, and after she fell, he applied multiple blows to the victim's head, which is the vital region of the body. It was not taken into account that the victim managed to run away, so the assailant did not carry out his intentions, in circumstances beyond his control (being in a mild state of inebriation (in exhaled air vapors – 0.44 mg/l of alcohol) he was too well aware of his actions). The way he acted indicates that he intended to commit the murder of the victim, as he was constantly scolded by the victim for abusing alcohol. The prosecutors should also have taken into consideration that previously, in 2017, the defendant had been convicted for murder and domestic violence before, on Article 145 par. (2) and Art. 201<sup>1</sup> par. (1) CC, having been released a few months before. Relevant is also the attitude of the injured party who stated that *"...she is afraid of him and does not want to see him as long as she lives..."*. It is also eloquent that the court practically applied the measure of punishment requested by the prosecutor, moreover, it assigned the serving of the sentence in a closed penitentiary, although according to Art. 72 of the Criminal Code, the imprisonment sentence for light, less serious and serious offenses committed intentionally is served in semi-closed penitentiaries, changing the category of the penitentiary being the prerogative of the court. This would have put the court in the position of having to examine the case within the limits of the indictment.

The analysis carried out revealed other omissions in the work of the prosecuting body in cases of domestic violence<sup>16</sup> in which minor children were involved and the prosecuting body did not order to bring them as injured parties on the grounds that "according to the psychologist's conclusion, she (the 10-year-old daughter) could be revictimized" or that, in the opinion of the police officers, the 7-year-old daughter was not affected by the violence, although she had also suffered physical injuries. Even

<sup>15</sup> c/c No. 2024300065

<sup>16</sup> c/c No. 2024040073; c/c No. 2024420225 etc.



though the procedural legislation expressly states that the minor who has been harmed by the crime will be considered as an injured party without his/her consent, the studies carried out explain the reluctance of the Criminal prosecution body by the fact that the status of injured party of the child in cases of domestic violence involves several organizational activities and inconveniences, including the procedure of hearing the minor injured party under special conditions. This explains to a large extent the attitude of professionals towards involving or assigning minors with procedural capacities.

Another example of inadequate protection of minors on the part of the competent authorities is the case<sup>17</sup> started on 04.07.2024, under Art. 27, 145 par. (2) let. e) și e1) R.A., born on 10.06.1988 a.n., inflicted a cut wound in the region of the throat on the minor R.J., former concubine, born on 27.06.2009, who at the time of the crime was 15 years old and 7 months pregnant. By the sentence of 27.02.2025, the offender was sentenced to 15 years in a closed penitentiary for the offense under Art. 27, 145 (2) let. e), e1) of the Criminal Code. The sentence appealed to the North Court of Appeal on 25.03.2025 is now under review. It should be noted that the trial court imposed the sentence, including the qualifying mark, for the attempted murder of a pregnant woman. Therefore, the prosecutor's omission to hold the perpetrator criminally liable also under Art. 174 paragraph (1) CC for sexual acts with a person under the age of 16 remains unclear.

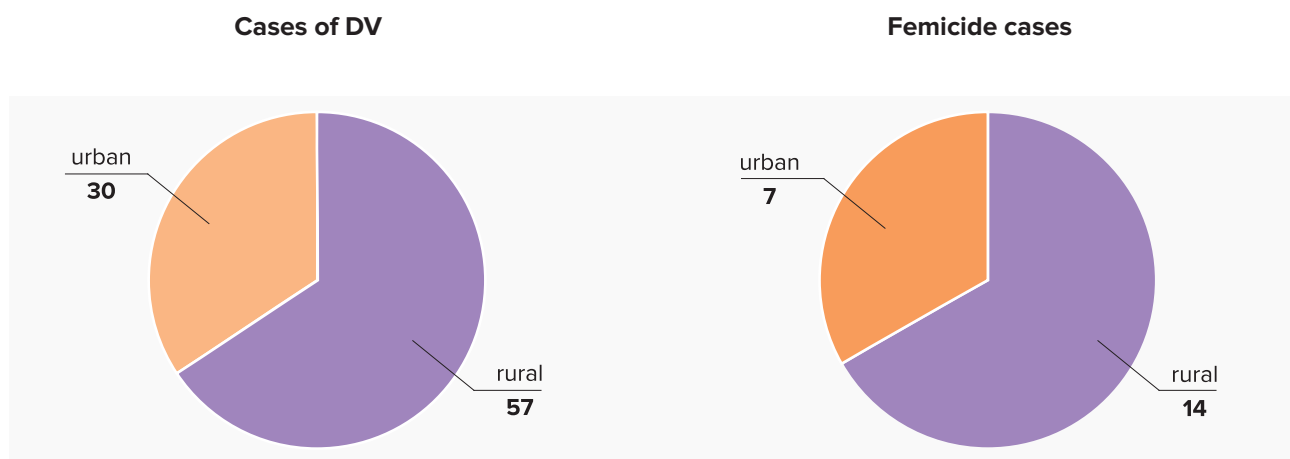
**Duration of prosecution.** In most of the cases analyzed the average time between the date when the crime took place and the date when the indictment was issued is between 2 and 4 months. In a few cases (e.g. the fact of 12.12.2023, indictment 23.10.2024), the time reaches almost 10 months, which may indicate the complexity of the case file or difficulties in the investigation process. On the other hand, **the fastest indictment** was issued in 53 days.

In femicide cases, the majority of cases take between **1.5 and 4 months** to complete the prosecution and indictment.

## 2.2. Particular features of the offences analyzed by the Commission (manner of commission, consequences)

Of the **87** criminal cases analyzed by the Commission, **57** (65%) took place in **rural** areas and **30** in urban areas. The data presented suggest that rural areas are at higher risk for this type of crime than urban areas (*Figure 9*).

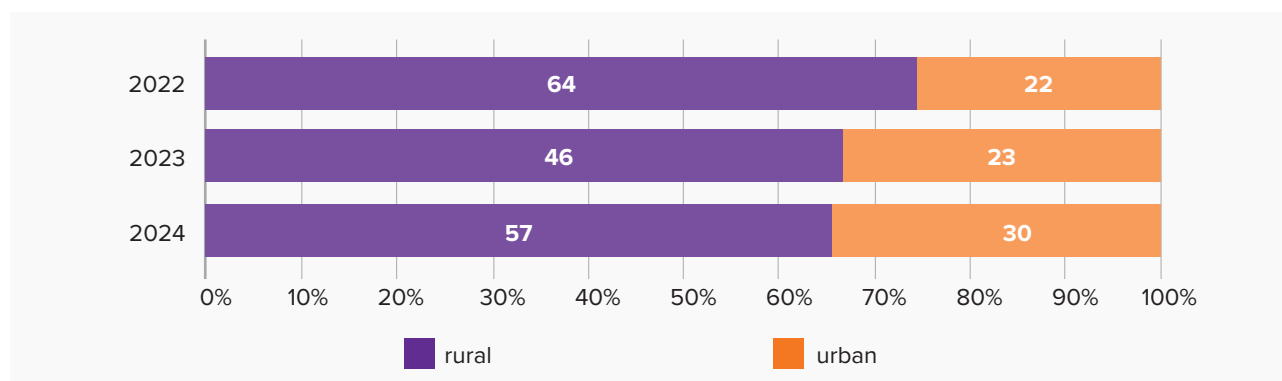
Figure 9. **Area where the crime was committed**



<sup>17</sup> c/c No. 2024120267

However, it should be noted that, compared to the period 2022-2024, there is a decrease in the share of domestic violence offenses in rural areas and a gradual increase in the share of offenses in urban areas (*Figure 10*).

Figure 10. **Area where the crimes analyzed by the Commission were committed in the period 2022-2024**



Based on the data on the environment in which the violent act took place and the month in which it occurred, a distinct seasonal distribution between urban and rural areas can be observed, suggesting the influence of the socio-economic context and the specific rhythms of life in each area.

In **rural areas**, cases of DV are mostly concentrated in the **spring, summer and fall** months – such as **February, May, June, July, August and September**. These periods coincide with a higher level of household interaction, agricultural work and less availability of support and intervention services, which may contribute to conflict escalation.

By contrast, in **urban areas**, cases are more common in the **cold season** months, particularly in **January and December**, when financial pressure, isolation and family tensions during the holiday season can amplify risks.

This difference between rural and urban areas indicates not only quantitative variations, but also **particularities in the dynamics of violence** and underlines the importance of **differentiated territorial and seasonal interventions** that take into account the specificities of each environment and adapt prevention, awareness-raising and institutional response efforts to the social calendar of the communities.

The data show a **wide geographical dispersion of cases** (*Figure 10*), with a presence in most administrative-territorial units of the Republic of Moldova. However, there are regions that stand out with a considerably higher number of reported cases, such as:

- **Chisinau** – 15 cases
- **Floresti** – 6 cases
- **Hincesti, Ialoveni, Orhei, Stefan Voda** – 5 cases each
- **Ocnita, Ungheni** – 4 cases each.

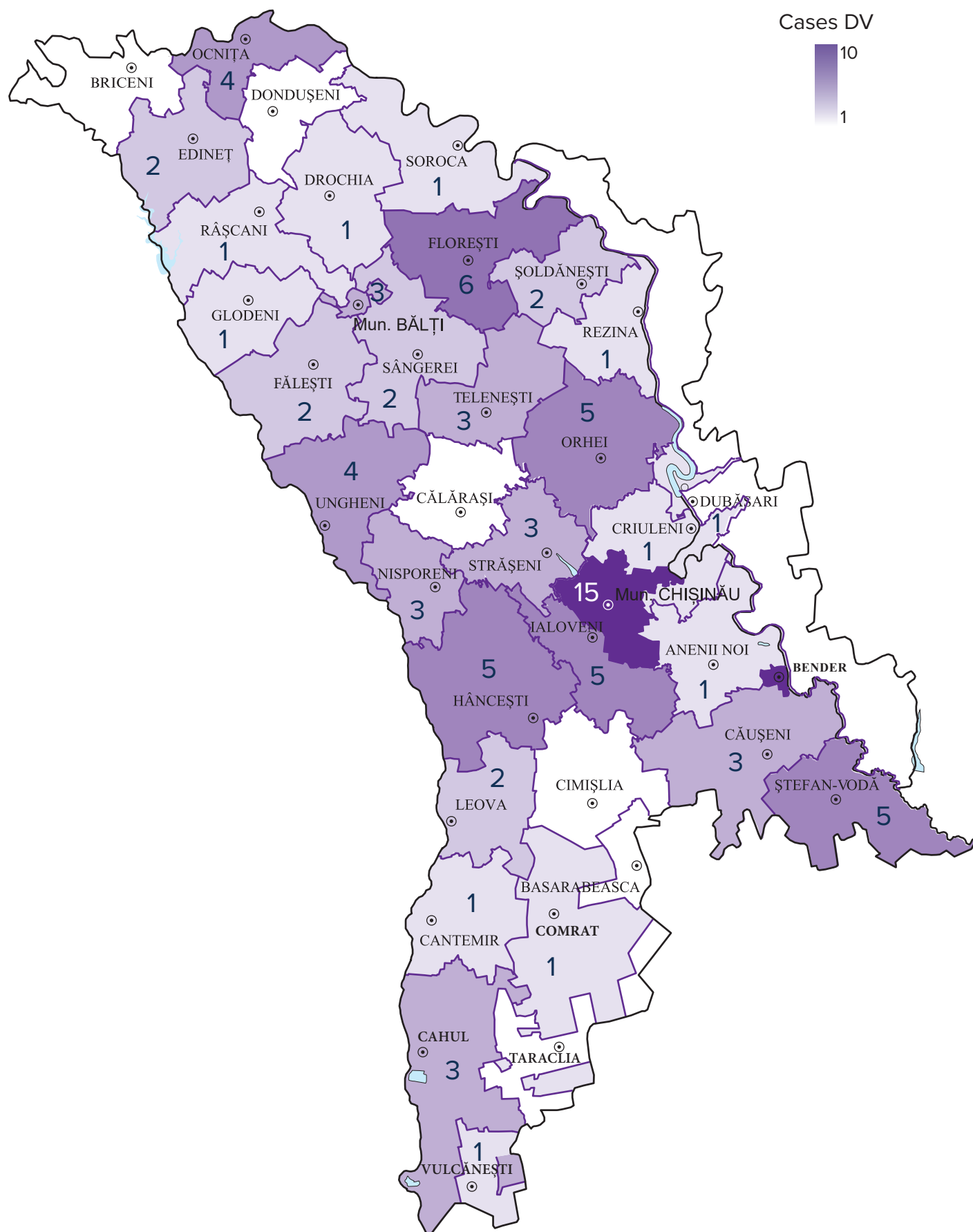
**Chisinau** stands out as the main reporting point, which can be explained by:

- population size,
- a higher number of incidents due to density and social diversity.

Many administrative-territorial units recorded between 1 and 3 cases, which indicates a **generalized presence of the phenomenon**, even in the smallest and less densely populated ones (e.g. Cantemir, Glodeni, Dubăsari).

The distribution by territorial-administrative units confirms that domestic violence with serious consequences is not an isolated or localized phenomenon, but a **structural and widespread one in all regions of the country**.

Figure 11. **Cases of DV by territorial-administrative units**





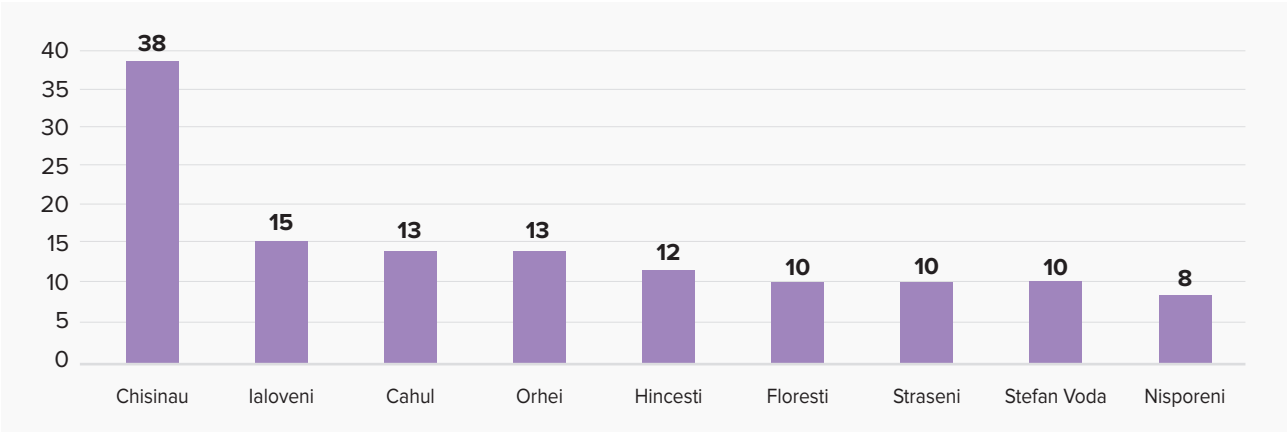
Comparative data for the period 2022-2024 confirm that serious domestic violence is **a generalized phenomenon**, present in almost all administrative-territorial units of the Republic of Moldova. However, there are **significant differences in intensity** between them (*Table 1*).

Table 1. **Comparative analysis of DV cases for 2022-2024,  
by territorial-administrative units**

	Number of reported cases per year		
<b>Moldova</b>	<b>2024</b>	<b>2023</b>	<b>2022</b>
Anenii Noi	1	0	4
Basarabeasca	0	1	0
Balti	3	1	3
Briceni	0	1	0
Cahul	3	4	6
Calarasi	0	0	4
Cantemir	1	1	2
Causeni	3	2	3
Chisinau	15	10	13
Cimislia	0	2	1
Criuleni	1	1	1
Donduşeni	0	2	0
Drochia	1	1	0
Dubasari	1	0	0
Edinet	2	1	3
Falesti	2	2	5
Floresti	6	1	3
UTAG	1	2	0
Glodeni	1	0	0
Hincesti	5	3	4
Ialoveni	5	5	5
Leova	2	0	1
Nisporeni	3	4	1
Ocnita	4	0	1
Orhei	5	3	5
Rezina	1	3	3
Riscani	1	0	0
Singerei	2	3	1
Soroca	1	3	3
Straseni	3	4	3
Soldanesti	2	2	3
Stefan Voda	5	4	1
Taraclia	0	0	0
Telenesti	3	0	5
Ungheni	4	3	2
<b>Total:</b>	<b>87</b>	<b>69</b>	<b>86</b>

The administrative-territorial units with a constant incidence over the 3 years (e.g. Ialoveni, Orhei, Hincesti) indicate the persistence of violence (*Figure 11*). Of note, the **Taraclia** district did not have any cases of serious domestic violence during 2022-2024. Districts with significant oscillations (e.g. Anenii Noi, Floresti, Nisporeni) may reflect both contextual factors and improvements/reductions in intervention capacity.

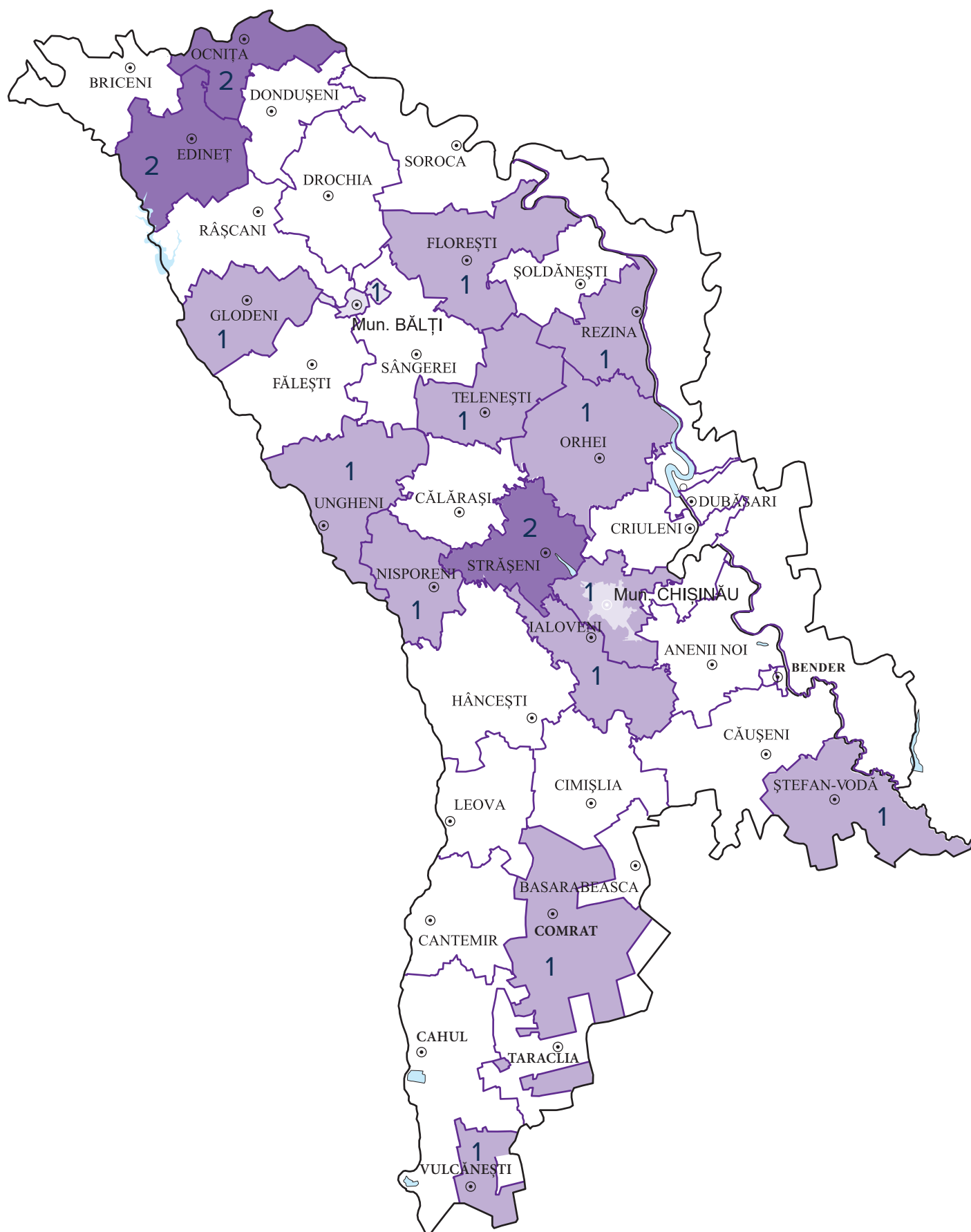
Figure 12. **Administrative-territorial units with high incidence of DV**



**Domestic violence with serious consequences is present in all regions of the country, with a higher number of cases in urban centers.** This data must be used for the geographical planning of interventions, the efficient allocation of resources and the construction of prevention and response mechanisms adapted to local realities. Trends in 2024 indicate an urgent need for targeted territorial interventions, especially in administrative-territorial units where incidence is increasing or has remained high over the last 3 years.

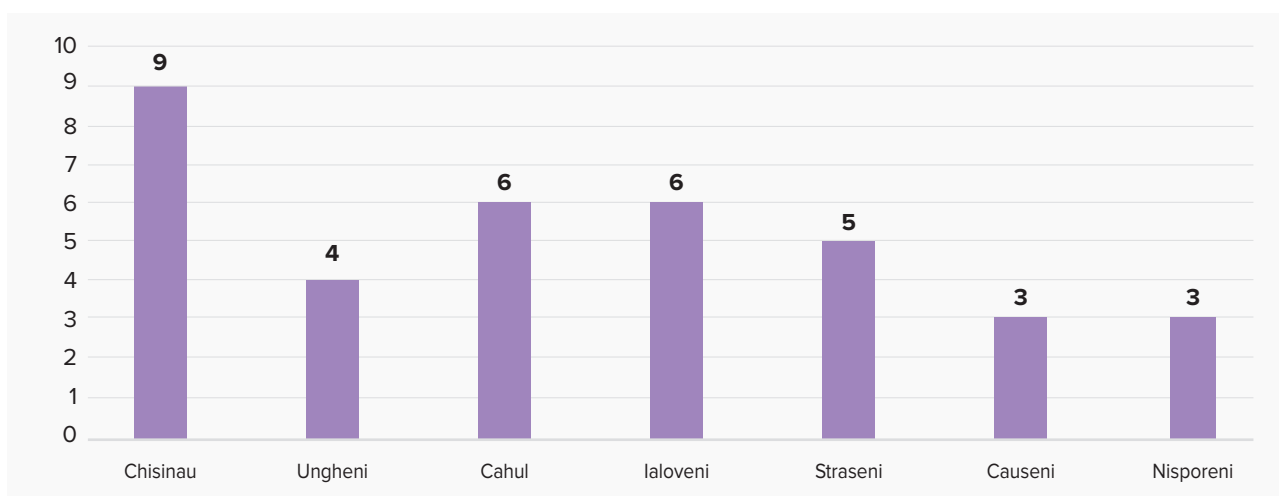
Femicide remains a phenomenon present in all regions of the country (*Figure 13*), but with a high incidence in densely populated or socially vulnerable districts. The increases recorded in 2024 in districts such as **Edinet, Chisinau or Straseneni** signal an acute need for targeted interventions. Also, the constant presence of cases in districts such as **Cahul, Ialoveni or Ungheni** underlines the importance of maintaining long-term prevention programs. Interventions must be **territorially tailored**, taking into account local dynamics and the capacity of communities to recognize, report and manage the risk of lethal violence.

Figure 13. **Femicide cases by territorial-administrative units**



The data reveal an uneven geographical distribution of femicide cases, with a constant presence in several of the country's districts (*Figure 14*). Although the total number of cases varies from year to year, there are certain areas of recurrent incidence and districts where the phenomenon occurs in isolation or occasionally. Districts such as **Cahul, Ialoveni, Chişinău, Străşeni and Ungheni** register cases almost every year, which reflects a **structural problem** in these regions and the need for strengthened prevention strategies. However, there are also districts in which during the period 2022-2024 **no cases of femicide were reported**: Basarabeasca, Briceni, Călăraşi, Cantemir, Donduşeni, Rîşcani, Sîngerei, Taraclia.

Figure 14. **Administrative-territorial units with a high incidence of femicide**



The distribution of domestic violence cases during 2024 shows an uneven distribution, with certain months marked by a considerably higher frequency. The highest number of acts were recorded in **February (14 cases)**, followed by **January and June** – each with **9 cases**, and **August and May** each recorded **8 cases**. **April** also stands out with a high level, with **7 cases** reported.

These months show clear peaks of incidence in violence patterns, particularly in January-February. This concentration may be associated with seasonal factors such as:

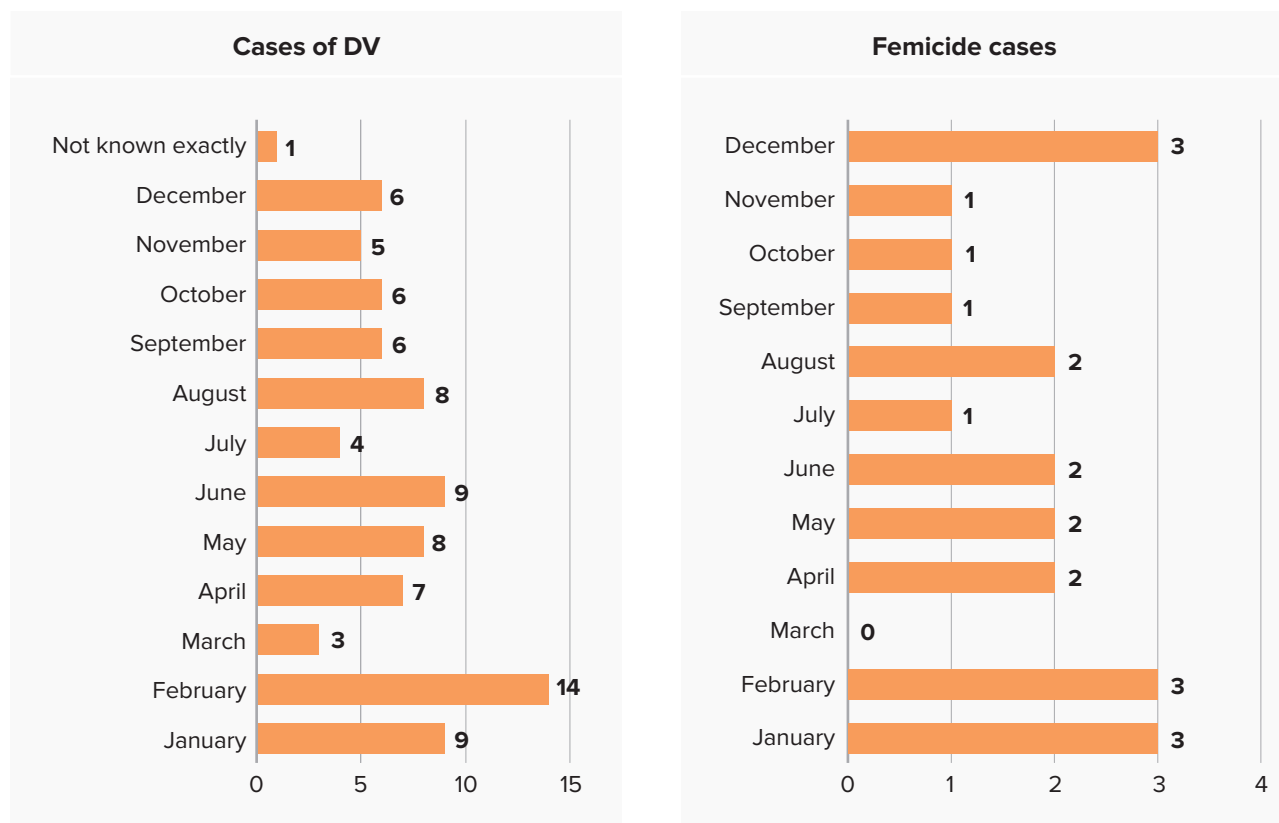
- **Cold period**, which entails more time spent in restricted common spaces and favors the outbreak of latent conflicts;
- **Socio-economic stress** accumulated in the post-holiday period or at the beginning of the year, which can amplify tensions in family life.

In contrast, the months with the lowest incidence of cases are **March (3 cases)**, **July (4 cases)** and **November (5 cases)**. These months generally coincide with periods of vacation or reduced activity in the family environment, when people spend more time away from home and have more frequent access to informal social support.

By comparison, in 2023, the most cases of domestic violence resulting in death or serious injury were concentrated in **June and August**, followed by **March, February and October**. In 2022, **May and August** were the months with the highest frequency of offenses of DV.

This supports the conclusion that domestic violence is a **constant** phenomenon, but with **seasonal intensifications**, especially in winter and transitional months – such as **January, February, April and May**. Tracking over time and identifying critical periods is essential to adjust institutional interventions and activate prevention mechanisms at times of heightened risk.

Figure 15. **Period of committing the offence**



The distribution of femicide cases in 2024 by month and the environment where the offense occurred highlights significant differences between rural and urban areas, reflecting the particularities of the social context and access to resources in the two environments. Out of the 21 cases analyzed, the **majority (14)** occurred in rural areas, while another **7 cases** were recorded in **urban areas**. This higher prevalence in **rural areas** is in line with general trends in domestic violence, where limited access to support and protection services reduces the capacity for prevention and early intervention.

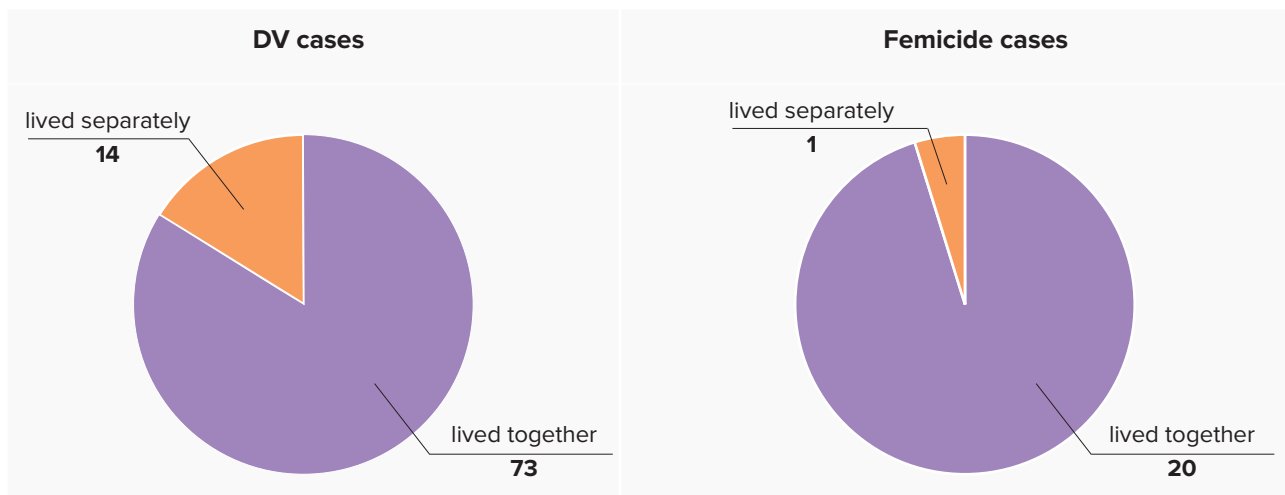
In terms of months of the year, femicide in rural areas is more frequent in **February (3 cases)**, followed by **January, April and June**, each with **2 instances**. Other cases were reported in **July, August, October, November and December** with **1 case** each. These findings may be explained by an increased sensitivity during periods of seasonal transition or intense family activity, when unresolved tensions may escalate into extreme forms of violence.

In urban areas, cases are more scattered, with a slightly higher frequency in **December and May** (2 cases each), followed by **January, February, August and September** (1 case each). The existence of cases in these months suggests that femicide in urban areas may also be associated with factors such as family stress, emotional isolation or the reactivation of conflicts in times of tension.

These findings underline the importance of **targeted interventions tailored** to the local context, through strengthened prevention efforts especially in rural communities and reinforced alert and protection mechanisms during critical periods.

**The majority of the offences occurred in the home, either in the joint residence or at the victim/perpetrator's home.** In 73 cases **the victim and the perpetrator lived together** and in **14 cases they lived separately**. The same situation is also found in the vast majority of femicide cases where **the victim and the perpetrator lived together** and only in one case **separately**. (Figure 16)

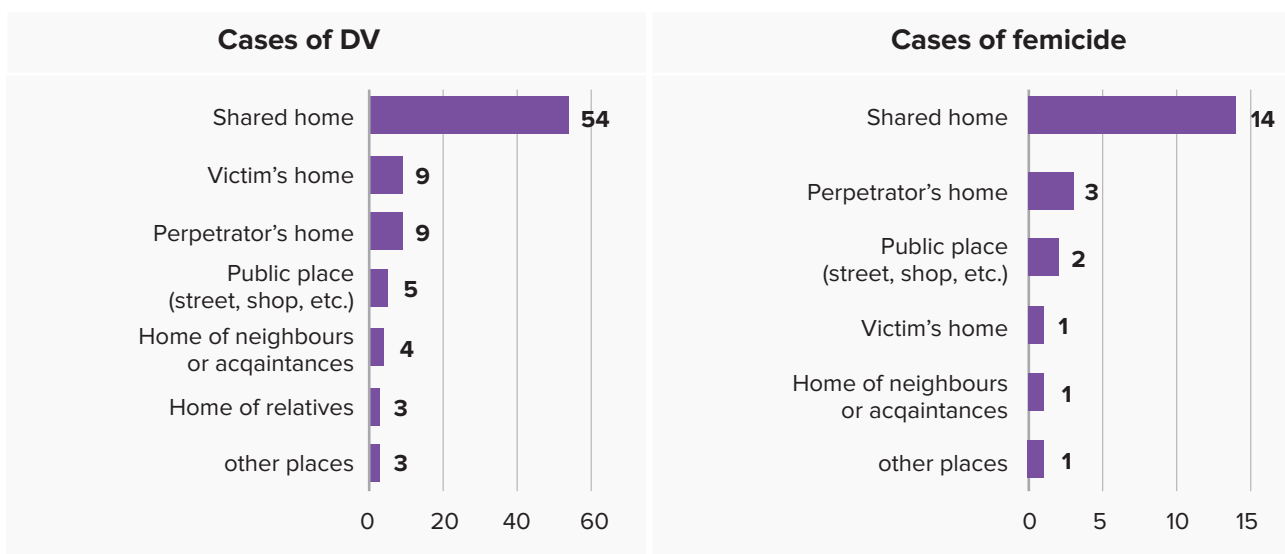
Figure 16. **Living situation of victim and perpetrator**



The home remains the most dangerous place for victims, thus, the domestic space, often perceived as a place of safety, becomes the main scene of abuse, which makes it difficult to intervene and victims face different perils, risking even their lives. Data on the place of violence show that in the majority of cases, the aggression takes place in the private space, most frequently in the **joint home of the victim and the perpetrator** (54 cases out of the total). Other private spaces – such as the perpetrator's (9 cases), the victim's (9 cases), relatives' (3) or neighbors/acquaintances' (4) homes – are also places where violence is committed (*Figure 17*). Only 5 cases occurred in public places, which confirms the deep and invisible nature of domestic violence. 3 cases took place in the car, at the front door of the house, or in a stranger's home where only the victim and the perpetrator were present. The private space favors the absence of witnesses, the intensification of conflicts and delayed intervention.

In the femicide cases analyzed, lethal violence occurred almost exclusively in private spaces, most often in the joint home of the victim and the aggressor (2 out of 3 cases). Other places of perpetration include the perpetrator's home (3 cases), the victim's home, neighbours' homes or public spaces. This distribution confirms that femicide is essentially a domestic crime, committed in the privacy of the home, away from the eyes of the community. The domestic space thus becomes not only a place of cohabitation, but also a place of isolation and impunity, where lethal risk increases when there is no effective intervention or protection.

Figure 17. **Place of crime**



The majority of cases of violence analyzed occurred in relationships of emotional closeness and cohabitation. Thus, **26 cases** involve **cohabitants**, and **11 cases** – **spouses**. Together, these two categories account for **37 cases (about 41%)**, which suggests that the most frequent assaults are committed by subjects in intimate relationships or partners. This pattern confirms that partnership relationships, especially **informal** ones, can become a space of hidden violence and are difficult to control institutionally. **16 cases** involve assaults committed **against parents** and **9 cases** against own **children** (adults or minors). **7 cases** involve violence between adult siblings. *These figures underline the existence of ascending and collateral violence in the family, not only conjugal violence.*

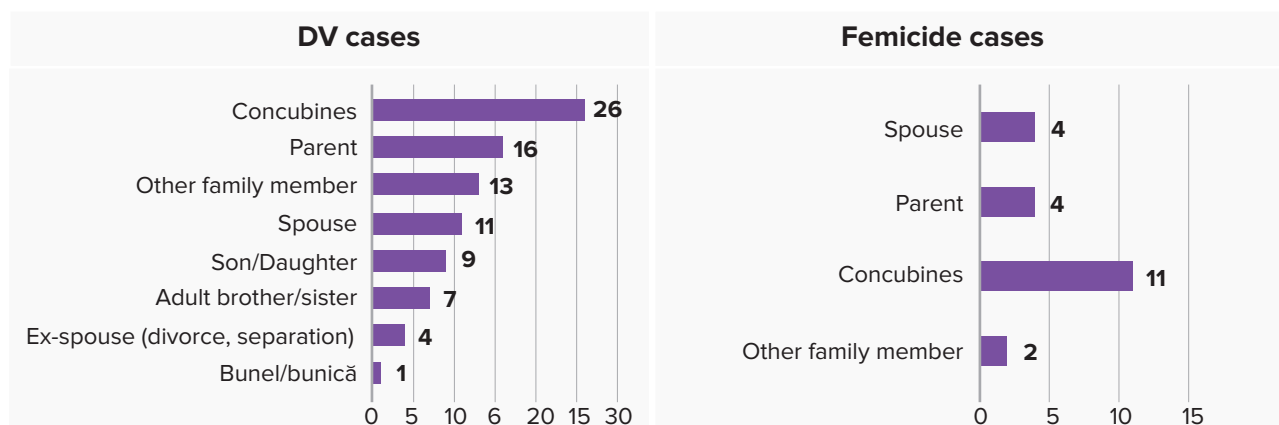
Analysis of the data shows that **4 cases** involve **ex-partners**, indicating that legal separation does not guarantee the safety of the victim. Perpetrators can remain dangerous even after divorce/separation, especially in the absence of sustained protective measures. These data underline the need for (i) flexible and rapid protection mechanisms for victims in any type of family relationship, not just marriage, and (ii) specialized intervention in intra-family conflicts not legally regulated (e.g. cohabitation, parent-adult child relationships).

The **13 perpetrators** categorized as "other family member" are distributed as follows: in 3 cases the perpetrator was an uncle of the victim, in 2 cases their cousin, in 2 cases a brother-in-law, in 1 case the stepfather, in 1 case the stepson, in 1 case the mother-in-law, in 1 case an aunt, 1 case the mother's concubine, in 1 case – mother of the minor victim (the victim was a former concubine of the perpetrator). The presence of perpetrators such as uncles, cousins, brother-in-law, stepfather or -son indicates a high level of insecurity even in the extended family, not only in the primary couple. These perpetrators often take advantage of family trust or imposed cohabitation (in joint households, for economic reasons, etc.) In such contexts, **institutional support for victims is more challenging to apply** and authorities may face obstacles in identifying the real perpetrator.

From the cases of femicide, **11 cases** involve **cohabitants** and **4 cases** involve **spouses**. Together, they make up **75% of all femicide cases** analyzed. This situation reflects that the most dangerous relationships for women are those of intimate partnerships, especially informal ones (cohabitation), where lack of legal protection and emotional/economic dependence can facilitate extreme violence. In **4 cases**, the **victim was the perpetrator's parent**, which highlights a less discussed but severe type of violence. Femicide of mothers by their own sons is an extreme form of domestic violence, often ignored in mainstream interventions.

Femicide can also occur at the hands of close relatives. In 2 cases of femicide, the victims were the mother-in-law and sister-in-law. These situations signal that the danger to women in extended family settings remains real, especially in households with many members or in the absence of personal autonomy.

Figure 18. **Relationship of the victim to the perpetrator**



The analysis of the dynamics of domestic violence highlights a profound problem in the structure of interpersonal relationships. **Most cases of DV are committed by intimate partners**, which emphasizes the need for preventive and educational measures focused on couple relationships.

Data on the duration of the relationship between victim and perpetrator in cases of severe domestic violence show that the intensity of abuse does not depend on the length of the relationship. **Husband/wife** relationships are often of very long duration. Thus, in the cases analyzed by the Commission, couples were living together for 14, 22, 25, 31, 37, and even 42 years. **Ex-spousal** relationships also range from 3 to 36 years. In **cohabiting** cases the length of the relationship ranges from 7 months to 30 years, with many relationships between 2 and 10 years.

These data confirm the hypothesis that violence can occur in short relationships – a few months or a year – as well as in relationships lasting decades. There are situations where the assault occurred after only 7 or 9 months of cohabitation, but also cases where the partners had been together for 20, 30 or even 42 years. This variation suggests that the length of time spent together works neither as a protective factor nor as a clear predictor of risk.

**In cohabiting relationships, risks appear particularly pronounced.** Although the duration varies considerably, many cases of extreme violence occur in relationships lasting between 2 and 10 years, which is long enough for tensions to build up but not necessarily stable enough for the victim to benefit from legal or social protection. In formal (husband/wife) relationships, the duration is often significantly longer - sometimes more than three decades - suggesting a chronicization of control, fear and dependency of the victim, because in many cases the violence started in the early years of the marriage. The data shows that in many situations, violence seems to build up and „normalize” in the couple's dynamic gradually, until it escalates into serious or fatal forms. In some cases, the perpetrator and the victim were divorced. Still, their shared history of 15, 26 or even 36 years did not prevent the perpetrator from committing the act, but perhaps even aggravated the dynamic of control and claim.

However, the data on femicide cases show that the length of the relationship between victim and perpetrator varies significantly, from a few months to over forty years, with no real protection provided by the time spent together. Violence resulting in death occurred both in short cohabiting relationships, characterized by instability and intense control, and in long-term marriages, where the abuse became chronic over time. Thus, the risk of femicide does not decrease with the length of the relationship, and intervention must target the abusive dynamic, not just the duration of cohabitation.

**The methods and means used by the perpetrators are varied, but domestic utensils are predominant:** kitchen knives, sticks, axes, blunt objects (chairs, wood, metal bars), and, in some cases, flammable substances or asphyxiation methods (strangulation, choking). Almost all the acts involve direct physical violence and close contact.

**Sharp** instruments remain the most frequently used, with a total of **51 cases** in which the perpetrators used objects such as knives, screwdrivers, axes, forks or scissors. These are household weapons, easily accessible but extremely dangerous, indicating the intention of the perpetrator to inflict a lethal injury and a possible clear intent to cause physical destruction.

**Blunt objects** have been reported in **35 cases**, ranging from clubs, pieces of wood, metal rods, furniture legs, to household objects such as chairs, teapots, metal pots or even stones. In many of these cases, the victims were hit repeatedly, including in the head region, suggesting an uncontrolled escalation of aggression.

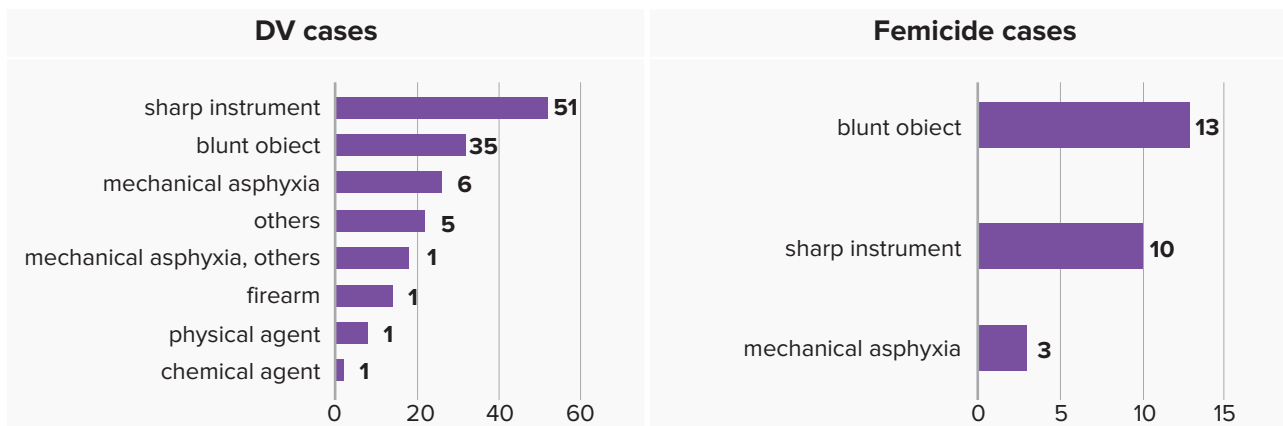
In some cases, the methods were **combined**, including both blunt and sharp objects, possibly mechanical asphyxiation. For example, there were cases where victims were punched, then hit with a chair, and then strangled with hands or a scarf. These mixed methods occur in at least **10 cases** and reflect a high degree of cruelty and overwhelming emotional intensity of the violent act.



In a few isolated cases, the perpetrators used **choking as the only method** (3 cases) or in combination with other means (3 cases). **Atypical methods** were also reported, such as aggression with chemical substances, biting, fighting or even setting fire to the house.

This diversity highlights not only the easy access to tools of aggression in the domestic space, but also the impulsivity, brutality and desire for physical annihilation of the victim. It is not just about loss of control, but about acts committed with extreme and sometimes repetitive violence, which underlines the urgency of more effective interventions in cases of recurrent violence before they escalate irreversibly.

Figure 19. **Means/methods of committing the offence**



**In femicide cases, blunt objects are the most frequently used objects (13 cases)**, with concrete examples such as wooden sticks, stones, kitchen pots or pieces of metal. Blunt objects used in femicide cases:

- sticks and pieces of wood (e.g. "wooden bat", "a split wood", "wooden stick"), mainly used for blows to the head area
- heavy household objects, such as a metal kitchen pot with a handle and a saucepan
- hard objects such as a stone, plate, glass jar or a piece of metal.

There were also situations of and direct blows with fists and feet (mentioned in several cases), indicating direct physical aggression, often combined with other methods.

Sometimes, the perpetrators used several methods at the same time – blows with fists and feet, followed by blows with objects, especially in the head area. In 4 cases, blunt objects were combined with sharp instruments, which suggests an extreme escalation of violence during the crime.

**Sharp** instruments are also frequently used (**10 cases**). The most common instrument was the knife, found alone in 8 cases, but also in combination: with an axe (1 case) or with a screwdriver and scissors (1 case). In total, the use of sharp objects is present in 6 cases exclusively and in 4 cases in combination with other methods. These data show a clear intention to cause lethal injuries and easy access to such objects in the domestic environment.

**Mechanical asphyxiation**, although less common (**3 cases**), is a method of direct suppression of life, with direct physical involvement of the perpetrator, including mentions such as asphyxiation with a belt, strangulation with a scarf - which imply a high degree of complexity in the perpetration of the crime.

## 2.3. Profile of victims

Domestic violence is a serious problem affecting people of all ages, ethnicities and social classes. Data collected by the Commission reveals that **3 victims were minors** (2 born in 2022 and 1 born in 2019). Another **84 victims are adults**. The average year of birth of the victims was 1975 (in the data for 2023 the average was the year of birth 1976). In 2024, the oldest victim was born in 1938 and the youngest victim was born in 2022.

The majority of victims were adults, born in the 1970s and 1980s, reflecting an increased prevalence in the working population. There were also many elderly victims (born in the 50s and 60s), indicating an increased vulnerability in parent-child or caregiver relationships.

Cases involving very young victims (children) are fewer, but do exist, underlining the seriousness of acts committed in deeply dysfunctional family environments.

Data from 2024 shows a steady trend in the average age in domestic violence criminal cases, similar to the previous year:

- In cases in which the perpetrator is male and the victim female, the average year of birth is 1976, which corresponds to an average age of about 48.
- In cases with a female offender and a male victim, the average is 1980 (~44 years).
- In cases where both offender and victim are of the same sex, the average is also around 1980.

This trend was also present in the year 2023, when *"The average age of criminal cases where the offender is male and the victim female is 1974 and where the offender is female and the victim is male, 1981, same sex 1980."*

This interannual stability indicates that domestic violence mainly affects middle-aged adults, regardless of gender or relationship configuration, and is a valuable indicator for targeting prevention and intervention campaigns.

In femicide cases, **all femicide victims are adults**. The average age of femicide victims is the year of birth 1975 (in the data for 2023 the average age was the year of birth 1976). The oldest femicide victim was born in 1952, and the youngest victim was born in 2003.

Nearly half of the victims (9) were born between 1975 and 1984, reflecting an increased vulnerability among women in mid-working life, but there are also cases at the extremes of age. Thus, prevention interventions need to be multigenerational, with a special focus on women in the 30-50 age group.

As regards the nationality of victims of DV resulting in death or serious bodily injury, the data collected show that **all** victims are citizens of the Republic of Moldova. The majority of them (80 persons) are ethnic Moldovans, another 7 are of other ethnicities (3 Roma, 1 Russian, 1 Ukrainian and 2 Gagauz). Compared to previous years when there were no victims of Roma ethnicity, in 2024 there were 3 victims in the Roma community, which requires the need to intensify prevention interventions in these communities. In femicide cases, all victims were citizens of the Republic of Moldova. The majority of them (19 persons) are ethnic Moldovans, 2 others are of other ethnicities (1 Russian and 1 Gagauz).

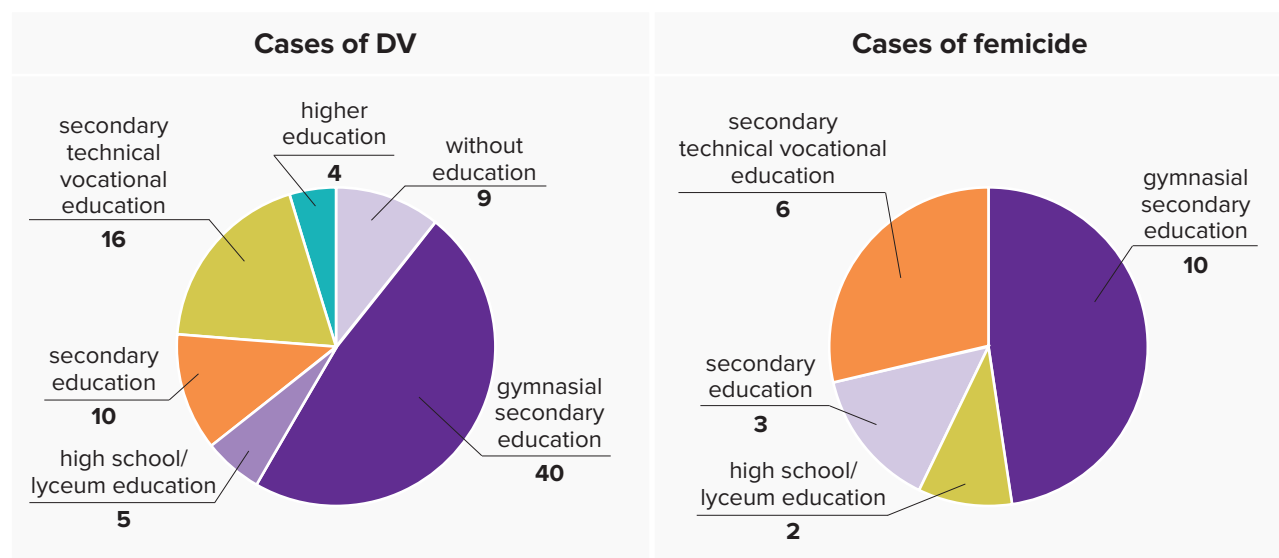
The data analyzed by the Commission shows that **the majority of victims come from low to medium-educated backgrounds** (Figure 20):

- Gymnasial secondary education: 40 victims (highest share)
- Secondary technical vocational education: 16 victims
- No education: 9 victims
- General secondary education: 10 victims.

These data emphasize the need for prevention campaigns tailored to the group of women with low levels of education and investment in education as a form of social protection.

**Victims of femicide are mostly women with a low level of education (half of them with only secondary gymnasial education)** (Figure 20). This reality highlights a clear link between vulnerability and lack of education, emphasizing the need for targeted prevention measures in communities with limited access to education and social support.

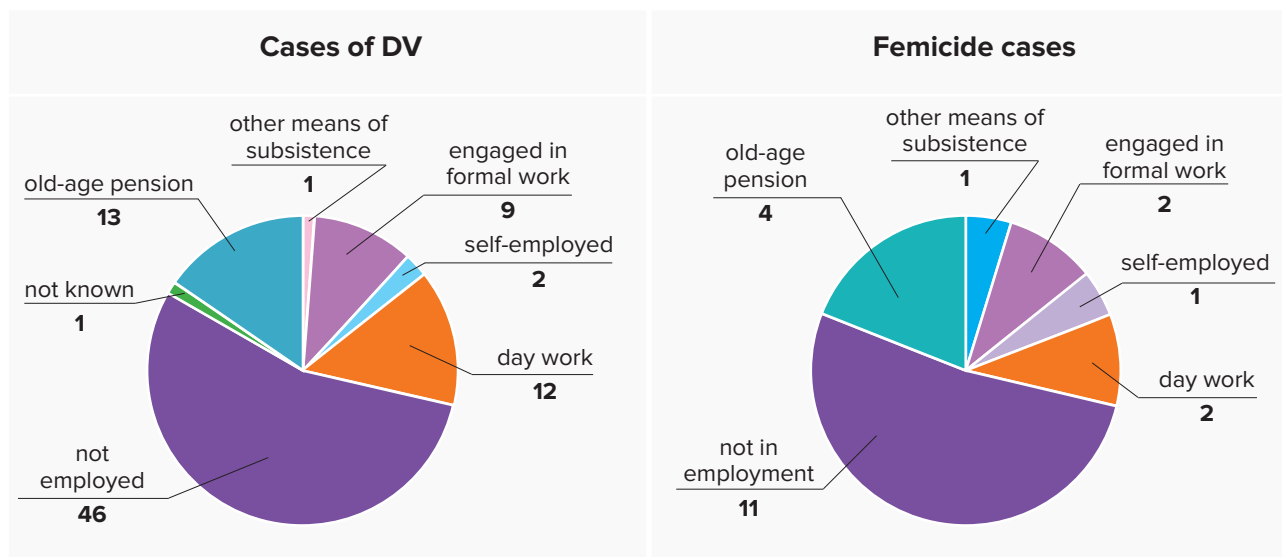
Figure 20. **Education level of victims**



The analysis of the data collected by the Commission reflects a **marked social vulnerability among victims of violence** (Figure 21):

- 46 victims **were not employed (over 50%)**
- 13 victims were receiving an old-age pension
- 9 victims had a formal job
- 12 victims were day workers (casual, insecure)
- 2 victims were self-employed and 1 victim lived from other means of subsistence.

Figure 21. **Source of income**



The analyzed data also point to a **high degree of social vulnerability also among femicide victims**. (Figure 21). The majority of victims are not employed, and in the case of **femicide victims, only 2** victims had **formal employment**:

- 11 victims were not employed (over 50%)
- 4 victims were receiving an old-age pension
- 2 women were day workers (casual, insecure)
- 1 victim was self-employed and 1 victim lived from other means at the limit of subsistence.

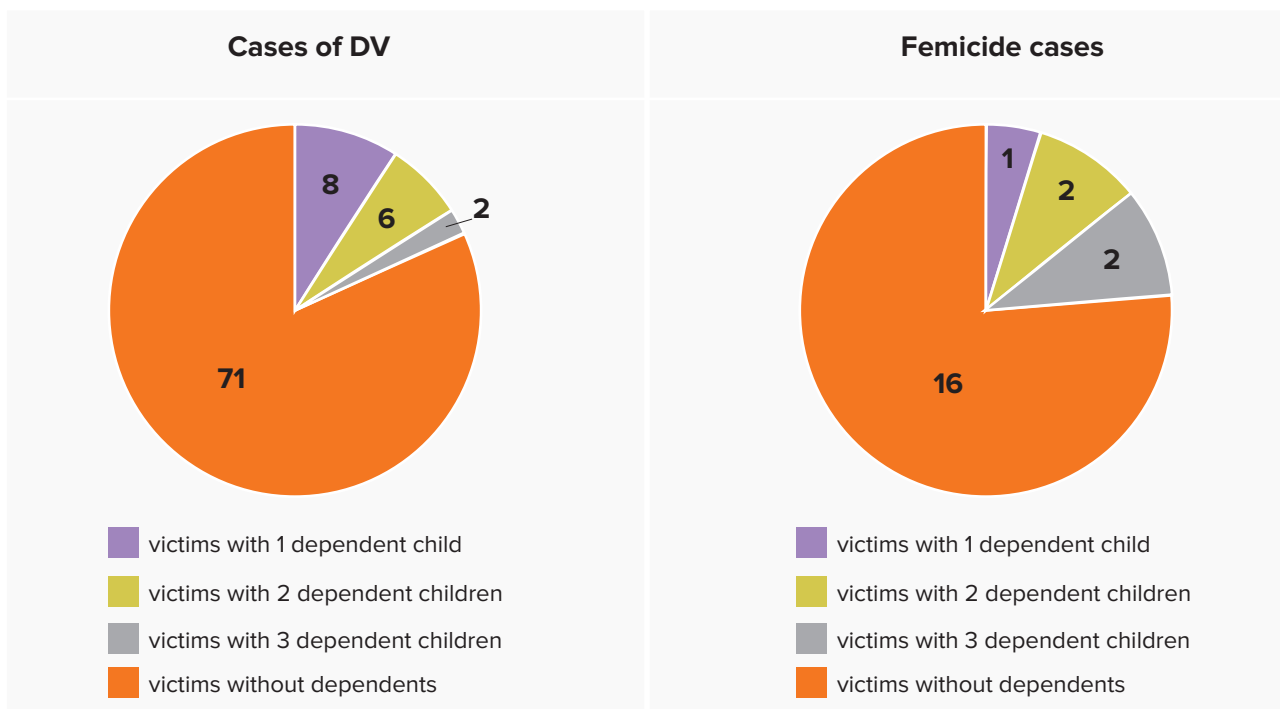
The analysis showed that the trends of **very high social vulnerability of the victims were also present in 2022-2023**. Poverty and financial dependency are identified as significant risk factors in femicide cases. This is compounded in the case of retired women, who appear to be disproportionately affected. The reality described suggests a clear correlation between the lack of economic stability and the risk of becoming a victim, underlining the need for integrated social interventions: employment support, social protection and prevention measures in vulnerable communities.

In the DV cases analyzed, **1 in 5 victims** (16 victims) **had dependent children**. Of them 8 had 1 child each, 6 victims had 2 children each, and 2 victims had 3 children each (Figure 22). In the case of femicide, **5 femicide victims (1 out of 4 women) had dependants**. Of them 2 had 1 child, 1 had 2 children and 2 had 3 children. Thus, children become **indirect victims** of extreme violence, either through the loss of the mother or through direct exposure to trauma.

Although the average age of the victims (year of birth 1975) suggests that many of them would have been of reproductive age and therefore had minor dependent children, the data show that only a small proportion of the victims actually had children in their care at the time of the crime:

1. The presence of children may have a tempering effect on the offender's behavior – at least in the sense of postponing or avoiding fatal acts.
2. Perpetrators more frequently commit extreme acts against partners without direct parental responsibilities (or after separation from children), possibly perceiving these victims as more socially 'isolated' or without connections that would attract prompt intervention by the authorities.

Figure 22. **Presence of dependants among victims**



Thus, the presence of children in the family does not absolutely protect against violence, but it may be a factor in the severity or timing of escalation. This trend, which remains constant in 2022-2023, suggests that the absence of minor children may negatively influence the dynamics of couple relationships, possibly due to the lack of a stabilizing or conflict-mitigating factor. It is essential that future studies further explore these patterns to better understand risk factors and develop effective prevention and intervention strategies. In the meantime, it is crucial to strengthen support services for victims of domestic violence, regardless of parental status, to ensure the protection and safety of all members of society.

In **4 criminal cases, children have been victims of violence, and in 3 criminal cases**, a minor has the status of a witness present at the time of the crime. Thus, in the criminal proceedings initiated for the facts subject of the Commission, **7 minors (5 girls and 2 boys)** aged 2 years (2 children), 5 years (2 children), 7 years (1 child), 10 years (1 child) and 17 years (1 child) were involved. In **4 criminal cases**, the minor is recognized as an injured party; in 3 cases, he/she is not recognized because, in 2 cases, no harm was caused to him/her, and in 1 case, it was indicated that recognition as an injured party could lead to revictimization (established by psychological assessment). In only 3 criminal cases was the case **referred to the guardianship authority**. In the cases where the guardianship authority was not notified (4 cases) the cause was not explained.

In **2 criminal cases** concerning femicide **minors were involved** (2 girls aged 10 and 17). In both criminal cases the minor was a **witness** present at the time of the violence. In both criminal cases the minor **was not recognized as an injured party** because: in one case no harm was caused to the minor and in the other case the psychological assessment indicated that revictimization could occur.

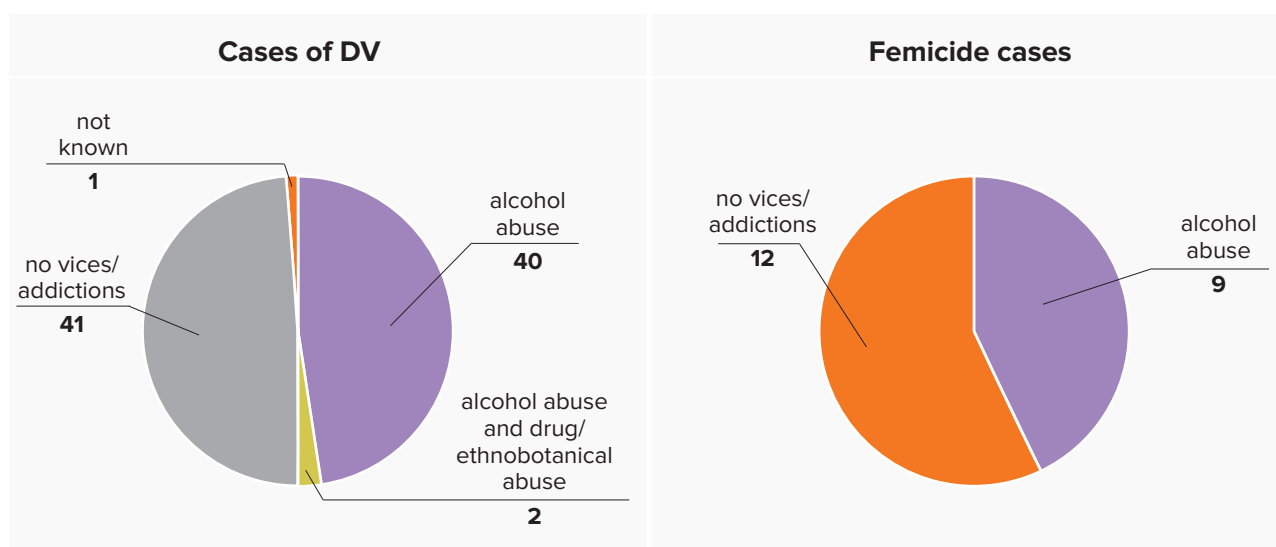
According to the case registration form, **5 victims** of DV were previously registered with the police; 2 of them as domestic abusers, 1 for drug use, and 2 for other offenses.

In the femicide cases, **none of** the femicide victims were previously registered with the police and none had a **criminal or misdemeanor record**.

**Half of the victims abuse alcohol** (42 out of 84 cases), which may be an **aggravating factor of vulnerability** in situations of domestic violence. However, a comparably large number of victims (41 cases) **had no vices or addictions**. In femicide cases, **9 victims were abusing alcohol**.

This balanced distribution emphasizes that the presence of addiction is not necessarily a condition for a person to become a victim, and the absence of addiction does not provide protection from severe violence (*Figure 23*).

Figure 23. **Presence of addiction among victims**



It is of concern that although a significant proportion of victims suffer from alcohol addiction, none of the victims were registered with specialists for treatment. This highlights a possible gap in the health and social care system, which may fail to identify or provide the necessary assistance to people with addiction.

## 2.4. Profile of perpetrators

The average year of birth of perpetrators is 1980, in contrast to the data for 2023 when the average year of birth was 1975. The oldest offender was born in 1946 and the youngest offender was born in 2009 (he is a minor). Of the adult offenders, the youngest was born in 2003.

In contrast to the years 2022-2023, in 2024 **there are 2 juvenile offenders** (one born in 2009 and the other in 2007), which makes it necessary to plan preventive intervention also among juveniles. By sex, the average year of birth of male perpetrators is 1981, and the average year of birth of female perpetrators is 1976.

**The majority of offenders are adult males, born in the 1970s, 1980s and early 1990s**, reflecting an increased prevalence of violent behaviour among the mature population, in periods of life marked by family responsibilities, financial or relational instability. There is also a significant number of older perpetrators (born in the 40s, 50s and 60s), indicating the persistence of abusive behavioral patterns in relationships of authority (parent-child, husband-wife in long-term couples), but also the lack of effective intervention in earlier life stages.

Cases where perpetrators are very young (born after 2000) are rare, but present, and signal critical situations of early onset of aggressive behavior in dysfunctional family contexts.

The proportion of female perpetrators is significantly lower, but not negligible, and their average age is similar to that of male perpetrators, suggesting that violence committed by women also usually occurs in long-standing, tense contexts.

In most of the cases analyzed, the age difference between the victim and the perpetrator is relatively small but analytically significant. The extremes are where **the perpetrator is 46 years younger than the victim** and where **the perpetrator is 35 years older than the victim**.

Most perpetrators (42) are older than victims, reflecting a dynamic of control and dominance typical of couple or authority relationships, especially in patriarchal or traditional family contexts.

However, in almost as many cases (40), the victim is older than the perpetrator, signaling an increased vulnerability of adults or older people in relationships with younger partners, children, or caregivers – including in situations of escalating violence.

In femicide cases the average year of birth of the perpetrator is 1980 (in the data for 2023 the average year of birth is 1973). The oldest perpetrator was born in 1949 and the youngest perpetrator was born in 2007 (he is a minor). The youngest adult perpetrator was born in 1997. The femicide cases analyzed reveal a wide age distribution of perpetrators, with birth years ranging from 1949 to 2007, which means that perpetrators can range from teenagers to elderly people. The average age of the perpetrators is 43 (born in 1980), with a very close median (1981), indicating that the majority of perpetrators are men in their active adulthood, often with family responsibilities, but also with potential socio-economic and emotional frustrations. Thus, a dominant profile of perpetrators in the 35-45 age range emerges. This is a segment frequently associated with strained couple relationships, divorce or prolonged conflict situations.

The existence of perpetrators born in 2007 (approx. 16 years old) or in the 50s and 60s reflects the fact that femicide is not limited to one age group, but can occur both in early and late adulthood, depending on the relational context and accumulated risk factors.

#### **CASE STUDY. Femicide committed by a minor against his mother**

On August 14, 2024, in town. X., a particularly severe case occurred: XXX Vasile, aged 16, killed his mother, XXX Natalia, aged 40, following a conflict that broke out on the background of alcohol consumption. The incident occurred at their shared home around 23:00. The minor, in a drunken state, physically assaulted his mother with several blunt objects – a stone, a plate and a glass jar, causing severe head injuries which led to her death. Subsequently, the perpetrator dragged the body through the yard and dumped it over the household fence.

The victim, who was unemployed and an alcohol abuser, was a single mother with three dependent children and on social assistance. She had not previously been registered with the police for domestic violence and had not filed a complaint. Neither had the perpetrator previously been documented for domestic violence, but had a previous conviction, aged just 14, for theft (Art. 186 CC), and had been detained in 2023 for four months in a juvenile detention center.

Following the crime, the perpetrator's siblings were hospitalized and subsequently placed in foster care, and were declared children left without parental care. XXX Vasile was sentenced by the Chisinau Court (Buiucani district) to **9 years' imprisonment in a detention center for minors and juveniles**, on the basis of Art. 145 para. (2) let. e<sup>1</sup>) and j) of the Criminal Code – murder committed with particular cruelty against a family member.

During his detention, the minor showed signs of behavioral deterioration and accumulated 12 disciplinary sanctions. Although he was included in basic educational programs, he was not provided with an individual re-socialization plan, because of the short term of his previous conviction.



**Reflection:** This case highlights a tragic accumulation of vulnerabilities: poor family environment, alcohol abuse, lack of adequate supervision of minors with previous convictions, and the absence of multisectoral preventive interventions.

The murder, committed with extreme cruelty, is a wake-up call on rising domestic violence and the need for clearer protection, monitoring and support mechanisms for vulnerable families before this kind of situations degenerate irreversibly.

The age differences between perpetrator and victim in femicide cases vary significantly, from **perpetrators up to 14 years older than the victim, to perpetrators up to 29 years younger than the victim.**

About half of the perpetrators (9) are younger than the victims, indicating unusual situations of violence in unequal relationships of unequal maturity (e.g. younger partners, sons, caregivers).

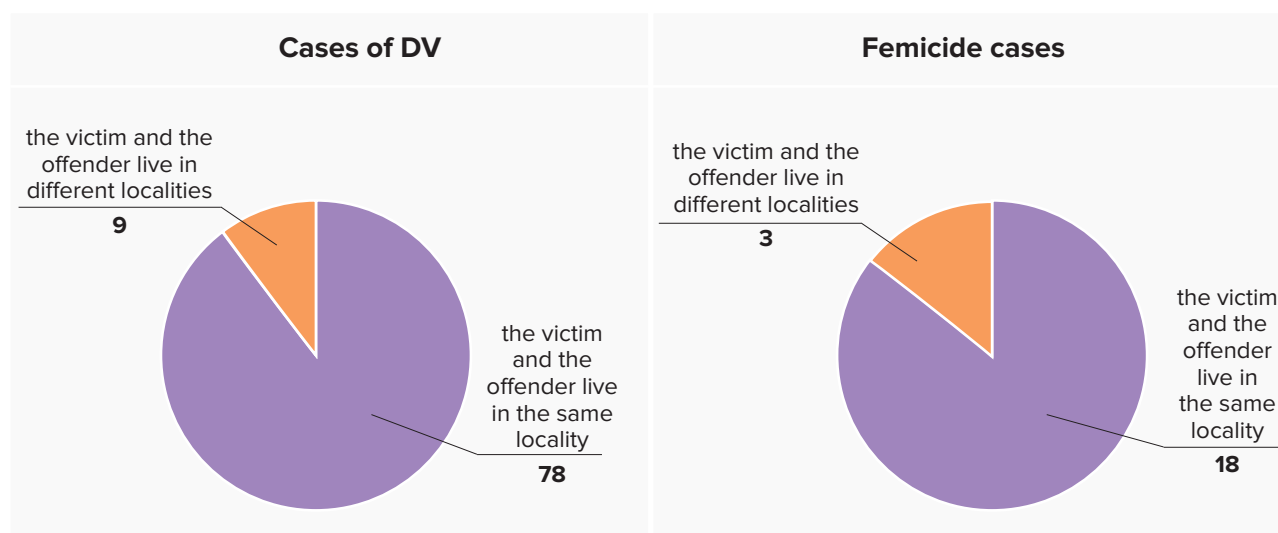
The other half reflects the classic pattern of control, where the perpetrator is older and often in a position of authority or dominance over the victim.

**All** perpetrators are Moldovan citizens. The majority of them (83) are ethnic Moldovans, 4 others are of other ethnicities (3 Roma and 1 Gagauz). In cases of femicide, **20 perpetrators** are Moldovans and **1 perpetrator** is Gagauz.

Regarding the residence of the perpetrator, the results of the research show that in most cases the victim and the perpetrator live in the same locality (Figure 24).

Out of the 21 femicide offenses, in the case of 3 perpetrators, the place of residence is different from the locality where the crime took place. However, even though 1 in 7 victims does not live in the same locality, this was not a protective factor.

Figure 24. **Domicile of the perpetrator**



Data on the education level of the perpetrators<sup>18</sup> show that the majority have a low level of education, with 48 having only lower secondary education and 8 with no education (Figure 25). A relatively small number have completed vocational education (12 in total), and only 5 persons have higher education.

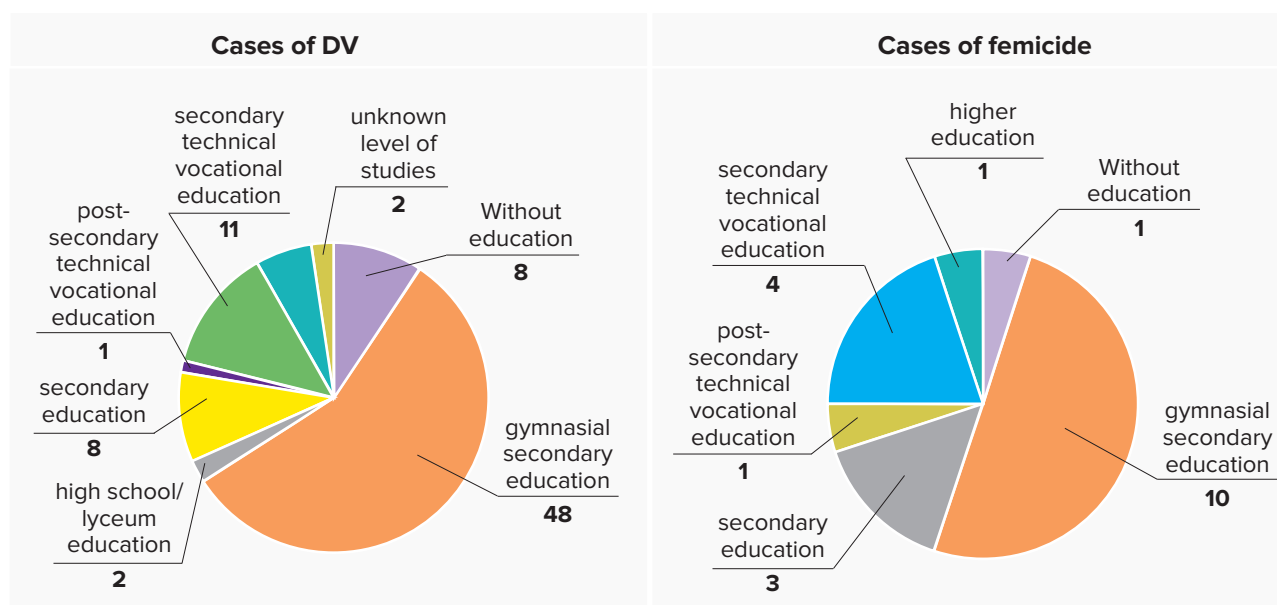
<sup>18</sup> **Note:** In the following data, the perpetrator profile statistics will be presented for 85 perpetrators; the 2 juvenile perpetrators are excluded.



In **femicide** cases the data show that most perpetrators had a low level of education, with 10 persons with only secondary education and 1 with no education. Differently from the victims, **one perpetrator had higher education**, while the rest had intermediate levels - technical vocational or secondary.

This distribution emphasizes the lack of education as an essential risk factor in the occurrence and perpetuation of violence, as well as the need for preventive intervention in communities with low schooling. These data confirm the general trend also observed in cases of violence analyzed by the Commission in 2022-2023, that lower educational attainment is frequently associated with extreme violent behavior in the absence of other social and cognitive resources for conflict management.

Figure 25. **Educational level of perpetrators**

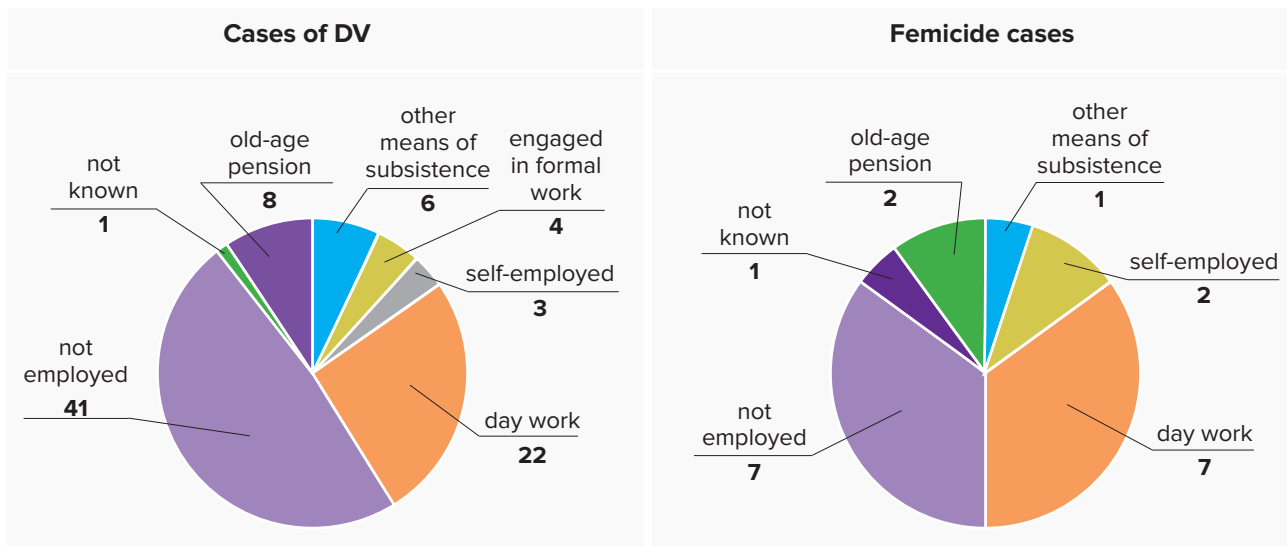


The data analyzed by the Commission indicates that **the majority of perpetrators** in domestic violence cases had **unstable sources of income or no income at all**. (Figure 26). The data show that **41 were unemployed** and 22 were day laborers, indicating a high level of economic insecurity. Thus **day labor is a common form of employment for family perpetrators**. Only 4 perpetrators were formally employed and 3 were self-employed, signaling that steady and formal income is rare among perpetrators. This situation suggests a clear link between economic exclusion and violent behavior, emphasizing the need for integrated interventions that also target the socio-economic component.

In the femicide cases, it can be observed that the majority of perpetrators had a precarious economic situation (Figure 26): 7 were unemployed and 7 were day laborers with no stable income. Very few perpetrators had independent forms of subsistence (self-employed – 2 cases) or pension (2 cases).

Similar to the findings in the 2022-2023 reports, the majority of victims and perpetrators in femicide cases were in socio-economically vulnerable situations: 'Unemployed-unemployed' or 'daily labor-daily labor' are the most common combinations and very few victims or perpetrators had stable formal employment or self-employed status. This distribution confirms that profound economic insecurity is a factor associated with extreme violence, exacerbating social vulnerabilities and increasing the risk of fatal behaviors.

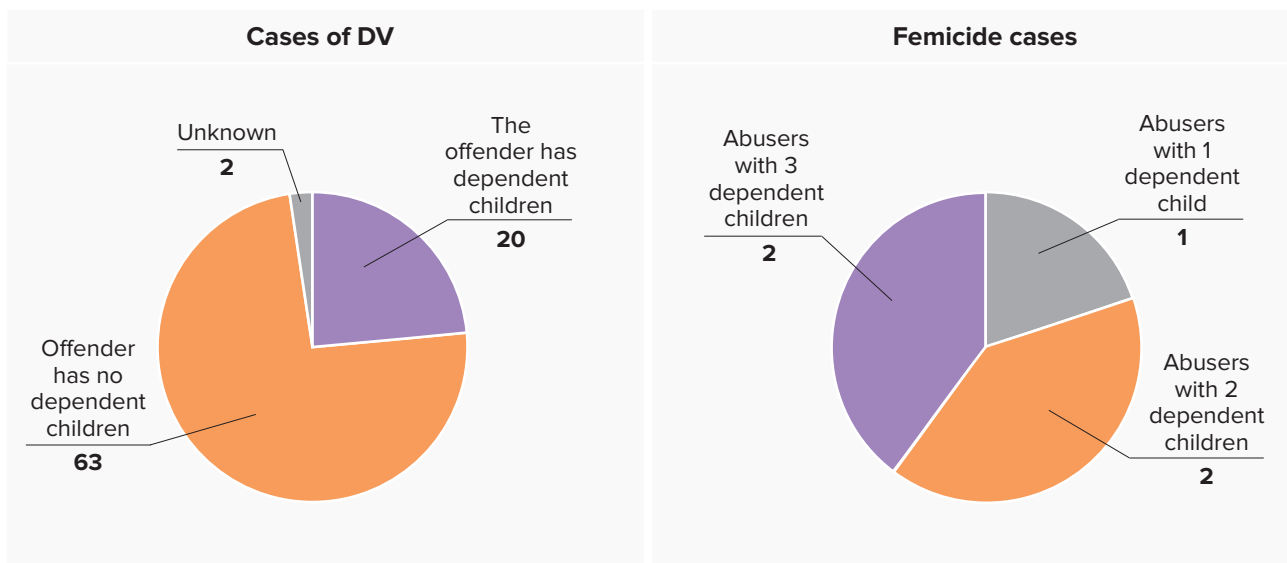
Figure 26. **Source of income**



According to the data analyzed, **1 in 4 domestic violence perpetrators (20 in total) have dependent children** (Figure 27). Of them 10 have 1 child each, 8 perpetrators have 2 children each, and 2 perpetrators have 3 children each. **The number of victims with dependent children is 16, which is lower than the number of perpetrators.**

In **femicide** cases, the same trend continues **1 out of 4 perpetrators (5 persons) have dependent children**. Of these, 1 has 1 child, 2 perpetrators have 2 children each, and 2 perpetrators have 3 children each. Even though the number of victims with dependent children is the same 5 persons, they are not within the same cases – the children are not common. Thus, in 3 cases both the victim and the perpetrator have dependent children, in 2 cases only the victim has dependent children, and in 2 cases only the perpetrator has dependent children.

Figure 27. **Presence of dependants among perpetrators**

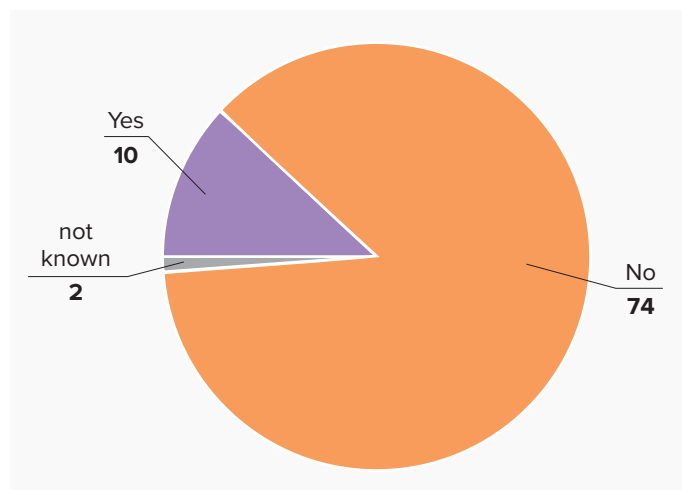


Although the average age of the perpetrators (most of whom were born between the 1970s and 1990s) indicates that many of them are in the active period of their lives and could theoretically have minor children in their care, only a few of them report having dependents under 18 years of age. This discrepancy suggests that the presence of children may have a moderating effect on aggressive behaviour, discouraging extreme acts, particularly in contexts where they would be direct witnesses.

Worryingly, **10 perpetrators** were previously on the nominal Police record (Figure 16): **7 perpetrators** were on the record as '**domestic violence perpetrators**', **1 perpetrator** is listed as '**previously convicted**', implying a criminal record (not necessarily associated with domestic violence), in **2 cases** the information was either not recorded or unknown (Figure 28).

Thus, **in 7 out of 87 cases the perpetrators had a known and documented history of violent behaviour**, which raises questions about the effectiveness of institutional prevention and monitoring measures.

Figure 28. **Offenders who were previously in the nominal police record**



In cases of **femicide**, **1 out of 5 perpetrators** (4 perpetrators) were previously on police records. 3 perpetrators were on police records as "**domestic violence perpetrators**", **1 perpetrator** is listed as "**previously convicted**", which implies a criminal record (not necessarily associated with domestic violence). Thus, in 4 out of 20 cases, the perpetrators had a known and documented history of violent behavior, which raises questions about the effectiveness of institutional prevention and monitoring measures.

**In the case of 2 perpetrators, it is indicated that they have had violations in the last 5 years of the restrictions instituted by a Protection Order and in the case of 1 perpetrator, it is unknown.** The proportion of perpetrators who had restrictions in place and violated those in femicide cases is much higher than in all cases of violence with serious consequences in the family in general (4 out of 87 vs. 2 out of 21).

According to the data analyzed, in cases of DV, **38 perpetrators** had previous criminal and/or misdemeanor records (Figure 29): previous convictions, pending criminal cases or sanctions for antisocial behavior. They included both repeat offenders and individuals with serious offenses (murder, bodily injury, domestic violence, hooliganism, trespassing, etc.) The most frequent offenses committed in the past by the perpetrators were qualified under:

- Art. 201<sup>1</sup> CC – domestic violence (multiple cases, some repeated over several years).
- Art. 217<sup>1</sup>, 145, 151 CC – drug trafficking, bodily harm, murder, serious bodily harm.
- Art. 287 CC – hooliganism.

- Art. 264<sup>1</sup> CC – drunk driving.
- Other offenses: theft, burglary, housebreaking, violent dispossession, etc.

There are documented cases of **recidivism of violence**, including: multiple convictions with execution, consolidation of sentences, probation followed by new offenses, and previous offenses preceding physical violence. These suggest a **failure of the early intervention system** and effective monitoring of known offenders. This supports the need for:

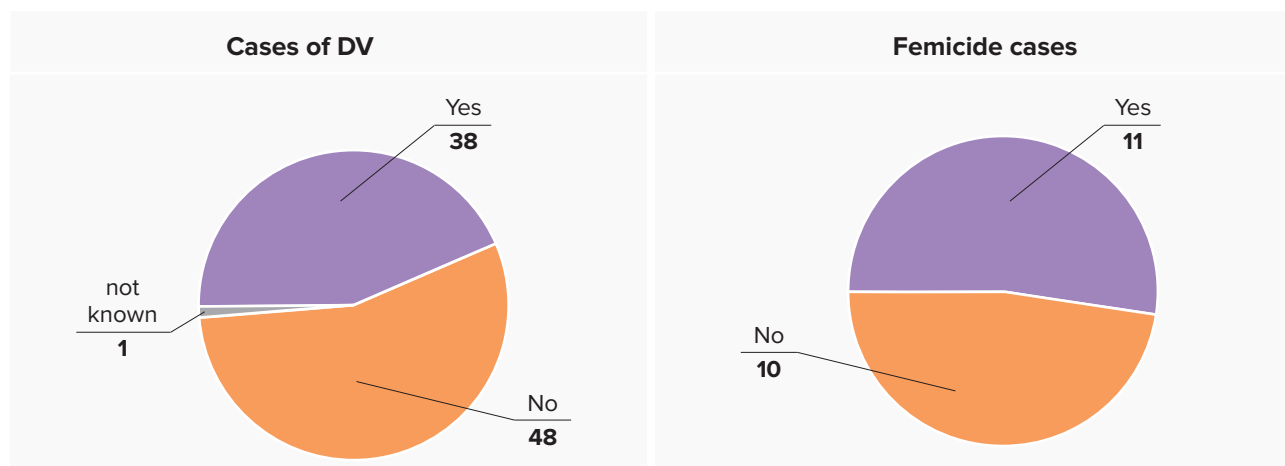
- interlinked monitoring systems (Police – Justice – Social Work),
- rehabilitation measures applicable before escalation, and
- limited, but functional, public access to the criminal history of persons known to be at risk.

In cases of **femicide, the proportion of perpetrators with a previous criminal and/or misdemeanor history is even higher** (11 out of 21) compared to the overall proportion for all cases of serious domestic violence (*Figure 29*). The most common offenses committed in the past by perpetrators were qualified under:

- Art 201<sup>1</sup> CC – domestic violence (with multiple convictions or no sanctions imposed).
- Art. 217<sup>1</sup>, 145, 151 CC – bodily harm, murder, serious bodily harm.
- Art. 186, 187, 208 CC – offenses against property and bodily integrity.
- Art. 320<sup>1</sup> CC – violation of a restraining order.

Almost **two-thirds of the perpetrators involved in femicide cases had a criminal record**, and many of them had already been sanctioned for domestic violence or other forms of abuse. This shows that measures to prevent and monitor known perpetrators are insufficient, and the justice system fails to intervene effectively before violence escalates into murder. In the case of 4 perpetrators, it is **indicated that they violated the restrictions imposed by a Protection Order in the last 5 years, and in the case of 1 perpetrator, this is unknown**.

Figure 29. **Presence of criminal or misdemeanor record among the perpetrators**



**Alcohol addiction is present in more than half of offenders.** The same is true for femicide cases. In the femicide cases, statistics show that more than half of the perpetrators (11 out of 20) had an alcohol addiction, confirming the frequent role of alcohol abuse in escalating violence to fatal acts. At the same time, 8 assailants had no known vices or addictions, and in 7 cases (**1/3 of all femicide cases**), **neither the assailant nor the victim had any addictions**, which emphasizes that femicide can be committed by apparently stable people and that alcohol, although important, is not the only trigger. Thus, while alcohol can aggravate impulsivity and reduce self-control, the causes of femicide often remain multifactorial.

Data on the narcological and/or psychiatric records of perpetrators in cases of serious domestic violence suggest that in the overwhelming majority of situations no chronic or developmental psychological problem is reported – **4 perpetrators were on narcological records**, and **9 perpetrators** (about 1 in 10) were **on psychiatric records**, with a broad spectrum of conditions – from personality disorders and substance use disorders to severe diagnoses such as paranoid schizophrenia, severe mental retardation or mental alienation.

There are cases in which the perpetrators were found to be criminally irresponsible, meaning that at the time of committing the act they lacked discernment due to mental illness. In other cases, they were suffering from moderate mental disorders, not affecting their ability to understand their actions, which does not exclude criminal responsibility, but highlights a fragile psychological background and a risk of impulsive or unstable behavior.

This distribution indicates that, although only a small number are officially registered in psychiatric records with severe diagnoses, there is a much larger number of perpetrators with undiagnosed, unmonitored, or untreated behavioral or emotional disorders.

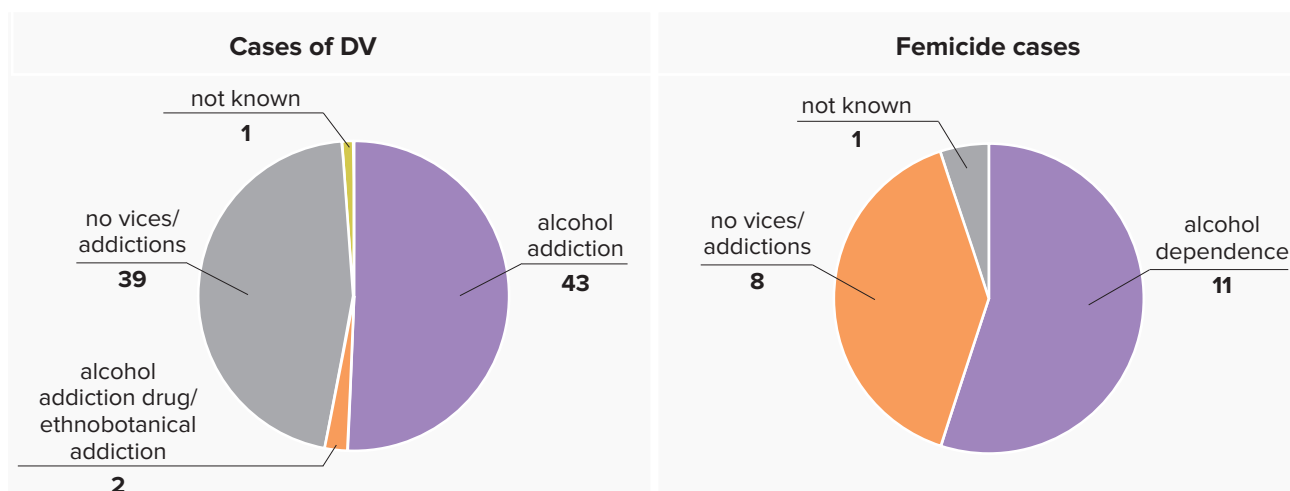
In the femicide cases, **1 perpetrator was on the narcology record** because of alcohol addiction, and **5 perpetrators** were on the psychiatric record, which is about 1/4 of the cases, with diagnoses of behavioral disorders or conditions such as schizophrenia, emotional instability or substance dependence. Even in these situations, the perpetrators had the capacity of discernment, which indicates that the acts were not the result of medical irresponsibility. Thus, mental illness rarely appears as a central factor in femicide, being instead an aggravating element in an already abusive context.

Data on the **addictions of DV perpetrators** show an almost even split between those with addictions and those without known addictions (*Figure 30*):

- 43 offenders (approx. half) had an alcohol addiction, and 2 also had combined drug/ethnobotanical use, indicating a significant level of risk behaviours associated with violence.
- In contrast, 39 perpetrators (approx. 45%) had no reported addictions, indicating that addictions are not a prerequisite for extreme violent behavior.
- In one case no clear data on addictions and vices of the perpetrator was available.

**This distribution indicates that although alcohol is a frequent aggravating factor, violence is not exclusively generated by substance use, but has more complex causes of relational, psychological, or socio-economic kind.**

Figure 30. **Presence of vices and addictions among perpetrators**



The majority of perpetrators with alcohol addiction or mixed alcohol-drug use are persons not in employment or involved in daily work. The **male offenders are addicted in an overwhelming percentage**. Almost all alcohol-dependent offenders are male. Among female offenders (very few cases), addictions are nonexistent or much lower. **Thus, alcohol consumption is significantly more frequent in the male perpetrator profile**, and it can act as a factor in the rapid escalation of conflicts in tense contexts.

The presence of dependent children does not significantly influence the addiction risk. Abusers with and without dependents occur in similar proportions in both categories (with and without addictions). This suggests that parental responsibility does not automatically reduce substance abuse and is not sufficient to prevent violence.

Based on the data on the **addictions of perpetrators and victims** in all the violence cases analyzed, the following conclusions can be drawn:

- In many cases, both the perpetrator and the victim abused alcohol, indicating a family environment marked by chaos, conflict and lack of control.
- In second place are cases where the perpetrator had an alcohol addiction and the victim did not have any addictions. But there are also cases where only the victim consumed alcohol, which may increase his/her vulnerability in the absence of a support system.
- However, in 30 cases, neither the victim nor the perpetrator had any vices or addictions.

## 2.5. Authorities involved in examining cases

Data from previous studies show that cases of DV and femicide are not isolated. The cases of DV and femicide analyzed show that such cases do not occur as a result of an isolated incident, nor as a result of a single risk factor. Usually there are several clues that signal risk, but these are ignored by the victims, the victim's close relatives and friends, community members.<sup>19</sup>

One of the risk factors associated with femicide in the Republic of Moldova is the **presence of long-term physical violence combined with other forms of violence, including threats to kill**. Victims of violence do not seek help from law enforcement, judicial or social protection bodies, trying to hide the violence.

Data analyzed by the Commission shows that in **16 cases** the victim has been subjected to violence in the last 5 years:

- in 8 cases, victims filed complaints (5 women and 3 men) (*Figure 31*).
- in another 8 cases, no complaints were filed, although the violence occurred (6 women and 2 men).

In **47 cases** it was recorded that **there had been no previous episodes of violence**, and in **21 cases the history was unknown**.

In total there were **8 cases**, where the victim had filed one or more previous complaints. Of these:

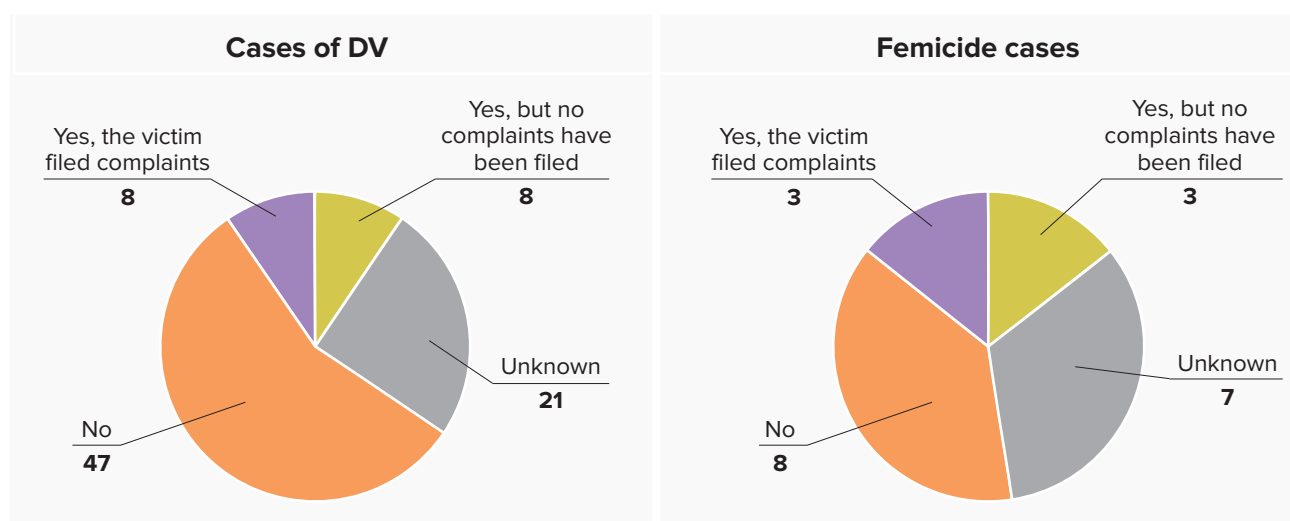
- only 4 cases were referred to social workers, the rest (4 cases) were not referred or it is not known to which institutions they were referred.
- in at least 3 cases, victims were repeatedly subjected to severe violence, sometimes despite the existence of protection orders or previous convictions of the perpetrators.
- some victims were hospitalized due to injuries and in other cases forensic expertise or emergency police intervention was required.
- in one case, the perpetrator continued violent behaviour including towards his minor child and the victim's mother-in-law, despite previous criminal convictions.

<sup>19</sup> CDF (2021) *National study on the analysis of femicide cases*, Țurcan-Donțu A., Cheianu Andrei D., p.29.

These data show that: (i) complaints do not always guarantee effective interventions, (ii) monitoring mechanisms for repeat offenders are insufficient, (iii) victims remain exposed, even in the presence of repeated evidence of risk, and as a result an even clearer picture of escalation of violence in the absence of adequate interventions emerges.

**The history of the relationship between victim and perpetrator before the commission of the crime in femicide cases**, shows that **6 victims** have been subjected to violence in the last 5 years: 3 victims **have filed complaints**. Another 3 victims **did not file a complaint**, although they had been previously assaulted. On the other hand, in **8 cases** it was mentioned that **there had been no previous violence**, and in another **7 cases** the history **was unknown**. This indicates that almost **1 in 3 cases of femicide** was preceded by some form of violence. Still, only half came to the attention of the authorities, which highlights the significant risk of underreporting and lack of early intervention. This statistic highlights the fact that only a small proportion of victims in situations of recurrent risk turned to the authorities, suggesting either massive under-reporting of previous abuse or a lack of trust in institutional protection.

Figure 31. **Victim's history of turning to the authorities prior to the crime**

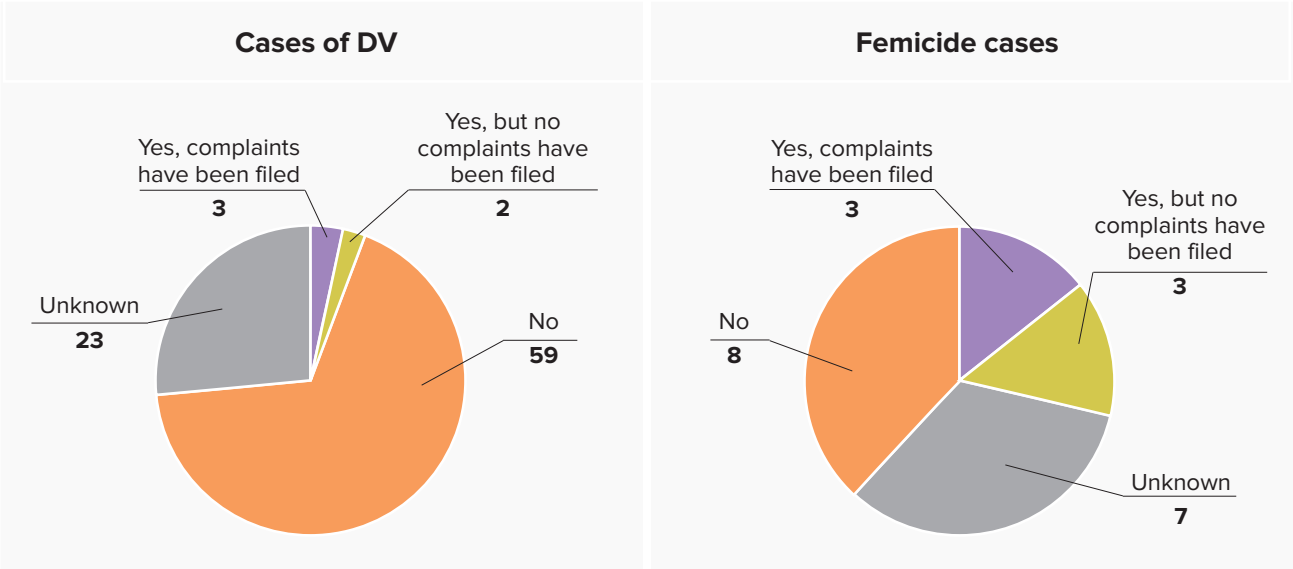


The data analyzed by the Commission indicate that in the vast majority of cases (59 out of 87), **the perpetrators had not previously been victims of violence**. In only 5 cases (3 men and 2 women) was there any indication that **the perpetrators had previously been subjected to domestic violence** – 3 of them had filed complaints (2 men and 1 woman) and 2 had not filed a complaint. In 23 cases the information is unknown (*Figure 32*). In cases of femicide, **1 perpetrator** had previously been a victim of domestic violence within the last 5 years. The circumstances of violence he was subjected to were documented as a result of the complaints he filed.

These data contradict the common narrative that the violence committed is always a response to previous personal trauma, suggesting that most perpetrators do not have a documented history of being a victim of domestic violence. Thus, of the three cases in which perpetrators had been victims of violence and had filed complaints, only one contained detailed and relevant information in this sense. This is the case of C. A., who between 2019 and 2023 reported at least five incidents with his concubine, I.B., all documented by contravention decisions (Art. 69 and Art. 441 of the Contravention Code). The complaints concern aggressive behavior, repeated conflicts and episodes of verbal and physical violence in the context of alcohol consumption.



Figure 32. **Situations where the perpetrator previously filed a complaint on violent acts**



In femicide cases in the 3 situations where victims had previously filed complaints of domestic violence, the institutional response was ineffective or absent:

- In one severe case, the victim had been physically assaulted and hospitalized, and the authorities initiated a criminal case, but the case was not referred further for support or protection.
- In another case, the victim had been subjected to repeated assaults. However, a protection order had been issued and there were multiple complaints against and previous convictions of the perpetrator, including for assaulting other family members.
- In a third case, two complaints were registered, but it is not clear whether action was taken; it is not known whether the authorities intervened effectively.

The mentioned examples highlight a pattern of non-intervention or delayed reaction, which allowed the violence to escalate to a fatal outcome.

The failure of the state to protect the victim of femicide and the example when the case was reported multiple times to the authorities is reflected in this case study.

**CASE STUDY. Femicide.**

In December 2024, in city X, C. (43 years old) stabbed his concubine, B. (49 years old), following a conflict that broke out due to alcohol consumption. The woman died on the way to the hospital. The two had been living together for about 8 years and **their relationship was characterized by recurrent violence and alcohol addiction.**

**Both partners had previously filed police complaints for assault.**

C. registered **at least five complaints between 2019 and 2023**, complaining about the violent behavior and frequent drunkenness of the concubine. In turn, B. reported conflicts, insults and verbal assaults to the police, but **none of the cases resulted in protective measures being issued.**

Although the perpetrator had a **criminal and misdemeanour record**, including for acts of violence, **he was not included in a follow-up or rehabilitation program.** The case was not known to the social services and previous interventions by the authorities were formal and without follow-up over time.



The case above reflects a **classic escalation of chronic violence in a dysfunctional couple**, in which both partners were alternately victims and perpetrators. In the absence of effective protection, monitoring and intervention, the violence escalated into a fatal act. It is a telling example of the **systemic failure to prevent femicide**, even when warning signs are officially documented.

In the femicide cases analyzed, at least **one documented case** showed that protective measures against the perpetrator had previously been in place, including a court-issued protection order providing for:

- temporary eviction from the home,
- no contact with the victim,
- electronic monitoring.

This order was violated, for which the perpetrator was sentenced to 130 hours of unpaid work under Article 320<sup>1</sup> of the Criminal Code.

In another case, protective measures were not applied due to the victim's refusal, although she was informed about the support services available. It is important to note that in both cases, minimal forms of intervention, such as information counseling, were offered.

This reality highlights two critical issues:

1. The application of legal measures is not always sufficient to prevent the escalation of violence unless accompanied by effective monitoring and systemic support.
2. The victim's refusal to seek protection, even in the context of obvious risks, points to the need for proactive interventions by authorities and social services.



# JUDICIAL PRACTICE IN CRIMINAL CASES EXAMINED BY THE COMMISSION IN 2024

The analysis of judgments revealed that out of the **67 criminal cases** for which an indictment or an order for forwarding the criminal case to the court for the application of medical restraint measures was issued, **51 cases** (76% of the total number of cases forwarded to the court, or 59% of the total number of criminal cases) **were tried**.

There are **16** criminal cases in the process of judicial examination, including 9 cases on Art. 201<sup>1</sup> (3) let. a) CC, 3 cases on Art. 201<sup>1</sup> (4) CC, 3 cases on Art. 145 CC and 1 case on Art. 27, 145 CC<sup>20</sup>. Several cases have been pending for more than 1 year.

Out of the **51** criminal cases in which there is a court judgment, in **45 cases there is only the judgment of the first instance court**, and in **6 cases there was a judgment both in the first instance and in the court of appeal**.

In several criminal cases that were resolved, the offense was reclassified during the court hearing.

Thus, out of the total number of **13** criminal cases sent to trial on Art. 27 and 145 of the Criminal Code, in 4 cases the offense was reclassified, including: in 2 cases on Art. 201<sup>1</sup> par. (1) let. a) CC; in 1 case on Art. 201<sup>1</sup> par. (3) let. (a) CC.

Out of **13** criminal cases prosecuted under Art. 145 CC, in 4 cases the offense was reclassified: in 2 cases due to mitigating circumstances, on Art. 145 par. (1) CC, and in 2 cases in the sense of aggravation, on Art. 145 par. (2) CC with aggravating signs;

Out of **11** criminal cases prosecuted under Art. 201<sup>1</sup> (4) CC, in 4 cases the offense was reclassified: in 1 case due to mitigation factors, on 201<sup>1</sup> par. (1) let. a) CC, yet in 3 cases due to aggravating factors, on Art. 145 par. (2) CC with aggravating signs;

<sup>20</sup> c/c 2024140044: on Art. 145 para. (2), of 31.01.2024; c/c 2024030179: on Art. 201<sup>1</sup> para. (3) let. a), of 29.02.2024; c/c 2024470045: on Art. 201<sup>1</sup> para. (3) let. a), of 25.03.2024; c/c 2024270300: on Art. 201<sup>1</sup> para. (4), of 25.03.2024; c/c 2024380122: on Art. 201<sup>1</sup> para. (3) let. a), of 11.07.2024; c/c 2024380100: on Art. 201<sup>1</sup> para. (3), of 26.07.2024; c/c 2024020451: on Art. 145 para. (2), of 07.08.2024; c/c 2024010470: on Art. 27, para. (2), of 29.10.2024; c/c 2024270311: on Art. 201<sup>1</sup> para. (3) let. a), of 07.11.2024; c/c 2024350116: on Art. 145 para. (2), of 06.12.2024; c/c 2024240343: on Art. 201<sup>1</sup> para. (3) let. a), of 10.01.2025; c/c 2024150556: on Art. 201<sup>1</sup> para. (3) let. a), of 14.01.2025; c/c 2024360421: on Art. 201<sup>1</sup> (3) (a), of 14.01.2025; c/c 2024260199: on Art. 201<sup>1</sup> (4), of 05.02.2025; c/c 2024360438: on Art. 201<sup>1</sup> (4), of 28.02.2025; c/c 2024180462: on Art. 201<sup>1</sup> (3) (a), of 11.03.2025;

Out of the total of **14** criminal cases sent to trial under Art. 201<sup>1</sup> par. (3) CC, in none of the 14 cases the offender's actions were reclassified.

The analysis of the judgments revealed that in some of these cases the reclassification of the perpetrator's actions raises some concerns, which will be addressed in the case study below.

### **CASE STUDY. The court's reclassification of the offense**

*"On 31.05.2024, T.C. inflicted blows on the body of her husband T.L with a kitchen knife, including in the region of the heart, as a result of which the latter died. On the same day a criminal case was opened under Art. 145 par. (2) let. e<sup>1</sup>) and j) CC. At the time of the offense the perpetrator and the victim were intoxicated. On 08.08.2024 the criminal case was remanded to the court with the indictment on Art. 145 par. (2) let. e<sup>1</sup> and j) CC. In the sentence pronounced on 20.01.2025, the offender's acts were reclassified, and she was convicted under Art. 146 of the Criminal Code (Murder committed in a state of intoxication) and imprisonment to be served in a semi-closed women's penitentiary, with conditional suspension of the execution of the sentence (Art. 90 of the Criminal Code) for a probation period of 4 years. The offender was obligated to participate in probation programmes".<sup>21</sup>*

The analysis of the judgment in the case study highlighted above shows that during the trial the defense counsel requested the defendant's actions to be reclassified under Art. 146 of the Criminal Code and the sentence to be determined, applying the provisions of Art. 90 of the Criminal Code. From the analysis of the sentence, it can be noted that the way the defendant and the victim lived together denotes stable, hostile relations. According to the forensic report of the assailant T.C., on various regions of the body, including the back, on the lateral surfaces of the abdomen, there were bruises, produced by a striking object, as well as a cut wound in the region of the right palm, which was possibly produced with a knife. The Victim's Expert Report found that T.L.'s death occurred due to internal bleeding due to a penetrating stab wound of the left hemitorrhage, which is life-threatening and qualifies as serious injury to bodily integrity or health. A cut wound was also found on the palm of the left hand.

In court the defendant stated that she was often beaten during her marriage to T.L. Her late husband consumed alcohol. She did not go to the police because she was afraid of him. On the day of the incident they were on a visit to the godparents' house, they had dinner and wine (the alcohol concentration in her breath was 1.39 mg/l). On returning home the children started fighting in the yard. The husband went to calm them down and hit the daughter. This triggered an argument between the spouses which resulted in a fight. The defendant picked up the knife to scare her husband and to run outside. Her husband grabbed the knife and she does not know how it happened but she saw her ex-husband fall on the bed bleeding with the knife stuck in his body. She regrets not realizing when she picked up the knife what could happen. After the incident T.C. called 112 and reported that she had found her late husband unconscious in the house with a wound in the abdomen.

The sentence does not clearly describe what circumstances (which particularly insulting expressions and/or immoral acts of the victim) suddenly/subsequently caused the state of distress in the defendant. On the contrary, the circumstances of the case speak of something else, namely that acts of violence were frequent in this family, i.e. it was commonplace for the spouses. The quarrel between them started after her late husband had hit the child, which had happened before, and he had called her bad names because he cared more about the girl. It has not been established and described in the sentence what could have caused the state of emotional affliction. On the contrary, the defendant

<sup>21</sup> the sentence was imposed on 20.01.2025 on c/p 2024200229, with requalification from art. 145 par. (2) e<sup>1</sup>) and j) of the Criminal Code to art. 146 of the Criminal Code

herself stated that she only wanted to scare her late husband so that she could run away. These and other circumstances do not indicate a sudden onset of the emotional affliction. This would mean that practically all acts of murder or domestic violence resulting in the death of the victim must be categorized as violent acts committed in a state of distress.

The circumstances of the act, according to the statements of the defendant and the expert reports, indicate violent actions between intoxicated family members, which caused serious bodily injury resulting in the death of the victim, i.e., the act was to be qualified, both during the criminal prosecution and in court, under Article 201<sup>1</sup> par. (4) CC.

The case study below also points to a non-uniform practice regarding the characterization of acts committed in similar circumstances.

#### **CASE STUDY. The court's reclassification of the act**

*"On 07.03.2024, during the conflict, H.A. inflicted multiple blows with a bat on his son, H.I., in the region of the head, causing the victim's death. The victim's alcohol abuse, vagrancy and provocative behaviour were often the cause of arguments and assaults. The victim constantly assaulted the father (the perpetrator in this case), both physically and verbally. However, the family refused to cooperate with the authorities, never referred the case to law enforcement and did not allow them to visit the household. At the time of the incident, the perpetrator was in a state of inebriation (the concentration of alcohol vapors in the exhaled air of the defendant H.A. was 0.92 mg/l); the condition of the victim is unknown."<sup>22</sup>*

The analysis of the sentence in the case study highlighted above shows that during the criminal prosecution, the offender's offense was reclassified from Art. 201<sup>1</sup> par. (4) CC, to Art. 145 par. (2) let. e<sup>1</sup>) , j) CC. The court convicted him, according to the sentence of 11.12.2024, on Art. 145 par. (2) let. e<sup>1</sup>) , j) CC to 15 years imprisonment in a closed penitentiary. According to the text of the sentence, *"...following a spontaneous conflict between H.A. and his son, H.I., due to alcohol consumption, being annoyed by the fact that his son called him with uncensored words,... took a wooden stick and intentionally applied multiple blows to his head with that stick until the stick was completely damaged... H.I. died on the spot..."*. Thus, in circumstances similar to those in criminal case No. 2024200229, the facts were qualified differently.

Another case reflecting a different qualification concerns the facts of 27-28.02.2024, *"...regarding M.I., who, while traveling with his concubine, G.E., in his personal car, and later at his home, following a conflict based on jealousy, inflicted on the concubine several blows on her body with his fists, with his legs and with a metal rod, causing multiple bodily injuries, as a result of which the victim died."*<sup>23</sup>. The criminal case was instituted on 28.02.2024 under Article 201<sup>1</sup> par. (4) CC. According to the sentence of 20.11.2024, the assailant was sentenced under Art. 201<sup>1</sup> par. (4) CC – to 13 years imprisonment in a closed penitentiary. The text of the sentence contains the reasoning for the rejection of the defense's position of reclassification of the defendant's actions under Art. 146 CC – murder committed in a state of emotional affliction. In particular, the court draws attention to the fact that, invoking the emotional state of the perpetrator, this element must be concretely established and necessarily proved.

The case studies analyzed above highlight the need for additional training for judges and prosecutors on topics related to the qualification of facts subject to the Commission.

<sup>22</sup> the sentence was imposed on 11.12.2024 on c/p 2024430054, with requalification from art. 201<sup>1</sup> par. (4) CC to art. 145 par. (2) e<sup>1</sup>), j) CC;

<sup>23</sup> c/c 2024280030: on Art. 201<sup>1</sup> par. (4) CC, from 28.02.2024;

The analysis of the **51 judgments** handed down in the cases covered by the Commission shows that the judges give sufficient reasons for their decisions, in some cases even going overboard in describing the theoretical aspects of criminal law, including the definitions of the subject, object, objective, and subjective aspects as elements of the offense, etc. They exaggerate the measures for protecting personal data. Thus, not only are the names and addresses of the parties often withheld, but even the penalty imposed on the defendant, the rules of reference in criminal law and criminal procedure, etc.

The analysis of the judgments shows that the courts frequently invoke the need to apply Article 90 of the Criminal Code to defendants, referring to ECtHR case law, in particular the 2015 case of *Varga and others v. Hungary*, which indicates *"...the most appropriate solution to the problem of overcrowding would be to reduce the number of detainees by making more frequent use of non-custodial punitive measures and minimizing the use of pre-trial detention...."*, also recall Recommendation Rec (2006) 13 and Recommendation Rec (99) 22, which call on States to encourage prosecutors and judges to make the broadest possible use of alternatives to detention in order to address the problem of the increasing number of prisoners in prisons. At the same time, no reference was found to the case law of the ECtHR on domestic violence cases in the Republic of Moldova, which shows the need for deterrents for perpetrators.

Thus, in discordance with the jurisprudence of the ECtHR and with the principles promoted by GREVIO and the Council of Europe Commission for Democracy through Law (Venice Commission), the case below could be considered.

#### **CASE STUDY. The application of punishments that do not deter the offender's behaviour**

*"On 10.02.2024, being at home, C.L. was hit by her husband, C.I., with his fists and legs, then several times with a hard blunt object (chair) over different regions of her body, resulting in the victim's death. At the time of the incident, both the assailant and the victim were intoxicated. In this case, on 11.02.2024, a criminal case was opened under Art. 201<sup>1</sup> par. (4) CC. On 18.03.2024, the perpetrator's offense was reclassified under Art. 201<sup>1</sup> par. (1) let. a) CC and sent with an indictment for trial. At the hearing, the prosecutor requested 130 hours of unpaid community service. By judgment of 08.05.2024, on the case examined in the order of Art. 364<sup>1</sup> CPC, for the offense qualified under Art. 201<sup>1</sup> par. (1) let. a) CC, the court sentenced the accused to 135 hours of unpaid community service (UCS)."* <sup>24</sup>

The analysis of the case above reveals that the solution adopted serves as a negative example in terms of prevention. It is true that the reclassification of the offense under Art. 201<sup>1</sup> par. (1) let. a) of the Criminal Code was based on the results of the forensic medical expert's report, which established that the bodily injuries were classified as light injury to bodily integrity or health, and the cause of death was acute cardiovascular failure as a result of repeated myocardial infarction, which occurred against the background of chronic ischemic heart disease. However, the measure of punishment requested by the prosecutor – 130 hours USC and imposed by the court – 135 hours USC, being essentially within the limits of the law, is prophylactically incorrect and even unfair in substance.

We cannot support the thesis about the equitable application of Art.75 CC by the court on this case, because we consider that the requirements of this rule regarding the need to take into consideration the person of the guilty party and the circumstances of the case, which must be approached through the prism of the crime of domestic violence, which as the case law of the ECtHR guides *"...acts of*

<sup>24</sup> c/c 2024380036: on Art. 201<sup>1</sup> par. (4) CC, from 10.02.2024

domestic violence should never be examined in isolation, but rather as a single course of conduct in a series of related incidents..."<sup>25</sup>

In fact, as the judgment notes, all the witnesses at the trial directly and indirectly confirmed the permanent state of violence in this family. Many of the witnesses who saw the victim's dead body with obvious signs of violence were confident (to use that expression – note of the author) that the victim had been murdered. The local public administration of the locality of residence has a negative characterization of the assailant.

Specialists correctly understand the legal circumstances of the case. Still, for the ordinary citizens, the picture is simple – frequent acts of violence in this family ended with the murder of the victim. For his aggressive behaviour during the whole period and for this act, the perpetrator was punished with only 135 hours of unpaid community service.

In the described situation, the applicable punishment was deprivation of liberty (within the limits of the sanction Art. 201<sup>1</sup> par. (1) CC. Society needs to see that violent behaviour in the family has unfavourable consequences, as it is a deterrent for other aggressors. It is worth recalling here the well-known principle that justice must not only be done, but must also be seen to have been done. The perpetrator's prolonged violent conduct towards the victim fully justified the application of a custodial measure (moreover, the circumstances that would rule out the possibility that the perpetrator's constant acts of violence were the real cause of the victim's state of health, which led to her death as a result of myocardial infarction, have not been expressly elucidated). Prosecutors and judges should take into account all aspects that may be relevant to changing the deeply ingrained mentality in society regarding gender-based violence.

The court examined in a simplified procedure provided for by Art. 364<sup>1</sup> CPC and Art. 80<sup>1</sup> CC – 20 criminal cases of domestic violence resulting in death or serious bodily harm to the victims, including 12 cases with a female victim and a male perpetrator, 6 cases with a male victim and a female perpetrator, and 6 cases where both the victim and the perpetrator were male. Most – 9 cases examined in the simplified procedure are qualified under Article 201<sup>1</sup> (3) CC.

In the medical restraint procedure, 4 cases were examined.

In the Republic of Moldova, the penalties for offenses subject to the Commission range from 6 to 20 years' imprisonment or even life imprisonment. Thus, the current criminal rules stipulate penalties that can be considered both dissuasive and proportionate to the seriousness of the offenses covered by these provisions.

An analysis of the sentences (excluding the four cases in which medical restraint measures were applied) shows that the penalties imposed on the offenders in the cases covered by the Commission differ. Sentencing with the actual execution of a custodial sentence is the most frequent solution, applied in serious cases, including femicide cases. The sentence ranged from 2 to 25 years imprisonment, depending on the seriousness of the offenses, the type of offenses and the defendant's criminal history. In 39 criminal cases custodial sentences were imposed and in 8 criminal cases non-custodial sentences, including 5 cases with male victims and 3 cases with female victims. Thus, out of a total of **47** criminal cases solved:

- in **13** cases on Art. **27, 145 CC** – sentences ranged from **11 to 20 years**, in 5 cases the sentence was **15 years imprisonment**. In the reclassified cases, the sentence ranged from 2 years, suspended, to 10 years imprisonment. In 2 cases, the final sentence was set with the application of Art. 85 CC, with the sentence being partially added to the sentence in execution;

<sup>25</sup> Vieru v. Moldova ECtHR case (Application No. 17106/18) of 19.11.2024, <https://hudoc.echr.coe.int/?i=001-238017>



- in **11** cases on Art. 145 CC – sentences ranged from **9 years to 20 years**, in 5 cases the sentence ranged from **15 to 18 years** imprisonment. In the reclassified cases, the sentence ranged from 3 years suspended up to 15 years imprisonment. In 2 cases, the final sentence was established with the application of Art. 85 CC, with the sentence being partially added to the sentence in execution.
- in **13** cases under Art. 201<sup>1</sup> par. (3) let. a) CC – sentences ranged from **4 to 8 years**. Conditional suspension of execution was applied in 5 cases with a probation period of 2-3 years. In 4 cases the defendant was ordered to participate in probation programmes.
- in **10** cases on Art. 201<sup>1</sup> par. (4) CC – sentences ranged from **9 to 18 years**. In the reclassified cases, the sentence ranged from 135 hours of unpaid community service (on Art. 201<sup>1</sup> par. (1) let. a) CC), up to 15-19 years imprisonment (on Art. 145 (2) CC). In one criminal case, the final sentence was established with the application of Art. 85 CC, with the sentence in execution being partially added.

Thus, on average, the courts set prison sentences between 5 and 10 years and maximum sentences ranged between 19 and 25 years. In the cases examined, the most lenient sentence was 135 hours of community service and the minimum term of imprisonment was 2 years suspended.

The legal basis for the individualization of the sentence is Chapter VIII of the General Part of the Criminal Code. In addition to these provisions, there are also the provisions of the Code of Criminal Procedure concerning the individualization of the criminal sentence of the defendant at the trial based on the evidence adduced during the criminal prosecution (Art. 364/1 CPC and Art. 801 CC) or the reduction of the defendant's sentence as a reward for the violation of the defendant's right (Art. 385 par. (5) CPC). The conclusion of a plea bargaining agreement is a procedure encountered in several of the cases examined. Offenders resort to this procedure because it facilitates the acceleration of sentencing, sometimes with a suspended sentence, sometimes with execution, but with reduced penalties.

Criminal punishment is aimed at restoring social equity, correcting the convicted person, and preventing further offenses both by the convicted person and others. To achieve the aforementioned aims, criminal law establishes specific criteria for individualizing the sentence imposed on the defendant. The criteria for individualizing punishment are the requirements that the court is obligated to follow in determining and imposing the sentence. The Criminal Code establishes general and special criteria for the individualization of punishment. The general criteria for individualizing criminal punishment are set out in Article 75 of the CC.<sup>26</sup>

The research results indicate that the courts of the Republic of Moldova are attentive to the issue of proportionality in punishment and appear to be aware of the importance of individualizing punishment, as well as the relevant criteria outlined in Article 75(1) of the Criminal Code. However, the approach taken in applying the individualization criteria is rather formalistic.<sup>27</sup>

In the judgments analyzed in the report, the courts have mostly complied with the prosecution's requests regarding aggravating circumstances. Regarding the application of mitigating circumstances, there is a tendency among courts to accept the mitigating circumstances invoked by either the defense or the prosecution. However, some offenders have benefited from suspended sentences on probation (1-5 years), in particular in less severe cases or where a plea bargaining agreement has been reached.

<sup>26</sup> Ulianovschi Gh., Dolea I., et al. Guide on the Enforcement of Punishment, CRJM, Chisinau, 2014.

Available at: <https://crjm.org/wp-content/uploads/2015/01/Ghid-cu-privire-la-aplicarea-pedepsei.pdf>

<sup>27</sup> Report on the enforcement of criminal penalties in the Republic of Moldova, Council of Europe, 2021.

Available at: <https://rm.coe.int/report-criminal-sanctions-rom/1680a1c6f1>

In conclusion, criminal sanctions for domestic violence offenses can essentially be considered as dissuasive and proportionate to the seriousness of the acts covered by the provisions of these rules. However, the results of the evaluation show that in some cases the penalties imposed are not sufficient to deter domestic violence perpetrators from committing further acts of domestic violence, often with more serious consequences, as presented in the case study below.

### CASE STUDY. Repeated violence

*"On 10/28/2024, the body of D.V. with multiple rib and breastbone fractures was found at his home. On the same day the criminal case under Art. 201<sup>1</sup> (4) CC was initiated. It was established that the assailant was the son of D.P., an alcohol addict, registered with the police, with a criminal record, repeatedly penalized under Art. 78<sup>1</sup> CC and Art. 69 par. (1) CC. Previously, the victim (father) complained of violence from the son. On 09.11.2023, a criminal case was initiated, and on 10.11.2023, a 10-day emergency restraining order was issued. The police did not apply for a protection order for D.V., even though the victim was a 66-year-old elderly person. By the sentence dated 18.03.2024 the assailant was convicted on Art. 201<sup>1</sup> par. (2) let. c) of the Criminal Code, for medium bodily injury, to 1 year imprisonment, suspended for 2 years. The court gave him the minimum sentence with suspended execution, according to Art. 90 CC, although at that time, the offender had also committed an offense on Art. 78<sup>1</sup> CC, and was punished on 05.02.2024 with 60 hours of unpaid community service. Impunity encouraged the assailant to commit murder on 28.10.2024, on probation. D.P. was sentenced, by judgment of 18.02.2025, to 18 years, with the application of Art. 85 of the Criminal Code, and was given a definitive sentence of 19 years in a closed prison. The sentence was challenged and the case is currently pending before the North Court of Appeal."<sup>28</sup>*

Another case:

*"On 13.07.2024, being at home in an advanced state of inebriation, C.S. stabbed his concubine R.T. in the leg, causing her serious bodily injury. On 20.08.2024, the criminal prosecution was initiated on Art. 201<sup>1</sup> par. (3) let. a) CC. The offender is addicted to alcohol. Currently, the criminal case against him is pending at the Southern Court of Appeal under Art. 172, par. (2) CC. However, by the judgment of 10.01.2025, C.S. was sentenced on Art. 201<sup>1</sup> par. (3) let. a) CC to 4 years and 8 months imprisonment, with suspension of execution of the sentence, according to Art. 90 CC, for a term of 3 years."<sup>29</sup>*

The non-custodial punishments imposed in 8 criminal cases include the application in 1 case<sup>30</sup> of unpaid community service of 135 hours, in 2 cases<sup>31</sup> – the application of a suspended sentence, according to Art. 90 of the Criminal Code (without the establishment of obligations provided for in par. (6) Art. 90 of the Criminal Code), and in 5 cases<sup>32</sup> the application of a suspended sentence, according to Art. 90 of the Criminal Code, with the establishment of the obligation to participate in probation programs.

It should be noted that, by Law No. 136 of 06.06.2024 for the amendment of some normative acts (amendment of the Criminal Code and of the Contravention Code)<sup>33</sup>, published in the Official Gazette No. 245-246 of 07.06.2024, Art. 353, in force since 07.09.2024, the wording of paragraph (4) of

<sup>28</sup> c/c 2024370257: on Art. 201<sup>1</sup> par. (4) CC, from 28.10.2024;

<sup>29</sup> c/c 2024150435;

<sup>30</sup> applied on 08.05.2024 on c/c 2024380036;

<sup>31</sup> applied on 19.03.2024 on c/c 2024020062; applied on 15.07.2024 on c/c 2024200201;

<sup>32</sup> applied on 20.01.2025 on c/c 2024200229; applied on 12.07.2024 on c/c 2024470057; applied on 10.01.2025 on c/c 2024150435; applied on 29.01.2025 on c/c 2024330367; applied on 31.10.2024 on c/c 2024230203;

<sup>33</sup> [https://www.legis.md/cautare/getResults?doc\\_id=143519&lang=ro](https://www.legis.md/cautare/getResults?doc_id=143519&lang=ro)



Art. 90 CC, which expressly establishes that a suspended sentence is not applicable to persons who have committed particularly serious or exceptionally serious offenses, as well as to persons who have committed the offense referred to in Art. 201<sup>1</sup> par. (3) CC.

Contrary to the express prohibition stipulated by the law, the court applied, after the date of implementation of the law, the institution of conditional suspension of execution of sentence in 3 criminal cases of convictions of domestic abusers under Article. 201<sup>1</sup> par. (3) CC<sup>34</sup>.

At the same time, it is essential to note that the law mentioned above also sets out in a new wording par. (6) of Art. 90 of the Criminal Code. It is crucial to note the substitution of the phrase "the court may bind the convicted person" with the words "the court shall bind the convicted person".

The analysis established that after 07.09.2024, the date of implementation of par. (6) of Art. 90 of the new version of the Criminal Code, in all the criminal cases in the analyzed list, the application of conditional suspension of the execution of the sentence was accompanied by the establishment of an obligation for the convicted person to participate in probation programmes.

However, it should be noted that, although the new wording of the rule appears to make participation in probation programmes mandatory for the convicted person, in reality this is not the case. In fact, the phrase "the court shall oblige the convicted person to perform *one or more of the following*" leaves it to the discretion of the court to indicate only one (or a few) of the listed actions, which may not necessarily include the actions specified, for example: - d) to undergo treatment for alcoholism, drug addiction, HIV or venereal disease; - g) to participate in probation programmes; etc.

To ensure the mandatory nature of the obligations referred to in the letter. d), g) par. (6) Art. 90 CC, a solution would be to expressly provide for (analogically to the provision of par. (6<sup>1</sup>) of Art. 90<sup>1</sup> CC) the obligation to apply them to criminal cases of violence covered by the Istanbul Convention.

The analysis of sentencing in femicide cases highlights a problem concerning investigations: often, **insufficient attention is paid to the history of gender-based violence and domestic violence suffered by victims**. This is a concern also raised by international experts, who emphasize that femicide is the culmination of a pattern of systematic and cyclical violence endured by women. The UN Special Rapporteur on extrajudicial, summary or arbitrary executions has emphasized the need to use a gender perspective and specific protocols in investigating the killings of women and girls to ensure truth, justice and reparations for victims and their families, as well as the need for more accurate data collection and analysis to inform investigations and strengthen prevention. It is essential that the authorities adopt legal and administrative measures to uphold the rights of women and girls, applying a gender perspective in complementarity with an inter-agency approach, to investigate and eradicate femicide cases effectively.

**As a motive for committing the crime, as in 2023, verbal conflicts and jealousy were the most common.** Sentence analysis shows that jealousy appears as a frequently invoked motive (at least 10 cases), on its own or in combination with alcohol consumption, suggesting an intensely emotional and possessive component of conflictual relationships. In addition, other causes such as mental health problems, precarious financial situations, cohabitation difficulties or family revenge (at least 5 cases). It is noteworthy that in a relevant number of cases (at least 10), the reason is not known or not clearly formulated, which indicates difficulties **in documenting the cases or a lack of thorough social investigation. It is also worth noting that in none of the femicide cases examined by the prosecution body and the courts, the gender motive was identified and no aggravating qualification based on gender bias was made. This shows a lack of knowledge of the specifics of femicide cases.**

<sup>34</sup> c/c 2024230203; c/c 2024150435; c/c 2024330367;

Although most of the reasons listed above are based on gender bias, **in none of the femicide cases analyzed did the courts ask questions to establish whether the crime committed is a gender based crime.** Identifying motive in femicide cases is crucial to understanding the dynamics and context of the crime. Courts must ask questions that help establish whether gender bias played a role in the commission of the crime. This involves a careful study of power relations, social perceptions and the dynamics between perpetrator and victim. Without such questions, there is a risk of overlooking critical factors that could influence the verdict and sentence. Therefore, the prosecution and trial process must include a thorough investigation of potential gender motives to ensure a comprehensive understanding of the case and promote gender justice and equality. **The failure to address clarifying questions should therefore be considered a significant gap in the examination of femicide cases that prevented the establishment of the gender motive for the commission of these crimes.**



# CHALLENGES IN THE PROCESS OF INTERVENTION OF THE AUTHORITIES IN CASES OF DOMESTIC VIOLENCE RESULTING IN DEATH OR SERIOUS BODILY HARM IN 2024

## 4.1. Risk factors

The Commission's case analysis highlights several **critical risk factors contributing to the perpetuation of DV and femicide in the Republic of Moldova:**

- The tendency to hide the violence and the reluctance of victims to report cases of DV are significant barriers to combating this phenomenon;
- Insufficient prevention and intervention programmes focused on aggressive male behavior;
- The persistence of violence in time, manifested in various forms – physical, psychological and economic – underlines the need for more effective preventive and punitive measures;
- Punishments for perpetrators do not have a sufficient deterrent effect and thus contribute to perpetuating the cycle of violence;
- Additional factors, such as alcohol addiction and mental health problems of both the perpetrator and the victim, increase the risk of violence;
- Victims' financial dependence, often exacerbated by old age or lack of employment, makes them even more vulnerable;
- The victim's emotional dependence on the perpetrator;
- The victim's vulnerability due to alcohol abuse, age and health;
- Recidivism: there have been previous cases of domestic violence in the same family, with either misdemeanor or criminal proceedings;
- The escalation of violence is characterized by a higher intensity and worsening of violent acts, which eventually result in death or serious bodily harm.

The case studies presented aim to provide practitioners with a deeper understanding of these complex dynamics in order to improve interventions and prevent such tragedies in the future.

According to the data analyzed by the Commission, alcohol consumption is one of the most prevalent risk factors, in that substance abuse leads to violent behaviour thus, it is observed that leading to the seriousness of the crime resulting in serious bodily harm/death of the victim, there are several acts of violence in the families concerned due to alcohol consumption.

As mentioned in the previous chapters, the results of the analysis found a considerable number of **45 perpetrators with alcohol addiction**, only in the list of those who committed violence resulting in very serious consequences.

According to Art. 103 of the Criminal Code, in case of the commission of a crime by a person suffering from alcohol addiction or drug addiction, if there is a corresponding medical opinion, the court, ex officio or at the request of the prosecutor or the health protection body, concurrently with the punishment for the crime committed, may apply forced medical treatment to this person. These individuals, sentenced to non-custodial sentences, will be subjected to compulsory treatment in specialized medical institutions. If these persons have been sentenced to a term of imprisonment, during the execution of the sentence, they will be subjected to forced medical treatment. After release from places of detention, if necessary, they will continue such treatment in special medical institutions. If the crime has been committed by a person who abuses alcohol and thereby places his or her family in a complex material situation, the court, at the same time as imposing a non-custodial sentence for the crime committed, is entitled, at the request of the prosecutor or the person's close relatives, to impose a measure of judicial protection.

Practice in this area shows that this rule of criminal law remains totally inapplicable.

In the data collection forms, in cases of domestic violence resulting in death or serious bodily harm to the victims, only in one case<sup>35</sup> a social worker mentioned that *"...because both mother and son were consuming alcoholic beverages, the sector police officer referred the case to the Committee for Social Problems..."*. In this case, the police did not provide similar details.

In the criminal trials on cases of domestic violence resulting in severe consequences, numerous examples have been identified of alcohol addiction of the perpetrators or both subjects of domestic violence, as a favorable factor in generating the state of violence, and in many cases, at the same time, the leading cause that puts the family in a complex material situation. For example, the investigations on criminal case No. 2024270071 found that *"...hostile relations were predominant in the I. family, all family members often quarreled and assaulted each other, and they were alcohol consumers. The police regularly fined them..."*. Findings on other criminal cases *"...After the incident, the community social worker summoned the territorial multidisciplinary team, which recommended avoiding excessive alcohol consumption in the family, avoiding conflicts in the family, monitoring of the family by the community social worker and the family doctor..."*<sup>36</sup>, *"...at the place of living the perpetrator is characterized negatively, he often abuses alcohol, there were several complaints from the inhabitants of the village... according to the statements of the participants in the trial, the aggressiveness of I.Z. towards his concubine is directly related to alcohol abuse..."*<sup>37</sup>, *"...all the witnesses, including close relatives, knew about the frequent acts of violence, alcohol abuse, but nobody got involved..."*<sup>38</sup>, *"...the local public administration characterized the assailant negatively – he abuses alcoholic beverages, he works only occasionally, there are frequent complaints about him to the Town Hall..."*<sup>39</sup>, *"...the witness stated that he lives in the neighborhood with C.N. and N.M. They abuse alcohol very heavily, for which reason 2-3 times a week*

<sup>35</sup> c/c 2024480263: on Art. 201<sup>1</sup> par. (3) a.) CC, from 16.02.2024;

<sup>36</sup> Applied at 12.07.2024 on c/c 2024470057;

<sup>37</sup> c/c 2024340192;

<sup>38</sup> c/c 2024380036: on Art. 201<sup>1</sup> par. (4) CC, from 10.02.2024;

<sup>39</sup> c/c 2024200170;

*in their family there are conflicts and N. mistreats M. ...we can conclude that the influence of alcoholic substances presents a risk factor in the defendant's life and is a stimulus for violent behaviour...".<sup>40</sup>*

The formal and disinterested attitude of the competent authorities leads to a socially unfavorable situation. Many people who manifested violent behaviour in the family and who abuse alcohol are not even registered with the police for prophylactic activities, which confirms the lack of practical tools to combat alcohol abuse in families, which often leads to irreparable consequences.

At the same time, criminal prosecution bodies and the prosecutor do not ensure the execution of effective measures to prepare the conditions for requesting forced alcohol treatment in criminal procedure. Involvement of these institutions with proactive and timely actions would save the lives of some people and prevent the sentencing of others to many years of imprisonment (and considerable social expenses).

Another risk factor relates to the presence of mental health problems of the DV subjects. Even though on 13.12.2024 a new Law No. 114/2024 on mental health and well-being entered into force<sup>41</sup>, which regulates the means of protection of the mental health and well-being of citizens, the existing mechanisms still do not ensure an effective intervention of professionals in the case of persons with mental illness.

Mental health issues in the case of subjects of domestic violence also remain without effective solutions, especially when it comes to the mental health of the perpetrators. The situation is compounded by the inadequacy of treatment and counseling services for victims of domestic violence in line with their rehabilitation needs and is alarming in relation to the lack of a network of long-term placement services such as 'Community Homes' or 'Respiro' psychiatric services for people with incurable disabilities. These findings are elucidated through the following case studies<sup>42</sup>:

#### **CASE STUDIES. Subjects of violence with mental health problems**

*"On 28.02.2024, B.O. splashed his wife, B.N., who was in bed, with sulphuric acid from a bottle in the region of her face and other parts of her body, causing various burns on her body. Their 7-year-old daughter, who rushed to her mother's defense, also suffered burns. A criminal case was opened under Art. 27, 145 (2) let. a), e<sup>1</sup>, j) CC. The assailant is under the psychiatrist's care, has been repeatedly hospitalized at the Psychiatric Hospital".*

*"On 11.11.2024 M.N. inflicted several blows with a knife in the neck region of his mother, M.V., causing bodily injuries that resulted in the latter's death. A criminal case was opened under Article 145 (2) let. e<sup>1</sup>) CC. Previously, in 2010, the offender had been placed under a medical measure of restraint for the commission of a qualifying offense under Article 145 (2) let. e) CC (murder of grandson or nephew). By the sentence of 10.02.2025 M.N. was found guilty under Art. 145 (2) let. e<sup>1</sup>) CC, with the application of medical restraint measures with a strict regime".*

<sup>40</sup> c/c 2024340116;

<sup>41</sup> [https://www.legis.md/cautare/getResults?doc\\_id=143550&lang=ro](https://www.legis.md/cautare/getResults?doc_id=143550&lang=ro)

<sup>42</sup> c/c 20244820225; c/c 2024390220; c/c 2024150321;

*"On 09.06.2024 Ş.T. poured hot water on her mother Ş.N., who died as a result of the burns two weeks later in hospital. A criminal case was opened under Art. 201<sup>1</sup> par. (4) CC. Earlier, in 2012 and in 2016 for committing the qualifying offense under Art. 201<sup>1</sup> par. (2) CC - the assailant was subjected to medical restraint measures. By the judgment of 12.03.2025 Ş.T. was found guilty under Art. 201<sup>1</sup> (4) CC, with the application of medical restraint measures with regular supervision. At the trial, Ş.S. confessed that her sister, Ş.T., suffers from schizophrenia. On the day of the incident the mother suggested to Ş.T. to take a bath. When the victim started towards the refrigerator, Ş.T. approached from behind and poured a bucket of boiling water over her mother's head, back and chest. Ş.S. talked to her mother before her death, when the victim recovered from her coma and she told her that her sister always had claims on everyone and her claims generated aggression towards the neighbours, towards her as a parent. After the death of the mother the witness (sister of the accused) had a conversation with Ş.T. and was ordered by her "to take communion". The witness expects aggression from her "...I am next...".*

The lack of solutions at the state level to ensure the functional mechanism of assistance to this category of persons, who are potential family offenders lacking discernment, places a heavy social and economic burden on the family and puts them in difficult and dangerous situations in terms of the security of family members. The permanent state of stress, from the realization of the danger to life and bodily integrity that may arise at any moment, is, in essence, a condemnation by the state of these families to inhuman and degrading treatment for the rest of their lives.

In addition to the risk factors, the inaccessibility of complex and long-term social services that could provide adequate support to the victims must also be mentioned. This situation is aggravated by the stigma associated with seeking help, as well as the economic dependence on the perpetrator. These challenging conditions are compounded by:

- The presence of physical violence and other forms of abuse, including death threats, constitutes a significant risk factor for femicide in the Republic of Moldova;
- Victims' sense of shame and fear of asking for help, especially in situations where there is a long-standing relationship with the perpetrator and shared children, contributes to the perpetuation of the cycle of violence;
- Financial dependence on the perpetrator and fear of losing the family's source of income, which discourages victims from reporting the abuse and seeking protection measures;
- Insufficient penalties for perpetrators, which do not deter recidivism and contribute to victims' loss of confidence in the justice system;
- Weaknesses in the application of the emergency restraining order and protection order, as well as lenient sanctions for breaches of these measures, highlight gaps in the system for protecting victims of domestic violence.

Victims must receive adequate support and effective protection from the authorities to prevent tragedies and ensure a safe environment. Enhancing the justice system and protection mechanisms is crucial in tackling this phenomenon and offering real hope to victims of domestic violence.

## 4.2. Problems identified based on the Commission's analysis of cases

The phenomenon of violence often remains hidden for a variety of reasons, making it difficult for the authorities to identify and intervene quickly and effectively. The Commission's analysis of the cases within its remit revealed signs that, if identified, could enable specialists to intervene and prevent crimes from being committed. It is therefore essential that the authorities recognize the warning signs and intervene promptly to ensure the protection of children and adult victims of domestic violence. Preventing domestic violence requires a proactive approach and close cooperation between state institutions and community organizations. Social education and awareness-raising are also essential to encourage victims to seek help and to change attitudes that perpetuate the cycle of violence.

To establish cases promptly, the mechanism for proactive identification of victims by the medical, social, law enforcement, and public security systems needs to be strengthened. Thus, there is a need to broaden the application of the Lethality Risk Assessment Questionnaire to other sectors, in particular the social and medical sectors, which interact with various categories of vulnerable victims, following the model of the questionnaire applied by the police.

It is also indicated to develop and adjust an effective mechanism for transmitting information between various state institutions to ensure prompt intervention with resources that meet the needs of the victim and the specifics of the case.

Similarly, to exclude the risks to which victims of domestic violence are exposed, it is necessary to identify mechanisms for the development of complex and long-term social services, given that accessibility is limited, both geographically and in terms of the services provided.

Acts of domestic violence resulting in death or serious bodily harm to the victims were analyzed through the lens of the Commission's work based on 5 generic clusters, namely:

**group I** – previously committed cases, persons previously convicted of domestic violence and other offenses;

**group II** – vulnerability of the victim due to age, health status;

**group III** – female perpetrator;

**group IV** – victim/offender is on psychiatric, narcological record;

**group V** – other cases.

**Problems noted for group I** (cases previously committed, persons previously convicted for domestic violence)

As in previous years, there are cases in which domestic violence has been previously recorded in the same family, and either misdemeanor or criminal proceedings have been initiated. In many criminal cases, the perpetrator is sanctioned with non-custodial measures, i.e., they remain at liberty, and the victim can be re-targeted. The victim and the perpetrator continue to live together. Under these circumstances, the victim is not provided with protection, for example, through available mechanisms (PO) or by placing the offender in a re-education programme. This situation poses an increased risk to the victim's safety.

Similarly, the late examination and issuance, in some cases, of decisions on previous cases generate inevitable consequences, as the offender is not sanctioned promptly for their unlawful actions. Thus, not being sanctioned in time for violent actions, in the absence of a procedural status (person sanctioned with a misdemeanour or convicted of a criminal offence), he cannot be involved in probation programmes for aggression reduction, treatment and resocialization.

For this group of cases the following systemic deficiencies were identified, implicitly conditioned by the non-existence of the related regulatory framework:



- lack of provisions that would oblige the court to examine cases of domestic violence as a matter of urgency, similar to cases involving minors or persons under arrest (Art. 20 of the Criminal Procedure Code);
- the victim does not benefit from the available protective measures and rehabilitation services because she is not referred/refuses to be referred to specialized services, thus the MDT does not know about the case;
- the first certified cases do not assess the needs of the victim and the perpetrator, do not identify the causes and reasons for the acts of violence and do not refer the parties to benefit from specialized services to address these needs, such as: alcohol treatment, violence reduction, employment, economic empowerment, etc.;
- mechanisms are not developed which would oblige the police, prosecutor's office or court to ensure the protection of the victim after a non-custodial sanction has been imposed, as a continuous method of protection for the act of violence under consideration, in particular measures for constant monitoring of the case and protection of the victim if the persons concerned (perpetrator and victim) continue to live together;
- the lack of mechanisms for the continued rehabilitation of the perpetrator, even after the sentence has been served, in particular in situations where the perpetrator is to live together with the victim;
- lack of mechanisms to refer the perpetrator to rehabilitation, treatment and mitigation services after the first report of domestic violence, even if the offense has not been classified as a misdemeanor or a crime;
- in the case of probation, no measures are applied to ensure the protection of the victim and the re-education of the aggressor.

**The problems noted for group II** reflect the vulnerability of the victim due to age, health, etc.

Minors and the elderly remain some of the most vulnerable groups. The intervention of the authorities is often passive, which delays the identification of the victim as well as the measures to address the problems they face.

Following the analysis of the circumstances of the causes, it is deemed necessary to develop and implement the mechanism/methods for early identification of cases and victims, and ensure active involvement of the medical sector in pro-active identification of cases, especially of young children, active involvement of the social sector in monitoring vulnerable families with underage children (alcohol consumption, lack of employment, etc.), as well as improving mechanisms for intersectoral cooperation to ensure rapid and effective intervention, directed with specific response to the risk, need and type of vulnerability.

The circumstances of perpetration in cases involving elderly victims underline the importance of an integrated approach and intersectoral cooperation for their protection and assistance. MDT interventions must be coordinated to provide appropriate and timely solutions to the needs of this vulnerable group. In this process, the health sector must be actively involved in identifying possible cases of violence at an early stage. Close collaboration is to be ensured not only separately for each sector whose work involves contact with potential victims of violence, but across sectors to address the specific needs of vulnerable persons, conditioned by various factors.



### **Problems and recommendations for group III (female perpetrator):**

In the majority of cases in this category, the person ended up as the perpetrator, in fact, is the wife or concubine of the victim. The analysis of the circumstances of the cases shows that female perpetrators resort to violence in response to the usually long-lasting violence inflicted by the husband or cohabitant. Continued victimization leads to specific changes in their behaviour and perception of danger. As a result, victims may commit acts of violence against their aggressors in defense of themselves, resulting in death or serious injury, turning into perpetrators themselves.

Following the analysis of cases falling within the Commission's competence, the institutions of self-defense or the state of distress are not applicable. Therefore, as in previous years, taking into account the specificity of the cases, namely that the person, until the commission of the act of violence resulting in death or serious bodily harm, was for a long period of time a victim of domestic violence by the person on whom the violence was perpetrated, when assessing the "guilt" of the person on whom the violence was perpetrated, it would be appropriate to initiate a study/analysis that would provide an answer as to how this continuous state of victimization affects the person's conscience and ability to respond to possible acts that endanger their life and health, whether this state is part of the physiological state of being affected, or whether it is another form that would diminish the person's ability to act deliberately.

This type of crime is part of a particular group of cases, as it is the product of ineffective interventions and insufficient action by the authorities in previous instances of violence. The lack of effective mechanisms to protect victims of domestic violence also results in cases falling into this group.

### **Problems noted and recommendations for group IV (victim/offender is on psychiatric, narcological record)**

The use of substances by or the presence of certain mental illnesses in both the perpetrator and the victim creates additional prerequisites that generate the risk of the occurrence and manifestation of acts of domestic violence. In many cases, the persons concerned do not suffer from chronic mental illness, but they do have certain forms of organic personality disorder.

The data analyzed by the Commission has identified that a considerable number of 45 alcohol-dependent perpetrators, the overwhelming majority of whom are not registered with the police or other competent bodies. Out of 45 offenders who abuse alcohol, which is an essential factor that generates a state of domestic violence (identified only in cases of violence resulting in very serious or even irreparable consequences), only 7 persons are potential subjects of tertiary intervention with prophylactic measures by police employees and/or other authorized structures. Moreover, the majority of assailants with alcohol dependence or mixed alcohol-drug use are persons not employed or involved in daily work. Male offenders have an addiction in an overwhelming percentage of cases. Among female perpetrators, the share of addictions is lower. Thus, alcohol consumption is significantly more frequent in the male perpetrator profile, and can act as a factor in the rapid escalation of conflict in tense contexts.

In such a situation, the passivity of the local public administration and community social workers is inexplicable, especially since in rural areas everyone knows about families where alcohol abuse occurs. An analysis of the situation of domestic violence shows that a considerable proportion, if not the overwhelming majority of cases, of violent acts occur when people are in a state of inebriation.<sup>43</sup>

<sup>43</sup> Drunkenness at the time of offense shows a significant correlation between alcohol consumption and serious domestic violence. In the case of the perpetrators, 59 persons were under the influence of alcohol at the time of the offense, compared to only 10 cases where they were not under the influence of alcohol. In 18 cases, the state could not be determined.

We believe that among the performance indicators in the work of district police officers and community social workers should be the identification and recording of families in which alcohol is abused and regular prophylactic activities with alcohol abusers. The data confirm that alcohol plays a major role in the dynamics of violence, being disproportionately present in the behaviour of perpetrators, but also frequently among victims.

In order to make the prophylactic work in this area more effective, it would be indicated to examine the advisability of revising the relevant regulatory framework, in particular, Law No. 45/2007 should be supplemented with the concept of *"presumed victims of domestic violence"* – family members of people who abuse alcohol, illicit drugs or other psychotropic substances.

Also to be examined is the appropriateness of revising in this respect (inclusion of the notion of *"presumed victims of domestic violence"*, with the necessary regulations) of Law No. 713/2001 on the control and prevention of alcohol abuse, illicit use of drugs and other psychotropic substances.

The identification of families in which there is abusive use of alcohol, illicit drugs or psychotropic substances must be regulated in the Methodical Instruction on Police intervention in preventing and combating cases of domestic violence and in the instructions for community social workers and medical workers.

It should also be noted that the lack of reaction or passivity of those who provide information about families in which alcohol abuse or violence is reported, such as neighbors or relatives who know the situation all too well but do not react and do not inform the relevant authorities, is explained by their unwillingness to have any unpleasant encounters with potential aggressors. In other words, the involvement of the authorities is usually reactive, but not proactive, and the state of domestic violence is maintained and often evolves into severe forms of bodily harm or even murder of the victims.

A possible solution to redress the situation would be to review current practices in the work of the structures responsible for preventing and combating domestic violence and in promoting the acceptance of anonymous verbal reports. The competent authorities, in the form of the police and social work structures in their daily activity, should act on these anonymous reports, in accordance with the procedure for self-reporting or direct detection of cases of violence.

The failure of the state to protect the victim of femicide who reported her situation several times to the authorities is reflected in the case study.

#### **CASE STUDY. Alcohol abuse as a risk factor**

On 11.04.2024 C.N., being on the street in an inebriated state, hit his concubine N.M. in the head region with an axe who died of the consequences shortly afterwards in the hospital. The concubines were not employed; they were abusing alcohol. The assailant, C.N., was registered with the police as a domestic abuser (for violence against his mother). Until this case, the aggressor C.N. was sentenced in 2021 for domestic violence to 1 year and 1 month imprisonment. In the penitentiary, he was not enrolled in psycho-correctional programmes, because the institution does not have psychological specialists. Subsequently, in the years 2022-2023 he was sanctioned for committing 24 misdemeanors of violence, and in the year 2024, 2 other criminal cases were initiated under Art. 201<sup>1</sup> CC, including for acts of violence against his former cohabitant.

*At the time of committing the offense on 11.04.2024, the perpetrator and the victim were in a drunken state. Victim N.M. had been previously assaulted, but did not file a complaint. No cases were referred to the community social worker. At the court hearing, the defendant C.N. did not admit to alcohol addiction, although he confirmed that he consumed alcohol systematically over a long period of time. One of the witnesses testified in court that "...he lives in the neighborhood with C.N. and N.M. They abuse alcohol very heavily, which is why in their family there are constant conflicts 2-3 times a week, N. mistreats M...". Thus, it is a typical case of a disinterested attitude on the part of the community members and passivity on the part of the competent authorities. This case ended in the murder of the victim. There are many situations of this kind; these families are not in the authorities' sights, they are not being dealt with with preventive measures".*

The analysis concludes that existing mechanisms do not ensure effective intervention in the case of people with mental illness. There is no legal instrument ensuring cooperation between the Police and the medical system in the mental health segment. The police do not have access to information on persons under psychiatric records to monitor such cases, ensure the protection of the ill person and his/her family members, as they are "protected" by the right to confidentiality of medical data on the patient. Thus, in cases where the person is discharged from the hospital and is in the community, the sector officer is often unaware of this and therefore cannot implement appropriate monitoring and protection measures, which diminishes the capacity for proactive identification and prompt intervention.

Taking into account the fact that in 2024 the tendency of committing the crime of domestic violence by persons with psychiatric records increased, the recommendations put forward in the analysis carried out for cases registered in 2023 are still maintained.

The seriousness of the actions committed by mentally ill persons creates prerequisites for intensifying cooperation activities between the police and mental health system with a view to developing and implementing a working tool for early identification of cases and effective intervention to avoid the risks of committing serious acts, intervention in cases of worsening health, in crises, etc.

People with mental illness are particularly vulnerable, as in certain circumstances they pose a risk not only to others and family members, but also to themselves, and can easily become victims of unlawful acts by third parties and family members. Therefore, multidisciplinary intervention mechanisms should encompass all aspects of working with this category of persons to ensure their protection and that of their family members.

Also, to avoid early discharge from hospital of people who are still showing signs of illness or who in certain living circumstances, would have crisis attacks, it would be necessary to review the internal protocols for working with these people so that, before being discharged, the risk persisting in the family for these people and from these people to other members is examined.

It would also be desirable to set up a mechanism for continuous monitoring by doctors, including the identification of possible acts of violence in the family in which the person with mental illness lives/ is registered with the psychiatrist.

**The case analysis reveals that particular systemic challenges persist, influenced by both the absence of a practical regulatory framework and inadequate implementation in practice.** The same challenges that were documented in the 2023 report persist. In addition, the following issues were identified and highlighted:

- failure to enforce the obligation *to participate in probation programmes*. The information in the completed forms attests that in very few cases, when establishing a misdemeanour sanction or in the case of the application of a non-custodial measure, the court applies to the offender the obligation *to participate in probation programmes*;
- low rate of requests for psycho-social personality assessment reports of the offender;
- lack of a standardized risk assessment process by all institutions;
- lack of a mechanism for continuous monitoring of the offender in the community;
- not all cases of domestic violence, in which children are present, either as victims or witnesses of violence, or being in the care of the perpetrator or the victim, are reported to the local/territorial guardianship authorities. Similarly, in many cases, the parent-victim refuses to apply for help from the bodies competent to intervene. This refusal by the victim to ask for support could develop the feeling in the perpetrator that he may go unpunished. The methods used by the perpetrator, including intimidation of the victim to prevent asking for help, in some cases result in the attempted murder or death of the victim;
- lack of responsibility on the part of the perpetrator towards the victim's common dependent children. Lack of positive parenting and family values. Thus, in cases of domestic violence between two spouses or cohabiting people with dependent children, the perpetrator-parent, who carried out the attempted murder or murder of the victim-parent, totally ignored the right of the child/children to grow up and be educated in the family, showing total indifference to the fate of the child/children as a result of the crime. The same is also observed in cases of domestic violence, where as a result of the murder committed, the perpetrator-parent intended to commit suicide, at some point the children were left without both parents (either both deceased, or one deceased, and the other – in prison). In some of these cases the perpetrator has no established vices/addictions, and the motive for committing the crime is jealousy;
- a common factor in most cases of violence was alcohol/drug abuse. In none of the cases of domestic violence, where either the perpetrator or the victim is addicted to alcohol/drugs, did the authorities apply the provisions of *Law No. 713/2001 on the control and prevention of alcohol abuse, illicit use of drugs and other psychotropic substances*. The addicted persons, after having been repeatedly warned or sanctioned by law enforcement authorities, have avoided voluntarily seeking advisory or curative assistance in territorial medical institutions, including based on the best interests of the child/children to whom the offender-parent, as well as the victim-parent has established parental obligations to respect and protect the rights of the children to raise them in the family in a safe and protective environment. As a result of the imminent risk to the children growing up in families where parents are addicted to alcohol/ substance abuse, they are separated from their parents. For their upbringing and maintenance, the state allocates necessary means for the children's referral to various social placement services, which could be directed to the implementation of measures of compulsory treatment of the addicted parents. The major negative impact that exists in such dysfunctional families is also the fact that children from these families follow the harmful behaviour of their parents. Also, children in their pre-teen and teenage years often do not want to accept the harsh reality of living without their biological parents in substitute families or even in residential care services, not through their own fault, and in some cases children run away from residential care services back to their biological parents who are alcohol/harmful substance users. It is in the best interests of the children and society as a whole that compulsory treatment, as

required by law, is applied to these individuals. The increased awareness of the sensitivity of the subject determines the need for broader intervention in improving treatment, through a comprehensive understanding of the personality of the offenders and prisoners, and providing qualified support in increasing their quality of life. In cases of domestic violence, alcohol consumption is one of the most critical factors, as substance abuse generates violent behaviour. In this context, the National Administration of Penitentiaries in 2022 requested the support of the Council of Europe, Chisinau office, to develop a programme for convicted persons with alcohol addiction, people who have lived the experience of alcohol consumption, the beneficiaries being both men and women, from the age of 18. The aim of developing such a programme was to help the beneficiaries to better understand why alcohol consumption is harmful to themselves and others, to learn effective strategies to prevent the resumption of alcohol consumption and to maintain abstinence. Currently, the mentioned Programme is being piloted in all penitentiary institutions, and trainings for all employees responsible for running the programme and supervision sessions guided by experts who participated in the development of the given programme have been planned for 2025. Likewise, in the light of the fact that the best cognitive-behavioral change programmes, which involve the emotional side, are those of long duration, the psycho-social intervention programme for inmates who have committed the crime of domestic violence is to undergo changes in 2026, thanks to the training that the psychologists of the penitentiary system received in 2024;

- situations were found where the victim refuses to cooperate with state authorities, in particular, community social workers or local public authorities. The situation becomes more serious in cases where there are children in the family, who are dependent on the parent-victim's decision in this regard, since the risk that the acts of violence are carried out in the presence of children or towards children, with the silent consent of the parent-victim, increases;
- economic and social vulnerability of the victims of domestic violence. In many cases, the victims come from socially vulnerable families, are unemployed, drink alcohol or have other forms of dependency on the aggressor;
- situations particularly escalated where conflict situations were frequent. In most cases, the abusive behaviours were recurrent and escalated over time;
- mutual aggression between subjects, as a result of which the victims in turn become aggressors, perpetrating violence against each other;
- lack of official referrals of cases of violence to the STAS. In the majority of the cases analyzed, the social sector was not notified in time or was not involved in the management of situations of domestic violence. Out of the 87 cases examined, the territorial multidisciplinary team was convened in only 8 cases (involving adults). In only one case was case management carried out, and none of the adult victims were referred to specialized services. This lack of specialized intervention significantly reduced the victims' chances of receiving adequate protection and support. In many cases, there was no continuous monitoring by the social sector after the violence had occurred, which limited the possibilities for intervention and prevention of recidivism;
- lack of monitoring of families where violence has occurred.

# CONCLUSIONS

## Data analysis according to the form

- The number of male perpetrators is more than 3 times higher than of female perpetrators. Out of the **87** criminal cases, in **67 cases the perpetrator** is male and in 20 female.
- The death rate is highest, **specifically in cases of male violence against women**, where the number of deceased victims (21) exceeds the number of survivors (19) and underlines the extremely dangerous nature of this type of violence.
- **In 2024, femicide constituted 53%**, identical to 2022 and very close to 2023. This constancy in the lethal proportion of men's violence against women confirms its extremely dangerous nature and reveals a persistent pattern requiring urgent, specialized and well-coordinated interventions between institutions.
- Males predominate in criminal cases both as aggressors/perpetrators and as victims, suggesting a complex dynamic of domestic violence in which not only women are victims.
- Compared to 2023, in 2024 there is a decrease in the share of cases out of all cases, where the perpetrator is male and the victim is female.
- In almost half of the cases (**42**), domestic violence had **lethal consequences**. Of these, **21 cases, or 24% of all cases**, constitute **femicide** – violence by a man against a woman resulting in death.
- In cases where the victim is a woman and the perpetrator is a man, the predominant classification is homicide, often in combination with attempted murder (Art. 27 CC), **which confirms the increased lethal risk in this dynamic**.
- Most cases of femicide have been classified as **homicide** (par. (2) let. e<sup>1</sup>) CC, reflecting **the seriousness and aggravating nature of the crime** (kinship, cruelty, vulnerability).
- The average time between the date when the crime took place and the date when the indictment was issued is between 2 and 4 months. **The fastest indictment** was issued in 53 days.
- In femicide cases, the completion of the prosecution and the issuing of the indictment took between **1.5 and 4 months**.
- Out of the **87** criminal cases analyzed by the Commission, **57** offences (65%) took place in rural areas, and another **30 cases** in urban areas. In cases of femicide, **2/3 of the cases** occurred in **rural** areas and **1/3** in urban areas.
- Rural areas are at a higher risk for crimes analyzed by the Commission than urban areas. However, compared for the period 2022, there is a decrease in the share of domestic violence offenses in rural areas and a gradual increase in the share of domestic violence offenses in urban areas.
- In **rural areas**, cases of DV are concentrated mainly in the **spring, summer, and fall months – such as May, June, July, August, September and February**.
- In **urban areas**, cases occur more frequently in the cold season months, especially in January and December.
- The regions that stand out with a considerably higher number of reported cases are: **Chisinau** – 15 cases, **Floresti** – 6 cases, **Hincesti, Ialoveni, Orhei, Stefan Voda** – 5 cases each, **Ocnita, Ung-heni** – 4 cases each.
- The increases recorded in 2024 in districts such as **Edinet, Chisinau and Straseni** signal an acute need for targeted interventions.



- The persisting high number of cases in districts such as **Cahul, Ialoveni, and Ungheni** underlines the importance of maintaining long-term prevention programmes. Interventions must be **territorially tailored**, taking into account local dynamics and the capacity of communities to recognize, report and manage the risk of lethal violence.
- **The majority of perpetrations occurred in the home – either in the shared residence or at the victim/ perpetrator's residence.**
- 2 out of 3 cases of femicide occurred in private premises, the majority in the shared residence of the victim and the perpetrator.
- The most common assaults occur in **active intimate relationships**, **26 cases** involved **cohabiting partners** and **11 cases – spouses**. This pattern confirms that partnership relationships, especially **informal** ones, can become a space of hidden violence and are difficult to control institutionally.
- **16 cases** involve assaults committed **against parents** and **9 cases** against the perpetrator's own **children** (adults or minors).
- **75% of all femicide cases** involve **cohabiting partners**, and **4 cases – spouses**, reflecting the fact that the most dangerous relationships for women are intimate partnerships, especially informal ones (cohabitation), where lack of legal protection and emotional/economic dependence can facilitate extreme violence.
- **The methods and means used by the aggressors are diverse, but the predominant use of domestic tools:** kitchen knives, sticks, axes, blunt objects (chairs, wood, metal bars).
- In cases of **femicide, blunt objects are the most frequently used** (in 13 out of 21 cases).
- The majority of victims are adults, born in the 70s and 80s, reflecting an increased prevalence among the working population. **3 victims are minors** (2 born in 2022 and 1 born in 2019).
- In 2024 there were 3 victims in the Roma community, which calls for the need to intensify prevention interventions in these communities.
- The majority of victims come from low to medium educated backgrounds (secondary education).
- The victims of **femicide** are mostly women with a low level of education (half of them have only lower secondary education).
- The social vulnerability of most of the victims **is imminent**, more than **50% were not employed** (46 victims). In the case of **femicide** victims **only 2** victims had a **formal job**.
- The presence of children in the family does not absolutely protect against violence, but it may modulate the severity or timing of escalation. **1 in 5 victims** (16 victims) **had dependent children**. In the case of femicide, **5 victims (1 in 4 women) had dependents**.
- In **4 criminal cases the children were victims of violence** and in **3** criminal cases the child had the status of a **witness**.
- Almost **half of the analyzed victims** are characterized by **alcohol abuse** (42 out of 84 cases), which can be an **aggravating factor of vulnerability** in situations of domestic violence.
- **The majority of perpetrators are adult males, born in the 70s, 80s and early 90s**, which reflects an increased prevalence of violent behavior among the mature population, in periods of life marked by family responsibilities, financial or relational instability.
- In contrast to the years 2022-2023, in 2024 **there are 2 juvenile perpetrators** (one born in 2009 and the other in 2007). This signals critical situations of early onset of aggressive behaviour in dysfunctional family contexts and determines the need to plan prevention interventions also among minors.

- A significant number of perpetrators are older (born in the 40s, 50s and 60s), indicating the persistence of abusive behavioral patterns in relationships of authority (parent-child, husband-wife in long-term couples), but also the lack of effective intervention in earlier stages of life.
- In femicide cases, the average age of the perpetrators is 43 (born in 1980), with a very close median (1981), indicating that most perpetrators are men in their active adulthood, often with family responsibilities, but also with potential socio-economic and emotional frustrations.
- The existence of perpetrators born in 2007 (approx. 16 years of age) or in the 50s and 60s reflects the fact that femicide is not limited to one age group, but can occur both in early and late adulthood, depending on the relational context and accumulated risk factors.
- In femicide cases the age difference between perpetrator and victim varies significantly, ranging from **perpetrators up to 14 years older than the victim to perpetrators up to 29 years younger**.
- **All** perpetrators are citizens of the Republic of Moldova. The majority of them (83 persons) are ethnic Moldovans, 5 others are of other ethnicities (3 Roma and 2 Gagauz). In femicide cases, **20 perpetrators were** ethnic Moldovans and **1 perpetrator** is Gagauz.
- Lower educational attainment is frequently associated with extreme violent behaviour in the absence of other social and cognitive conflict management resources, with **48 perpetrators** having only lower secondary education and 8 with no education. A relatively small number have completed vocational education (12 in total), and only 5 have higher education.
- In cases of **femicide** the data show that most perpetrators had a low level of education, with 10 persons with only lower secondary education and 1 without. Unlike the victims, **one perpetrator had higher education**, while the rest had intermediate levels – vocational technical or medium education.
- **The majority of perpetrators** in cases of domestic violence had **unstable or no means of subsistence**. **41 persons were unemployed** and 22 were day laborers, indicating a high level of economic insecurity.
- The majority of perpetrators in femicide cases were in situations of socio-economic vulnerability: **7** were unemployed and **7** were day laborers with no stable income, **2** perpetrators had independent forms of subsistence, and **2** were on a pension.
- **1 in 4 offenders (20 offenders in total) have dependent children**. The number of victims with dependent children is 16, lower than the number of perpetrators.
- In **femicide** cases, the same trend continues **1 in 4 offenders (5 persons) have dependent children**.
- **10 perpetrators** were previously on the Nominal Police record: 7 perpetrators were on the record as "family perpetrators", 1 perpetrator is listed as "previously convicted", which implies criminal history (not necessarily associated with domestic violence), and in 2 cases, the information was either not recorded or unknown.
- In **7 out of 87 cases the perpetrators had a known and documented history of violent behaviour**, which raises questions about the effectiveness of institutional prevention and monitoring measures.
- In cases of femicide, **1 out of 5 perpetrators** (4 perpetrators) were previously registered with the police. **3 perpetrators** were registered as **"family offenders"**, **1 assailant** was registered as **"previously convicted"**, which implies a criminal record (not necessarily associated with domestic violence). In 4 out of 20 cases, the assailants had a known and documented history of violent behaviour, which raises questions about the effectiveness of institutional prevention and monitoring measures.



- In cases of **femicide, the proportion of perpetrators with a previous criminal and/or misdemeanor record is even higher** (11 out of 21) compared to the overall proportion for all cases of serious domestic violence.
- Almost **2/3 of the perpetrators involved in femicide cases had criminal records** and many of them had already been sanctioned for domestic violence or other forms of abuse.
- In the case of **4 perpetrators it is indicated that in the last 5 years they violated the restrictions imposed by a Protection Order, and in the case of one perpetrator this is unknown.**
- **Alcohol addiction is the vice from which more than half of the perpetrators suffer.** The same pattern is true for femicide cases.
- **Male offenders have addictions in an overwhelming proportion: 4 offenders were on narcology records and 9 offenders** (about 1 in 10) **were on psychiatric records**, with a wide spectrum of conditions – from personality disorders and substance use disorders to severe diagnoses such as paranoid schizophrenia, severe mental retardation or mental alienation.
- In the femicide cases one **perpetrator was on the narcology record** because of alcohol addiction and **5 perpetrators** were on the **psychiatric record**, which is about ¼ of the cases.
- **The presence of dependent children does not significantly influence the addiction risk.** Offenders with and without dependents occur in similar proportions in both categories (with and without addictions).
- In **16 cases** the victim had been subjected to violence in the last 5 years and in only **8 cases** the victims **filed complaints** (5 women and 3 men). In another **8 cases, no complaints were filed**, although the violence occurred (6 women and 2 men).
- In **47 cases** it was recorded that **there had been no previous episodes of violence** and in **21 cases the history was unknown.**
- Only a small proportion of victims in situations of recurrent risk turned to the authorities: **6 victims** had been previously subjected to violence in the last 5 years, only 3 victims **had filed complaints**, suggesting either massive under-reporting of previous abuse or lack of trust in institutional protection.
- **1 in 3 cases of femicide was preceded by some form of violence.** Still, only half came to the attention of the authorities, underscoring the significant risk of underreporting and lack of early intervention.

## Analysis of sentencing

- Out of the **67 criminal cases** for which an indictment or an order to send the criminal case to trial for the application of medical restraint measures was issued, **51 cases** (76% of all cases sent to trial, or 59% of all criminal cases) **have been tried**; and in **16 other cases there was still (at the time of publication of this report) no court judgment**.
- Out of the total number of **13** criminal cases sent to trial on Art. 27, 145 CC, in **4 cases the offense was reclassified**, including: in 2 cases on Art. 201<sup>1</sup> par. (1) let. a) CC; in 1 case on Art. 201<sup>1</sup> par. (2) let. a') CC and in 1 case on Art. 201<sup>1</sup> par. (3) let. a) CC.
- Out of **13** criminal cases prosecuted under Art. 145 CC, in **4 cases, the offense was reclassified: in 2 cases, based on mitigating circumstances, under Article 145 par. (1) CC and Art. 146 CC**, and in 2 cases in the sense of aggravation, on Art. 145 par. (2) CC;
- Out of **11** criminal cases prosecuted under Art. 201<sup>1</sup> par. (4) CC, in **4 cases the offense** has been reclassified: in 1 case in mitigation, under 201<sup>1</sup> par. (1) let. (a); and in 3 cases with aggravation on Art. 145 par. (2) CC with aggravating signs;
- The sentences are sufficiently reasoned by the judges, in some cases they even exaggerate with the description of the theoretical aspects of criminal law, including the definitions of the subject, object, objective and subjective side, as elements of the offense.
- Sentencing with actual execution of the prison sentence is the most frequent solution applied by the courts in serious cases, including femicide cases. The sentences ranged from 2 years imprisonment, depending on the seriousness of the crime, the type of offense and the defendant's criminal record.
- Prison sentences were imposed in 39 criminal cases and non-custodial sentences – in 8 criminal cases, including 5 cases with male victims and 3 cases with female victims.
- The most lenient sentence was 135 hours of unpaid community service **and the minimum term of imprisonment was 2 years suspended**. On average the courts set prison sentences between 5 and 10 years and maximum sentences ranged from 19 to 25 years.
- As a motive for committing the offense, the same as in 2023, verbal conflicts and jealousy were the most common.
- In none of the femicide cases examined by the prosecution body and the courts the gender motive was identified and no qualification under the aggravating factor on the grounds of gender bias was realized.

# RECOMMENDATIONS

## General Prosecutor's Office

*The report shall be sent to the General Prosecutor's Office to take note of the results of the analysis and to intervene, as appropriate, within the limits of its functional powers, to ensure the legality of the criminal proceedings, the rights and interests of victims, the effective use of procedural instruments, etc.*

1. Continue to implement the necessary measures to guide prosecutors by developing circulars and methodological guidelines, emphasizing the importance of identifying gender-based motives in investigations of domestic violence. Particular attention will be paid to the history of gender-based violence and abuse suffered by victims;
2. Continue the process of systematizing judicial practice to standardize the classification of acts and clarify the distinction between the actions regulated by Article 201<sup>1</sup>(4) and those provided for in Article 145 (2) (e') of the Criminal Code. This clarification will facilitate the work of prosecutors and criminal investigation authorities;
3. Conduct a detailed study of cases in which perpetrators were exempted from criminal liability on grounds of irresponsibility and were subject to medical coercive measures. The study will cover a period of 10 years. It will aim to identify the history of violence, assess the risks during criminal investigation, and analyze the situation after the termination of medical measures, including possible cases of recidivism (although proposed last year, it has not been carried out);
4. Promote the practice of repeated (periodic) assessment of the risk of repeat acts of violence during criminal proceedings in order to determine how domestic violence has evolved, and use the results of the assessments to apply protective measures and/or individualize the punishment imposed on the domestic violence perpetrator;
5. Intensify efforts to develop the practice of recognizing the status of child witnesses to domestic violence as victims of psychological violence;
6. Interaction between representatives of the Prosecutor's Office and other authorities and institutions competent to examine cases of femicide and domestic violence at the pre-trial stage of criminal proceedings.

## Ministry of Internal Affairs

1. Plan differentiated territorial and seasonal prevention interventions that take into account the specificities of each environment and adapt prevention, awareness-raising, and institutional response efforts to the social calendar of communities;
2. Verify that police officers fulfill their obligation to apply to the court for a protection order for the victim and her children or other dependents in cases where there is a risk of lethality (similar to cases where the victim is unable to apply for it herself);
3. Monitoring the implementation of internal procedures for risk assessment in the case of children at risk, as well as for the adults involved;

4. Develop and implement training programmes for employees of the National Single Emergency Service 112 to ensure the identification of cases of domestic violence also in situations where the victim does not accurately verbalize the circumstances of the case, as well as to ensure prompt intervention;
5. Joint review with the Ministry of Health of Interdepartmental Order No. 369/145 of May 20, 2016, on measures to improve cooperation;
6. Continue to develop provisions, circulars, and recommendations with a view to taking the necessary action to ensure the prompt documentation of cases of domestic violence and to train employees in accordance with the issues identified, including from the perspective of the Commission's findings in the analysis and monitoring process.

## Ministry of Labor and Social Protection

1. Develop standardized operating procedures for the accurate and effective assessment of the risk of violence in the case of elderly people and those with multiple vulnerabilities (e.g., people with disabilities);
2. Strengthen the professional capacities of employees of the Territorial social assistance agency and the Territorial social assistance structure and Roma community mediators to ensure a coordinated response for victims of violence against women and domestic violence, with a focus on identifying critical situations of early onset of aggressive behavior in minors in dysfunctional family contexts and planning preventive interventions among minors;
3. **Continuous monitoring of families affected by violence and establishment of a minimum package of case-specific interventions:** strengthening the capacities of territorial subdivisions for employment in order to facilitate access to the labour market for inactive persons and to support them in the employment process;
4. Analysis of the legal framework and operating practices of the "Personal Assistance" social service by analyzing the potential risks of domestic violence (Government Decision No. 314 of May 23, 2012, approving the Framework Regulation for the organization and functioning of the "Personal Assistance" social service and Minimum quality standards).

## National Agency for Preventing and Combating Violence Against Women and Domestic Violence

1. Development of a standardized risk assessment tool, applied by institutions (police, social assistance, probation), which would allow for accurate assessment, dynamic risk assessment, and in-depth investigation of all areas specific to the respective category of subjects;
2. Development of an inter-institutional tool/algorithm for establishing an intersectoral cooperation mechanism for the identification, risk assessment, referral, assistance, and monitoring of cases of violence against women and domestic violence;
3. Strengthening multidisciplinary teams at the local level with expertise in the field, so as to reinforce the joint intervention procedure in cases of domestic violence (most often, the cases were not reported to the territorial social assistance structures, and child protection specialists only found out about the case later on).

## Ministry of Health

1. Review the procedure for compulsory treatment of persons who consume alcohol/drugs and other psychotropic substances, so that perpetrators of domestic violence are required to undergo rehabilitation programmes, given that alcohol is a trigger for violence in most cases;
2. Amend the legal framework (Law No. 713/2001 on the control and prevention of alcohol abuse, illicit drug use, and other psychotropic substances) with a view to regulating procedures for referring alcohol and drug addicts to compulsory treatment, especially those who exhibit violent behaviour in family relationships;
3. Joint review with the Ministry of Internal Affairs of Interdepartmental Order No. 369/145 of May 20, 2016, on measures to improve cooperation between the Ministry of Health and the Ministry of Internal Affairs;
4. Development and approval of interdepartmental operational procedures for employees in the health, public order, social assistance, etc. systems on identifying and interacting with violent individuals who have mental health problems, in the context of Law No. 114/2024 on mental health and well-being<sup>44</sup>.

## National Institute of Justice

1. Develop and implement a training schedule for new prosecutors or those who have not previously taken the course on investigating acts of domestic violence;
2. Establish an initial and continuing training course dedicated to the investigation and prosecution of femicide cases to ensure a fair and informed approach to these serious crimes. (the course should include specialized modules covering the legal, psychological, and sociological aspects of femicide, thus providing a comprehensive understanding of the phenomenon);
3. Training NIJ beneficiaries to focus the criminal process on the victim, including on streamlining the application of legal provisions that in practice risk being considered formal or that hinder the process;
4. Training professionals within the criminal justice system in aspects regarding the interaction and communication with victims of domestic violence, including through the use of alternative means, in order to overcome negative attitudes and deep-rooted prejudices regarding victims of domestic violence.

## National Council for State-Guaranteed Legal Aid

1. Specialization of lawyers providing SGLA in handling criminal cases involving victims of domestic violence;
2. Development of an assessment tool for communication skills with domestic violence victims and stress resistance, applicable to the selection of lawyers providing SGLA who request to be included in the specialized list for assistance to victims of domestic violence;
3. Regular training of lawyers providing SGLA in the area of assistance to victims of domestic violence, including aspects related to empathetic communication with the victim and active and fair representation of the victim's rights in court;

<sup>44</sup> [https://www.legis.md/cautare/getResults?doc\\_id=143550&lang=ro](https://www.legis.md/cautare/getResults?doc_id=143550&lang=ro)

4. Operationalization of the mechanism for evaluating the quality of state-guaranteed legal aid provided in relation to the needs of victims of domestic violence and minimum quality standards, including quality assessment by the beneficiary;
5. Exclusion of practices whereby regional CNSGLA offices appoint lawyers who are family members of the victim and the aggressor.

## National Probation Inspectorate

1. Implementation of recovery programmes targeting alcohol, drug, and other narcotic and psychotropic substance use/addiction for persons registered as probationers and/or released from detention at the end of their term;
2. Implementation of programmes to ensure professional training/qualification for aggressors (e.g., courses for training, retraining, etc.) by initiating and developing a joint programme that would facilitate the identification of a job in demand on the market, as well as provide employment support (legal assistance, etc.);
3. Make it mandatory to prepare pre-trial reports on persons suspected, accused, or charged with domestic violence offences;
4. Develop mechanisms that would allow for the assessment and periodic monitoring of the perpetrator in the community after serving the administrative or criminal sentence. Assessment carried out using a set of indicators will help to evaluate changes in the perpetrator's behaviour, the impact of this behaviour, and to identify possible interventions necessary to ensure the safety of victims.

## National Prison Administration

1. Ensure the framework in order for the programmes for convicts found guilty of committing crimes covered by the Commission to contribute to reducing violent behavior. Also ensure that programmes are tailored to the age and gender of the convict;
2. Ensure that the results of the questionnaire assessing the risk of committing acts of domestic violence are also taken into account in the process of assessing the risk of recidivism.

## Commission for monitoring and analyzing cases of domestic violence resulting in death or serious bodily harm to victims

1. Revision of the current questionnaire used by the Commission, taking into account the Commission's expanded mandate, in accordance with Art. 11 of the Istanbul Convention and UN statistical standards (basic variables, disaggregation, and characteristics defining femicide in the public sphere);
2. Strengthening the capacities of Commission members and the Secretariat in using data to develop policy change proposals based on data, in line with GREVIO Recommendations, by applying them in practice (identifying systemic gaps, particularly in reported cases of violence resulting in the death of the victim);
3. Identifying gaps in the response to cases of violence, particularly in cases with a history of violence and different forms of violence (including physical, sexual, psychological, and economic), identifying gaps in the referral system, and developing recommendations on the prevention of femicide based on lessons learned.







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