

DOMESTIC AND SEXUAL VIOLENCE IN THE REPUBLIC OF MOLDOVA

Joint Submission to the U.N. Human Rights Council for Moldova's third's Universal Periodic Review



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In the 2016 UPR review, the Moldovan authorities were given 27 recommendations related to gender-based violence and domestic violence, 11 of which were accepted by the state. The level of implementation of the recommendations, along with undertaken actions, are included in the Annex to the Report.

EMERGING ISSUES

Legislative gaps and systemic problems ensure impunity for perpetrators.

Despite an increasing number of complaints filed to the police, the number of criminal and non-criminal cases regarding on domestic violence remains low. In 2017 the police registered 20,871 complaints regarding domestic violence, with 1203 criminal cases and 853 criminal cases investigated which would mean that the state responded to only 14.7% of the registered complaints in 2018. 11,528 complaints were registered in the police register in 2018, with 903 criminal cases and 1,857 non-criminal cases investigated compared to 148 of all registered complaints. The situation was similar in 2019, when 20,776 were reported to, and in 2020 when the state responded to only 28.4% of domestic violence complaints. The Parliament should amend the legislation, to ensure that the penalty system works efficiently, but, so far, the situation remains unchanged.

SUGGESTED QUESTIONS

- What measures has the state taken to ensure the investigation of all acts of domestic violence complaints?

Failure to investigate psychological and economic violence.

DESCRIPTION

Victims of gender-based violence face difficulties in proving psychological violence, because the law does not regulate the work of psychologists and psychological assessment reports are not included in the list of evidence permitted by the national law. Many representatives of law enforcement institutions share the opinion that economic and psychological violence do not cause suffering similar to that caused by physical violence. Even though psychological and economic violence are included in article 201.1 of the Criminal Code, there is no case in which the perpetrator was sanctioned solely for economic or psychological violence.

SUGGESTED QUESTIONS

- What measures has the state taken to ensure the investigation of all acts of violence? What measures has the state undertaken to ensure that psychological reports are accepted and victims of gender-based violence have no difficulty in proving psychological violence?

RECOMMENDATION

- Adopt a special law, regarding the work of psychologists.
- Amend the Code of Criminal and Civil Procedure to include psychological assessment reports in the list of evidence and mandatory procedures.
- Amend the legislation, to ensure that all forms of gender-based violence are criminalized and punished in Moldova, regardless of the degree of physical harm caused.