

The Protection Order, Increasingly Used by Victims of Domestic Violence to Protect Their Rights



The Promo-LEX Association launched an [Assessment Report of the Issue and Enforcement of Protection Orders](#)

[in Domestic Violence Cases in 2012-2014](#), with the financial support of the Law Program of the Soros Foundation-Moldova.

The Report makes a comprehensive assessment of the enforcement of protection orders in cases of domestic violence in the period 2012-2014. The four chapters of the Report analyze the changes in relevant laws and regulations, the capacities and perceptions of actors involved in preventing and combating domestic violence, and the data on the number of protection orders sent for execution to the police and social assistance, and put forth a series of conclusions and recommendations.

On the functioning of the legal framework, the author appreciates the fact that the MIA, MOH, and MLSPF adopted internal regulations to clarify the concrete actions that must

be taken by the police, social assistance departments (SADs) and other relevant bodies. However, the author notes, issues remain regarding the different ways of treating domestic violence complaints. Although Article 201¹ paragraph 1 of the Criminal Code criminalizes domestic violence in a simplified form, there are cases when abusers continue to be held accountable under the contravention legislation. The uneven application of the provisions of the Criminal and Contravention Codes creates an unfair system of punishing perpetrators.

Victims of domestic violence are not fully aware of the possibilities offered by the law, and are not aware of the existence of bodies which have the obligation to act in such cases. Only 22% of victims interviewed knew before obtaining protection orders on the DAS competences in preventing and combating domestic violence. Another alarming figure shows that 50% of victims have little confidence that the police will protect them, and some victims said that the police often try to mediate the conflict and avoid strong action against the aggressors.

Finally, the statistics show a steady increase in requests for issuing protection orders. Thus, in 2012, there were at least 474 requests, in 2013 there were 663 request, while 995 requests were registered only in the first 9 months of 2014.

See the Report [here](#).

The author puts forth several recommendations; her are the most important ones: signing and ratification of CAHVIO^[1]; harmonization of the national legal framework in the field by adopting the amendments proposed by the working group under the MLSPF; introducing a unified legal practice in dealing with domestic violence by sanctioning the offenders under the provision of the Criminal Code; training of relevant actors in the field; creating emergency centers for victims of domestic violence in every territorial administrative unit, and others.

The study was based on information collected from all relevant line agencies, and on 125 interviews with representatives of the police, SADs and domestic violence victims who were issued a protection order.

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[\[1\]](#) (Istanbul Convention) Council of Europe Convention on Preventing and Combating Violence Against Women and Domestic Violence