



Organization for Security and  
Co-operation in Europe  
**OSCE Mission to Moldova**

**SUMMARY OF THE TECHNICAL CO-ORDINATION MEETING (TCM)  
12 May 2010**

**Site:** OSCE Mission to Moldova  
**Date:** 12 May 2010  
**Chair:** Otilia Bologan-Vieru, National Legal Adviser, Anti-Trafficking and Gender Programme, OSCE Mission to Moldova

**Executive Summary**

The Ministry of Labour, Social Protection and Family (MLSPF) reported on the participation of Moldovan delegation in the international seminar on gender aspects of migration policies (Helsinki, Finland); the launching of the Family Festival; the passing by the Parliament in the first reading of the draft law on the harmonization of national legislation with the provisions of the anti-domestic violence law; and the progress in drafting the regulation on the identification of victims and potential victims of human trafficking. The General Prosecutor's Office (GPO) informed about the next meeting of the Coordination Committee of the law enforcement bodies with competences in combating human trafficking scheduled for the end of May.

The Mission to Moldova of the International Organization for Migration (IOM) informed about the launching of the 2010 edition of the youth video contest "Plural Plus Moldova" and the promotion of the movie "If I want to whistle, I whistle". Causeni Law Centre informed about five new protection orders issued by the courts in Soldanesti and Causeni districts. La Strada announced that in June the Report on Child Trafficking in Moldova is to be finalized and a communication campaign to prevent sexual exploitation of children is to be launched. The OSCE Mission announced new training seminars on Law # 45 for judges, prosecutors and lawyers and informed about the upcoming regional TCM in Floresti and social round table in Tiraspol.

The focal issue presentation was offered by the MLPSF and focused on the first monitoring and evaluation report on the implementation of the National Referral System for the assistance and protection of victims and potential victims of human trafficking. The side presentation on the trust line for victims of domestic violence in Transnistrian region was offered by the IOM Mission and the NGO "Interaction".

## MAIN DISCUSSION ITEMS

The summary minutes of the 14 April 2010 TCM were adopted.

### *1. Activity of the Ministry of Labour, Social Protection and Family and other state institutions*

The MLPSF (Ecaterina Berejan) reported the following:

- Moldovan delegation (representatives of the MLSPF, Ministry of Interior, and employers) participated in the seminar on gender aspects of migration policies, held in Helsinki (Finland), together with similar delegations from Ukraine and Belarus, and international experts. A follow up seminar is expected to be organized in August 2010.
- The draft law on the harmonization of national legislation with the provisions of the Law #45 (on domestic violence) was approved by the Government, and the Parliament passed it in the first reading. To enter into force, the draft law has to be passed in the second reading and published in the "Official Gazette" ("Monitorul oficial"). Otilia Bologan-Vieru (the OSCE Mission) added that the draft law makes important amendments to a series of laws, including a new article in the Penal Code, criminalizing domestic violence.
- The Family Festival, coordinated by the MLSPF, was launched on Monday, 10 May, with a press conference. According to a Governmental Decision, 15 May was declared the National Family Day.
- The monitoring and evaluation report on the implementation of the National Referral System (NRS) was finalized and presented to the National Anti-Trafficking Committee and at the meeting of the MLSPF College, with the participation of representatives of relevant authorities from all districts of Moldova.
- The draft regulation on the identification of victims and potential victims of human trafficking has been finalized. It is to be sent for consultations to the 26 administrative-territorial where the NRS is being implemented, social partners of the Ministry, and relevant central authorities.

The GPO (Viorel Ciobanu) announced that the next meeting of the Coordination Committee of the law enforcement bodies with competences in combating human trafficking is scheduled for the last week of May. The Committee will discuss: 1) the problems related to identification and investigation of cases of human trafficking and illegal migration organized by legal entities, and 2) measures taken by the law enforcement bodies to implement the European Anti-Trafficking Convention. The results of the meeting shall be reported at the next TCM.

### *2. OSCE and other announcements/interventions*

The IOM Mission to Moldova () announced the launching of the 2010 edition of "Plural Plus Moldova" – the youth video contest on migration and diversity. The final event and the nomination of winners will take place on 16 December – International Day of Migration. Lutenco also informed that the IOM Mission supported the initiative to promote the movie "If I want to whistle, I whistle", addressing the topic of children left behind by migrant parents (to be shown in Moldovan cinemas starting with 13 May).

Causeni Law Centre (Ion Oboroceanu) informed that four new protection orders were issued by the court in Soldanesti district, and one by the court in Causeni district – this one being the first protection order issued in a criminal case in Moldova (the previous ones were in civil cases). Oboroceanu also informed about the Regional TCM held in Cantemir on 29 April.

La Strada (Ana Revenco) announced that a Report on Child Trafficking in Moldova is being finalized and is to be presented in June (it will be available in hard copies, as well as electronically on the web-page of La Strada). At the same time, a communication campaign to prevent sexual exploitation of children will be launched. Otilia Bologan-Vieru (OSCE Mission) proposed that La Strada makes a brief presentation of the report and of the campaign during the June TCM. Revenco mentioned that at one of the upcoming TCMs La Strada will also present the results of the activity of their Trust Line for victims of domestic violence.

The OSCE Mission (Otilia Bologan-Vieru) announced that one-day training seminars on the implementation of the Law # 45 (on domestic violence) will be organized for judges, prosecutors and lawyers (on 17 May, 24 May and 7 June). The seminars will be organized in collaboration with UNFPA and the National Institute of Justice. Veaceslav Balan informed that the next regional TCM will be organized in Floresti district on 27 May, in collaboration with the Secretariat of the National Anti-Trafficking Committee, MLSPF and the NGO "Medicines du Monde". The next social round table in Transnistrian region is to be held on 20 May, 11 a.m., at the Tiraspol office of the OSCE Mission.

### ***3. Focal Issue Presentation on achievements and plans for the implementation of the National Referral System***

The MLPSF (Ecaterina Berejan) presented the monitoring and evaluation report on the implementation of the National Referral System (NRS) in 2009, developed in collaboration with the IOM Mission to Moldova and International Centre "La Strada". Such reports are to be developed and presented to the Government and to the National Anti-Trafficking Committee on yearly basis.

The following four aspects were monitored and evaluated, and the following findings / results were reported:

#### **1. Creation and development of the NRS:**

- Multi-disciplinary teams (MDTs) at district / municipal were created and trained in 26 administrative-territorial units – 23 districts, two municipalities (Chisinau and Balti) and one town (Otaci). In 5 of these districts, community-level MDTs were created and trained. Another important element of the NRS is the Chisinau Assistance and Protection Centre (CAPC). The NRS is coordinated by the National Coordination Unit within the MLSPF (tel./fax: 72-72-74).
- National legal and regulatory framework is being aligned to international standards in the field. Different documents and instruments necessary for an efficient functioning of the NRS are being developed. The Regulation on the identification of victims and potential victims of human trafficking had be drafted and is to be consulted with relevant stakeholders.
- Capacity building for the MDTs – 110 professionals (MDTs' members) were trained in 2009. The MDTs received necessary equipment: 16 MDTs received telephone / fax machines, 18 – computers, 16 – printers. By the time the report was developed, only 14 MDTs had space where they could hold their meetings. Each MDTs met on average four times during 2009.
- In 2009, 18% of the costs for the functioning of the CAPC were covered from the state budget. MDTs have limited capacities for financial management. Central and local authorities allocate important resources (social benefits, material and social add, services, etc.), however the major part of the costs are still covered by donors.

- MDTs prefer non-formal cooperation with NRS participants (only two MDTs signed formal cooperation agreements in 2009), while the NGOs largely use formal instruments, such as bilateral and multilateral cooperation agreements. According to the NRS implementation strategy, a model framework cooperation agreement is to be developed and the MDTs will be able to use it.
2. Victims' access to necessary assistance and protection
- In 2009, 89 trafficking victims were identified by the MDTs at local level (including 63 women, 10 men and 15 children); at least 204 trafficking victims (including 120 women, 24 men and 6 children) were identified by NGOs; 182 trafficking victims were identified by the Centre to Combat Trafficking in Persons; 45 victims (including one child) were identified abroad and referred to the NRS by the MLSPF, in cooperation with IOM Mission to Moldova.
  - Not all the information about victims identified and assistance provided at community and district levels is sent to the National Coordination Unit, which hinders the collection and processing of data.
  - Only 38 out of 89 victims (43%) identified by the MDTs were referred from district to national level, which means that the other victims received necessary assistance at local level.
  - The network of services for trafficking victims is being developed at all levels of the NRS and the system of assistance to trafficking victims is being integrated in the national system of social protection. Trafficking victims benefit from a range of assistance services (social add, assistance at home and specialized assistance in day-care centres or in placement centres, including psychological, medical and legal assistance, etc.). CAPC is the most important service provider within the NRS.
3. Human trafficking prevention through social assistance provided to potential victims
- In 2009 the MDTs identified and assisted 316 potential victims of human trafficking, including 128 women, 21 men and 144 children (victims of domestic violence, children of trafficking victims, orphans, boarding schools' graduates, social orphans, etc.). In this context, Berejan informed that UNICEF and MLSPF discuss the initiative of amending Moldovan legislation in order to ensure protection of child-witnesses of domestic violence.
  - 22 children were identified abroad without legal guardians and repatriated in 2009 – these are only the children identified and repatriated with the support of IOM. When the report was developed, „Terre des Homme” Foundation, also working in this field, did not present information about the unaccompanied Moldovan children identified and repatriated by them.
  - Assistance provided to potential victims is the main pro-active measure to prevent human trafficking. It includes: medical, legal, and psychological assistance, education and professional orientation, training and reintegration, etc.
  - Services provided by CAPC in 2009:
    - o *Psychological assistance* to 181 newly registered potential victims (116 adults and 65 children). Other 203 beneficiaries received repeated / continuous psychological assistance (139 adults and 64 children). 1,724 individual psychological counseling sessions were organized, 99 family counseling sessions and 66 consultations over the phone.
    - o *Legal assistance* (provided with the support of the Centre to Prevent Trafficking in Women) – 140 beneficiaries, including 75 persons who were referred by the MDTs, but were not placed in the CAPC.
    - o *Medical assistance* – 190 beneficiaries. For the forth year already beneficiaries of the CAPC can obtain medical insurances with the support of IOM Mission.

#### 4. Development of transnational cooperation

- Efforts are made to develop transnational cooperation for the repatriation of children and adults. 46 trafficking victims (including a child) were repatriated in 2009 with the support of the specialists from CAPC. Main destination countries were: Russia, Turkey, United Arab Emirates and Ukraine.

#### Identified problems / deficiencies:

- Regarding the *functioning of the NRS* – staff turnover, insufficient financial resources, underdeveloped secondary regulatory framework, problems with case management and communication / cooperation at different levels;
- *Victims' access to assistance and protection* – insufficient / underdeveloped specialized services, problems related to respect for confidentiality, long-term assistance, post-integration monitoring, some victims do not want to cooperate and do not accept provided services, etc.
- *Assistance provided to potential victims* – underdeveloped specialized services for the subjects of domestic violence, problems related to documenting the beneficiaries, beneficiaries' dependency on the social protection system, etc.

#### Recommendations for improvement:

- Support for NRS development and geographical extension.
- Development of specialized services at local level.
- Referring NRS beneficiaries to programmes providing opportunities for business development – Berejan informed that recently a memorandum was signed for a project on empowering women from rural areas. It will be implemented by UNIFEM, in collaboration with the MLSPF and the Ministry of Economy, with the financial support of the Swedish International Development Agency (SIDA).
- Development of mechanisms to stimulate beneficiaries' involvement in the process of rehabilitation / reintegration in order to avoid their dependency from provided services.
- Development of the secondary regulatory framework in order to ensure the functioning of the MDTs.
- Creation of the Automated Information System.
- Continuous development of transnational cooperation (regulatory framework, transnational agreements).

Ion Oboroceanu (Causeni Law Centre) asked whether the Ministry officially requested local authorities to offer space for the MDTs and why the NRS is not being extended to all communities and districts of Moldova. He stated that it is necessary to analyze why victims do not want to collaborate and receive assistance. He also mentioned that the term „potential victim” is confusing – the difference between a potential victim and a socially vulnerable person is unclear and it often leads to confusions in statistical data.

Berejan explained that, in accordance with the Order #33 of the Ministry of Health (of 2006), MDTs were created in each district, but not all of them have yet been trained and equipped. The report reflected the situation in only 26 administrative-territorial units where the teams received training and equipment. The 2009 Social Report of the MLSPF (expected to be ready in the second half of 2010) will include statistics from all MDTs existing in Moldova.

There are no legal or regulatory provisions saying that MDTs should be provided with space. However, taking into consideration the principle of confidentiality, MLSPF addressed local authorities with such a request. Lack of available spaces and financial resources needed to adapt existing spaces represent serious obstacles in this respect.

In order to increase the victims' trust in existing services, the quality of these services needs to be improved. Berejan declared that an accreditation system will be soon in place, which will allow a thorough quality control of the provided services. However, each person has the right to choose whether to use the services or not.

Regarding the confusion with the term "potential victim", Berejan stated that the draft Regulation on identification of potential victims attempts to give a more clear definition. The social partners of the MLSPF and practitioners will have the opportunity to come up with suggestions and comments regarding this definition, as the draft will be shared with them for consultations.

Viorel Albu, manager of the project "Better opportunities for women and youth" (UNDP Moldova), stated that some identified problems and recommendations presented in the report are contradicting each other. On one hand it is stated that there are insufficient financial recourses and underdeveloped specialized services. On the other hand, the recommendations say the NRS should be extended and new specialized services should be created at local level. He suggested that it would be more rational to invest in strengthening existing services rather than creating new ones. Albu informed that the project "Better opportunities for women and youth" supported the creation of 10 centres: six for the social reintegration of youth, three maternal centres and one centre for the protection and reintegration of trafficking victims. He asked how many specialized centres for victims of domestic violence are there in Moldova and are there too many of them or is their number insufficient?

Berejan explained that the report recommends creating specialized services for victims of domestic violence at district level. However, not all of them should be placement centres for victims. At this moment specialized services for victims of domestic violence are provided by several centres. It is necessary to create multifunctional centres at district and community level, providing different types of assistance to different types of beneficiaries.

Tatiana Fomina, La Strada, specified that the report presented by the MLPSF is the result of a first attempt to monitor the implementation of the NRS. It will serve as a baseline for further monitoring and evaluation, but also can represent a starting point for the development of a general monitoring and evaluation system in the social field.

Vitalie Frecautean, the project "Better opportunities for women and youth" (UNDP Moldova), suggested that a mechanism should be developed for the replacement of MDTs members, who temporary cannot perform their duties for different reasons (annual leave, sick leave, etc.).

Otilia Bologan-Vieru, the OSCE Mission, mentioned that according to the data provided by the law enforcement agencies, the phenomenon of human trafficking is decreasing. If it is so, then this tendency will probably be reflected in the next report on the NRS implementation.

#### **4. Side presentation on the trust line for victims of domestic violence in Transnistrian region**

Natalia Moisevici, IOM Mission, informed that the trust line in Transnistrian region was launched in April 2009. The trust line, as well as the anti-trafficking hotline (active in Transnistrian region since 2006), is supported by IOM Mission to Moldova and administrated by the NGO “Interaction” (“Взаимодействие”).

Moisevici explained that in Transnistrian region there is no legal and regulatory framework on domestic violence and human trafficking. International organizations working in the region implement their programmes mostly through NGOs. However, lately there is some progress in collaboration with Transnistrian authorities (especially at local level).

Elena Rezvanova, NGO “Interaction” explained that the calls to the trust line (0-800-99-800) are toll-free within the Transnistrian region. The trust line aims at providing people with accessible and anonymous psychological, legal and informational assistance, as well as at analyzing the situation with domestic violence in the region and at raising public awareness about this phenomenon.

In the period 1 April 2009 – 31 March 2010 a total of 575 calls have been received at the trust line:

- 232 calls about domestic violence (mostly psychological violence – 54%, and physical violence – 36%) and 174 – about other psychological problems;
- 77% (445 calls) – from women, 23% (130 calls) from men;
- Most calls were from people aged 30-35 (120 calls), there were less calls from people over 41.

The NGO “Interaction” uses different means to inform the population about the services provided by the trust line: printer materials, advertising on TV, advertising on the streets, volunteers, billboards, interviews in mass-media, etc.

When necessary, the beneficiaries are referred to other organizations / service providers (police, hospitals, NGOs, etc.). Partners within the informal referral system are the following:

- identification of victims of domestic violence – the trust line;
- legal assistance – NGO “Interaction”;
- psychological assistance – Centre for psychological support “Lada” («Лада»);
- medical assistance – Centre for Reproductive Health;
- social reintegration – the organization “Women’s Initiatives” («Женские инициативы»);
- child rights protection – the Centre for Social and Educational Work («Центр социальновоспитательной работы»).

Rezvanova stated that the NGO “Interaction” collaborates with law enforcement agencies and justice system. She spoke about difficulties related to the protection of the rights of the child victims and witnesses of domestic violence.

#### **5. Final discussions, conclusions, recommendations**

*Approved by TCM:*

\_\_\_\_\_  
*Date*

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*Eugenia Benigni, Chair*