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## **Final Report**

Strengthening National Capacities to Protect the Most Vulnerable  
from Torture in Moldova

EIDHR/2013/335-045

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### ***List of acronyms used in the report***

- CSOs – Civil Society Organizations
- CRPD - Convention on the Rights of Persons with Disabilities
- GP – Grants Program
- GPO – General Prosecutor Office
- IRP – Institute for Penal Reform
- IDOM – Moldovan Institute for Human Rights
- JSRS - Justice Sector Reform Strategy
- N/A – Not applicable
- NGOs – Non-Governmental Organizations
- NIJ – National Institute of Justice
- NPM – National Mechanism for the Prevention of Torture
- NHRAP – National Human Rights Action Plan
- OHCHR – Office of the High Commissioner for Human Rights
- RCTV “Memoria” - Rehabilitation Center of Torture Victims “Memoria”
- UNDP – United Nations Development Programme
- UPR – Universal Periodic Review
- SO – Specific Objective

## **1. Description**

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- 1.1.** Name of Coordinator of the grant contract: UNDP Moldova
- 1.2.** Name and title of the Contact Person: Evghenii Golosceapov, Justice and Human Rights Programme Analyst, UNDP Moldova
- 1.3.** Name of Beneficiary(ies) and affiliated entity(ies) in the Action: there are no affiliated entities within the Action (please, see point. 1.8 for the beneficiaries)
- 1.4.** Title of the Action: Strengthening National Capacities to Protect the Most Vulnerable from Torture in Moldova
- 1.5.** Contract number: EIDHR/2013/335-045
- 1.6.** Start date and end date of the Action: 1 January 2014 - 31 December 2015
- 1.7.** Target country(ies) or region(s): Republic of Moldova (including the Transnistrian region)

- 1.8.** Final beneficiaries &/or target groups<sup>1</sup> (if different) (including numbers of women and men):  
Victims and potential victims of torture and ill-treatment, including women and men with psychosocial and intellectual disabilities in Moldova (about 98,000 out of which about 20,000 are hospitalized to psychiatric hospitals annually), society at large and all persons living in the Republic of Moldova, civil society organisations (CSOs), including CSOs from Transnistrian region, State bodies involved in combatting torture.
- 1.9.** Country(ies) in which the activities take place (if different from 1.7): N/A

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<sup>1</sup> ““Target groups”” are the groups/entities who will be directly positively affected by the project at the Project Purpose level, and ““final beneficiaries”” are those who will benefit from the project in the long term at the level of the society or sector at large.

## 2. Assessment of implementation of Action activities

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### 2.1. Executive summary of the Action

Torture remains to be a grave human rights violation in Moldova. The United Nations Special Rapporteur on the rights of persons with disabilities, Catalina Devandas Aguilar, stated during her visit to Moldova in 2015 that the situation pertaining to rights of women and men with disabilities continues to be concerning, specifically “domestic legislation allows for the forced detention and non-consensual administration of psychiatric treatment on grounds of mental or intellectual impairments”. “The situation of residents living in the so called “psycho-neurological residential institutions (internats)” is also worrisome. While positive measures have taken place with regard to the deinstitutionalization of children, with the number of children in institutions drastically decreased since 2007, the ones still remaining in institutions are, to a large extent, children with disabilities. [...] Inside these institutions, persons with disabilities are frequently subjected to mistreatment, neglect, restraint, forced medication and seclusion, as well as many forms of abuse and violence, including of gender-based nature.”<sup>2</sup>

Amidst this environment a general positive trend was observed regarding protection of people from torture. A 35% decrease was registered in the number of complaints on torture and other ill-treatment received by prosecutors since 2012 - from 970 in 2012, to 719 in 2013 and 633 in 2015.<sup>3</sup> While only two police officers were convicted for torture and sentenced to real prison terms in 2013, this figure increased to 14 officers in 2014. This is an indicator that UNDP’s continued multi-year engagement on the issue of torture, in cooperation with other development partners, including EU, with key public institutions and civil society, is bringing visible and tangible results.

In addition to this, the Action implementation brought the problem of torture in psychiatry institutions to the attention of authorities, and women and men with disabilities can benefit with the improved and new mechanisms of protection of their rights in Moldova. Thus, in 2013 prosecutors received 3 complaints on torture in psychiatry institutions,<sup>4</sup> in 2014 – 6 complaints,<sup>5</sup> and in 2015 – 7 complaints.<sup>6</sup> Gender sensitive Guidelines for Prosecutors on the Investigation of Cases of Torture of People with Psycho-social and Intellectual Disabilities were adopted by the General Prosecutor at the end of 2015 and are applied now. Furthermore, following the institutionalisation of the position of the Patients’ Advocate in 2014, he processed more than 1465 complaints in 2015, worked on 148 individual cases and brought 29 cases to courts.<sup>7</sup>

Therefore, as a result of the Action victims and potential victims of torture and ill-treatment, including women and men with psychosocial and intellectual disabilities, society at large and all persons living in the Republic of Moldova benefited from a more enhanced protection and redress mechanism, while the civil society organizations became more active in combatting torture including monitoring and reporting on governmental anti-torture processes and the capacities of the law enforcement bodies to identify, investigate and prosecute cases of torture in health care facilities, including on women and men with psychosocial and intellectual disabilities and bring those responsible to justice were strengthened.

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<sup>2</sup> Statement of the United Nations Special Rapporteur on the rights of persons with disabilities, Catalina Devandas Aguilar, on the conclusion of her official visit to the Republic of Moldova, 10 to 17 September 2015; 17 September; OHCHR;

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=16441&LangID=E#sthash.umehSXFr.dpuf>

<sup>3</sup> <http://procuratura.md/md/news/1211/1/6532/>

<sup>4</sup> <http://www.procuratura.md/md/news/1211/1/5671/>

<sup>5</sup> <http://www.procuratura.md/md/news/1211/1/6052/>

<sup>6</sup> <http://www.procuratura.md/md/com/1211/1/6295/>

<sup>7</sup> [http://www.eurasia.undp.org/content/rbec/en/home/ourwork/democratic-governance-and-peacebuilding/successstories/patient\\_s-advocate-in-moldova--helping-patients-with-disabilitie.html](http://www.eurasia.undp.org/content/rbec/en/home/ourwork/democratic-governance-and-peacebuilding/successstories/patient_s-advocate-in-moldova--helping-patients-with-disabilitie.html)

During the Action implementation period all the 5 activities (1) Strengthening CSOs in monitoring implementation of national anti-torture strategies, plans and in shadow reporting on torture to the UN review mechanisms; 2) Make analysis of national legislation in terms of prohibition and combatting torture in mental health facilities, advocate for the implementation of elaborated recommendations; 3) Supporting CSOs in strategic litigation and strengthening access of women and men with mental and psychosocial disabilities to legal services; 4) Mainstreaming of women and men with psychosocial and intellectual disabilities in the NPM work and supporting CSOs in exercising watch dog functions over State bodies following reports on torture; 5) Strengthening State institutions' investigation and prosecution capacities in cases of torture, upgrading of anti-torture education) of the Action were implemented to achieve the 3 set Specific Objectives (SOs):

**SO1: Strengthened capacities of the civil society in monitoring and reporting on governmental anti-torture processes, and in campaigning to combat impunity, especially in respect of women and men with psychosocial and intellectual disabilities:**

Under SO1, the capacities of the civil society to contribute to preventing and combating torture were strengthened and the following indicators of success achieved as a result of seven sub-grants awarded to five CSOs:

Indicator	Level of achievement
Number of publicly available reports produced by CSOs under or as a result of the project, providing competent, reliable, fact-based reporting on torture cases and/or issues, especially in respect of women and men with psychosocial and intellectual disabilities	<ul style="list-style-type: none"> <li>• One monitoring report produced by NGO IDOM as a result of the sub-grant program;</li> <li>• Three monitoring reports produced by NGO Media Centre from Tiraspol as a result of a sub-grant program;</li> <li>• One methodological recommendations on legal assistance to women and men with intellectual disabilities victims of torture produced by NGO IRP as a result of the sub-grant program;</li> <li>• One study on judicial psychological expertise of victims of torture in Moldova produced by NGO IRP as a result of the sub-grant program;</li> </ul>
Number of CSOs involved in the reporting	<ul style="list-style-type: none"> <li>• Three CSOs (one CSO from Transnistrian region) were involved in monitoring and reporting;</li> </ul>
Number of CSOs working in coalitions	<ul style="list-style-type: none"> <li>• Two CSOs were working in a coalition;</li> </ul>
Number of campaigning actions and events organised	<ul style="list-style-type: none"> <li>• Nine campaigning actions and events were organised.</li> </ul>

**SO2: Increased protection of women and men with psychosocial and intellectual disabilities enhanced provision them with remedies against ill-treatment, and their participation supported in all matters related to torture prevention in health care facilities:**

Indicator	Level of achievement
Number of monitoring visits to health care facilities carried out	<ul style="list-style-type: none"> <li>• Ombudsperson in psychiatry (Patients' Advocate) made</li> </ul>

by the NPM in consultation and/or participation of CSOs and women and men with psychosocial and intellectual disabilities	170 visits to the psychiatry institutions;
Number of criminal cases on torture initiated and/or examined, including those where victims are women and men with psychosocial and intellectual disabilities	<ul style="list-style-type: none"> <li>• Ombudsperson in psychiatry (Patients' Advocate) processed a total of 1,465 patients' complaints leading to resolution of 100 cases of forced hospitalization at the administrative level and 29 cases brought to courts;</li> <li>• 15 strategic litigation cases were started;</li> <li>• Prosecutors received 6 complaints on torture in psychiatry in 2014, and 7 complaints in 2015;</li> </ul>
Number of CSOs working on torture issues in relation of women and men with psychosocial and intellectual disabilities	<ul style="list-style-type: none"> <li>• 5 CSOs worked on addressing torture issues in relation of women and men with psychosocial and intellectual disabilities;</li> </ul>
Number of legal aid and NGOs' lawyers trained in litigation on cases of torture, including in mental health facilities taking into account gender sensitive aspects	<ul style="list-style-type: none"> <li>• 111 legal aid and NGOs' lawyers trained on litigation on cases of torture, including in mental health facilities taking into account gender sensitive aspects;</li> </ul>
Number of CSO activists, including from Transnistrian region, trained within e-course	<ul style="list-style-type: none"> <li>• 14 mass media representatives, out of which 2 from Transnistrian region and 1 from Gagauzia, trained on proper reporting of torture in mental health facilities taking into account gender sensitive aspects.</li> </ul>

**SO3: Enhanced effectiveness of key State bodies responsible for torture prevention, protection and redress in combating and redressing torture against women and men with psychosocial and intellectual disabilities:**

<b>Indicator</b>	<b>Level of achievement</b>
Number of monitoring visits to health care facilities carried out by the NPM	<ul style="list-style-type: none"> <li>• Ombudsperson in psychiatry (Patients' Advocate) made 170 visits to the psychiatry institutions;</li> </ul>
Number of prosecuted cases of torture of women and men with psychosocial and intellectual disabilities	<ul style="list-style-type: none"> <li>• Prosecutors received 6 complaints in 2014 and 7 complaints in 2015 related to torture in psychiatric facilities where alleged victims are women and men with psychosocial and intellectual disabilities are staying;</li> </ul>
Existence of curricular on forensic documentation of torture	<ul style="list-style-type: none"> <li>• The curriculum on forensic documentation of torture for judges and prosecutors training at the National Institute of Justice was developed;</li> </ul>

Existence of e-course on the prevention and combating of torture	<ul style="list-style-type: none"> <li>• Two e-courses for legal professionals and journalists on prevention and combating of torture in Moldova were developed, piloted and launched;</li> </ul>
Number of trained State bodies officials	<ul style="list-style-type: none"> <li>• A Guidelines for Prosecutors on the Investigation of Cases of Torture of People with Psycho-social and Intellectual Disabilities was prepared, approved by the General Prosecutor and put into use by the General Prosecutor's Office;</li> <li>• 20 State bodies officials were trained on investigating cases of torture in mental health institutions;</li> <li>• 221 medical staff working in mental health institutions were trained;</li> </ul>
First steps made for the implementation of Istanbul protocol in terms of psychological evaluation of victims of torture	<ul style="list-style-type: none"> <li>• A report with analysis of national legislation in terms of prohibition and combatting torture in mental health facilities was produced and amendments promoted;</li> <li>• A study on judicial psychological expertise of victims of torture in Moldova was published; a feasibility study on incorporating the provisions of the Istanbul Protocol into the curriculum of the State University of Medicine and Pharmacy "N. Testemitanu" was produced and discussed with the University management, professors and students.</li> </ul>

## 2.2. Results and Activities

### **R1 – “CSOs are able to produce reports on the implementation of national anti-torture related strategies, plans and application of legislation, as well as to produce and submit shadow reports and submit them to the UN bodies on torture in Moldova”**

*1.1 "Indicator 1":* Existence of CSO coalition reports on the implementation of national anti-torture measures enshrined into the National Human Rights Action Plan (NHRAP) and Justice Sector Reform Strategy (JSRS) (R1)

*1.2 "Indicator 2":* Existence of CSO coalition report on the application of national anti-torture legislation (R1)

*1.3 "Indicator 3":* Increased number of CSO which submitted shadow reports submitted to the UN Human Rights Committee, UN Committee against Torture and draft shadow report for UPR on torture related issues, including in regard of women and men with psychosocial and intellectual disabilities, and covering the situation in Transnistrian region (R1)

*AI.1 – Support a coalition of CSOs to monitor implementation of national anti-torture strategies, plans and legislation through a grant scheme (R1)* – Under the sub-grants program “GP-2014: Monitoring”<sup>8</sup>, a coalition of NGOs, consisting of the Moldovan Institute for Human Rights (IDOM) and Keystone Moldova implemented an 18-month project with the aim of monitoring and reporting on implementation of national anti-torture strategies, plans, legislation, and their application in Moldova, which achieved the following results:



- 9 monitoring visits carried out to psychiatric institutions/mental health facilities in Chisinau, Balti, Soroca, Edinet, Orhei, Hincesti, and Dubasari (Cocieri), separate monitoring reports containing conclusions and recommendations were produced, presented to and discussed with the administrations of the institutions;
- 45 persons (32 women, 13 men) with intellectual and psychosocial disabilities from psychiatric institutions benefitted from legal assistance, with particular attention paid to identifying cases of sexual abuse of women and forced abortions in psychiatric institutions;
- 221 medical staff (195 women, 26 men) responsible for provision of medical care to patients with mental disabilities in mental health facilities raised their knowledge on rights of persons with disabilities, international and national legislation aimed at protecting persons against torture applicable in Moldova.<sup>9</sup>

*A1.2 – Strengthen monitoring capacities of the CSOs through cooperation and consultation provided by UNDP and OHCHR (R1)* – Throughout the reporting period, UNDP and OHCHR offered consultations to the NGOs that received sub-grants, especially consultations addressing questions on the rights of persons with disabilities. In particular, the NGO Media Centre benefitted from consultations on the international standards and experiences on setting up NPMs for monitoring places of detention, which were helpful for setting up an NGO Council before the *de facto* Ombudsperson with the purpose of monitoring places of detention in the Transnistrian region (see point A4.3 below for more details). In addition to this, the NGO Institute for Penal Reform (IRP) benefitted from consultations on the international standards on legal capacity of people with psychosocial and intellectual disabilities for the purposes of developing the study with a set of methodological recommendations on legal assistance to women and men with psycho-social and intellectual disabilities victims of torture.

*A1.3 – Conduct trainings for CSOs, including from Transnistrian region and Gagauzia, on drafting shadow reports on torture to the UN review mechanisms (R1)* – At the time of its inception, the project envisaged building capacities of NGOs on shadow reporting to the UN Human Rights Committee and the UN Committee against Torture. However, during the Action implementation the schedule of the Committees was modified and Moldova was not scheduled for review under these international instruments in 2016. Instead Moldova’s review under the Convention on the Rights of Persons with Disabilities (CRPD) was scheduled for 2016, in addition to the Universal Periodic Review (UPR) scheduled for autumn 2016. Considering the fact that the NGOs in Moldova have limited training in these areas, empowerment of NGOs to submit reports on the rights of persons with disabilities, including women and men with intellectual disabilities, for the CRPD review was a priority.

Therefore, as a result of the three-day training, carried out on 19-21 October 2015, a total of 9 NGOs (13 women, 9 men)<sup>10</sup> increased their knowledge on the:

- Conventions on human rights and international monitoring;
- History of shadow reporting in Moldova, lessons learnt, good practices;
- Provisions of the Convention on the Rights of Persons with Disabilities and the national legislation on the rights of persons with disabilities;

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<sup>8</sup> <http://www.undp.md/tenders/details/798/>

<sup>9</sup> See Annex 14 “Final Narrative Report, IDOM, GP 2014 - Monitoring”

<sup>10</sup> See Annex 15 “List of Participants: Training on CRPD Reporting”

- Challenges in implementing the Convention on the Rights of Persons with Disabilities in Moldova;
- Committee on the Rights of Persons with Disabilities, its duties, structure, etc.;
- Reporting procedure to the Committee on the Rights of Persons with Disabilities;
- Drafting shadow reports and their submission procedures.<sup>11</sup>

Furthermore, as a result of a two-day training, carried out on 19-20 December 2015, 9 organizations (14 women, 8 men)<sup>12</sup> mostly from Transnistrian region and Gagauzia gained knowledge and increased their capacities on specifics of monitoring human rights recommendations, drafting and submitting shadow reports under the scheduled in 2016 UPR, and specifically:

- The concept of human rights, categories of human rights and monitoring systems;
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment;
- UN system of human rights monitoring in the light of the Convention against Torture;
- Universal Periodic Review (UPR), and the UPR in Moldova;
- Systematization and processing of information on human rights violations;
- Drafting shadow reports for the Universal Periodic Review (UPR).<sup>13</sup>

*A1.4 – Provide post-training consultancy to the CSOs to finalise and submit the drafted shadow reports (R1)* - Throughout the reporting period, UNDP and OHCHR offered consultations to the NGOs that received sub-grants, especially consultations addressing questions on the rights of persons with disabilities. Since both the CRPD and UPR review are scheduled to take place in 2016, assistance will continue to be provided to the trained NGOs until their reports are submitted. As a result of the efforts three of the trained organizations joint a coalition of 25 civil society organizations who plan to submit a common shadow report to the CRPD review and UPR.

## **R2 – “Draft modifications to the legislation on combating torture in respect to persons with psychosocial and intellectual disabilities submitted to the national authorities for approval”**

2.1 "Indicator 1": Analysis produced with the drafted proposals (R2)

2.2 "Indicator 2": Number of recommendations developed in comparison with the number of recommendations approved/ incorporated in relevant legislative / regulatory acts (R2)

*A2.1 – Organise meetings with CSOs, including from Transnistrian region, about the international standards on the prohibition of torture in mental health facilities (R2)* – On 29 November 2014, a Round Table event was organized with representatives of CSOs, including from Transnistrian region, independent experts, lawyers and human rights activists. International expert Lycette Nelson, USA, took part in the meeting. The topic of the Round Table was “Investigation of cases of Torture and Related Ill-treatment in Psychiatric Institutions”. The participants of the event came from very diverse backgrounds, including law, medicine, psychology, and journalism, as well as 2 users (1 woman and 1 man) of a mental health institution in Chisinau. This one-day event was attended by 19 participants (8 women and 11 men)<sup>14</sup>, including 6 from Transnistrian region (2 women and 4 men), who built their knowledge on the role of civil society in addressing and combatting torture and related ill-treatment in

<sup>11</sup> See Annex 29 “Agenda: Training on CRPD”

<sup>12</sup> See Annex 16 “List of Participants: Training on UPR”

<sup>13</sup> See Annex 30 “Agenda: Training on UPR”

<sup>14</sup> See Annex 1: List of participants

psychiatric institutions by means of group exercises with fact scenarios, as well as discussions on the following topics:<sup>15</sup>

- International framework for torture and ill-treatment of people in mental health settings;
- Best practices for investigating torture and ill-treatment in mental health settings;
- Role of NGOs in ensuring effective investigations of torture and ill-treatment in mental health settings.

Some future needs and possibilities identified during the discussions include increasing interest of the civil society in becoming involved in combatting torture and ill-treatment in mental health settings. Therefore, more coordination in involving these groups is required, especially in relation to the ability of civil society to “mainstream” the issue of anti-torture in mental health settings into a broader human rights framework.

A2.2 – Produce a Report with analysis of national legislation in terms of prohibition and combatting torture in mental health facilities (R2) – In 2015, a Report with analysis of national legislation in terms of prohibition and combatting torture in mental health facilities was produced and published<sup>16</sup>. The report includes an in-depth look into the definition of torture, considering the evolution of international standards, an overview of international and regional legal norms and an analysis of national legislation, including criminal, civil, disciplinary penalties, prevention and investigation mechanisms, etc. The report pays special attention to the issue of torture and ill-treatment in psychiatric institutions, including prevention of gender-related torture and ill-treatment. Finally, the report provides clear and usable recommendations on what changes in national legislation should take place and in which ways.

A2.3 – Advocate for the implementation of proposals made within the Report – On 30 November 2015, a Round Table to discuss the provisions of and recommendations provided within the report, with participation of national public authorities and civil society was organized. The event was attended by 32 participants (15 women, 17 men)<sup>17</sup>, who agreed on the necessity of the recommended changes in national legislation as well as expressed a serious need for national authorities and international stakeholders to continue their efforts into combatting torture in Moldova (see Chapter 4. Visibility for more details). The representative of the General Prosecutor Office agreed to take the recommendations provided as a basis for further improvement of the anti-torture legal framework. The Deputy Chair of the Parliamentary Human Rights Committee also showed his openness to further consider the eventual amendments.

### **R3 – “Enhanced protection and redress mechanism for persons with psychosocial and intellectual disabilities provide opportunities to complain and benefit from assistance in cases of torture”**

3.1 "Indicator 1": 25 legal aid and NGOs' lawyers trained in litigation on cases of torture, including in mental health facilities taking into account gender sensitive aspects (R3)

3.2 "Indicator 2": Number of strategic litigation cases started, number of criminal cases opened and prosecuted, number of judicial sentences on these cases, including on those where victims are women

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<sup>15</sup> See Annex 2: Agenda

<sup>16</sup> [http://www.md.undp.org/content/moldova/ro/home/library/democratic\\_governance/prevenirea-i-combaterea-torturii-in-institutiile-rezideniale-i-n/](http://www.md.undp.org/content/moldova/ro/home/library/democratic_governance/prevenirea-i-combaterea-torturii-in-institutiile-rezideniale-i-n/)

<sup>17</sup> See Annex 17 – “List of Participants: Report presentation event”

and men with psychosocial and intellectual disabilities, number of applications submitted to the international human rights protection mechanisms (R3)

3.3 "Indicator 3": Number of institutionalised women and men with psychosocial and intellectual disabilities provided with legal consultations by pilot Ombudsman, number of cases/problems solved with the administration of institutions, number of legal actions started (R3)

Civil society and legal aid lawyers' abilities to protect the rights and promote protection from torture and redress mechanism for persons with psychosocial and intellectual disabilities was strengthened as result of institutionalization of the role of the Ombudsperson in psychiatry institutions (Patients' Advocate) within the Ministry of Health, thus ensuring the functionality of the position and especially its sustainability since institutionalization provides a mechanism for effective, appropriate, lawful functioning of the Ombudsperson in psychiatry institutions (Patients' Advocate) as a monitoring and complaint mechanism.

A3.1 – Support civil society in strategic litigation on cases of torture, including in mental health facilities through a grants scheme (R3) – Under a sub-grants program "GP-2014: Strategic Litigation"<sup>18</sup>, two NGOs - IDOM and IRP - implemented 12-month projects focused on strategic litigation on cases of torture, especially in mental health facilities, which achieved the following results:

- 85 consultations providing legal assistance to people with psychosocial and intellectual disabilities, minors, women and men who are/had been at a risk/or had been placed in psychiatric institutions were carried out;
- 15 strategic litigation cases were started;
- Set of methodological recommendations on legal assistance to women and men with intellectual disabilities victims of torture was elaborated and 200 copies distributed to lawyers of the National Legal Aid Council;<sup>19</sup>
- 4 informative notes on challenges encountered by lawyers undertaking strategic litigation cases were elaborated and submitted to national institutions – Ministry of Health, Ministry of Justice, Ombudsperson Office and General Prosecutors Office;
- 58 lawyers (29 women, 29 men) built their capacities on providing legal assistance to women and men with intellectual disabilities as a result of 3 trainings;
- 1 Round Table with participation of 30 persons (14 women and 15 men)<sup>20</sup> aimed at discussing the capacity building of lawyers to provide legal assistance to victims of torture, women and men with psycho-social and intellectual disabilities organized.<sup>21</sup>

One of the unplanned positive results was achieved by the NGO IRP, which originally had planned to train 22 lawyers on providing legal assistance to women and men with psycho-social and intellectual disabilities. However, as a result of savings from other activities within the two sub-grant programs "GP-2014: Strategic Litigation" and "GP-2014: Advocacy for Psychological Evaluation" (A5.1 – *Support civil society in the advocacy for the development of forensic psychological evaluation of the alleged victims of torture in line with the Istanbul Protocol through a grant scheme*), the NGO organized two additional trainings achieving a better result than expected – building the capacities of almost 3 times more lawyers than expected.

<sup>18</sup> <http://www.undp.md/tenders/details/819/>

<sup>19</sup> See Annex 31 – "Methodological recommendations on legal assistance"

<sup>20</sup> See Annex 33 – "List of participants – Round Table, IRP, GP 2014 – Strategic Litigation" and Annex 34 – "Agenda - Round Table, IRP, GP 2014 – Strategic Litigation"

<sup>21</sup> See Annex 18 – "Final Narrative Report, IDOM, GP 2014 – Strategic Litigation" and Annex 19 – "Final Narrative Report, IRP, GP 2014 – Strategic Litigation"

A3.2 – Train legal aid and NGOs lawyers on litigation of cases of torture in mental health facilities taking into account gender sensitive aspects (R3) – On 26-28 November 2014 a three-day training was organised to instruct legal aid and NGOs lawyers on representing victims of torture and ill-treatment in mental health settings.

The training was led by an international expert on anti-torture and persons with disabilities Lycette Nelson, USA,<sup>22</sup> supported by two National Consultants (CSO Consultant on Anti-torture and Medical Consultant on Anti-torture) and with the presence and active participation of the newly appointed Ombudsperson in Psychiatry Institutions (Patients’ Advocate). As a result of fruitful collaboration with the National Legal Aid Council, the training was attended by 15 participants<sup>23</sup> (5 women and 10 men) – both defence lawyers and representatives of civil society organizations recipients of the sub-grants within the project. The 15 lawyers increased their capacity and knowledge in the following areas:<sup>24</sup>

- Understanding and applying the international legal framework and European standards related to torture and ill-treatment in mental health facilities;
- Gaining knowledge of the types of violations occurring in mental health settings in Moldova;
- Understanding the barriers to investigating torture and ill-treatment in mental health settings and developing strategies to overcome them;
- Understanding and applying best practices for gathering evidence;
- Understanding and applying strategies for dealing with challenges to the credibility and competence of victims and witnesses with intellectual and psycho-social disabilities.<sup>25</sup>

Further training needs identified as a result of the activity include training on lawyers’ specific role in proceedings, working in more detail on case-related simulations and possibly additional specialization in representing clients in cases involving torture and ill-treatment in mental health settings. Another issue identified during the activity that needs specific attention is the presence of personal biases and stereotypical subjective beliefs amongst many lawyers which must be addressed through further sensitivity trainings, exposure to international best practices and encouragement of general attitudinal shifts related to persons with disabilities in Moldova.

A3.3 – Support pilot Ombudsperson in psychiatry institutions with the view of institutionalisation (R3) – A new Ombudsperson in Psychiatry Institutions (Patients’ Advocate) was selected through an open, competitive and transparent process with the vacancy documents drafted and published in 3 languages: Romanian, Russian and English in September 2014<sup>26</sup>. The beneficiary institution, Ministry of Health, represented by the Deputy Minister of Health, was involved in the process in an advisory role, which aimed to ensure further commitment of the institution towards affording the new Ombudsperson in Psychiatry Institutions (Patients’ Advocate) the needed support so the individual can perform the tasks and duties without impediment.

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<sup>22</sup> The Project ensured building synergies with other projects and initiatives and the contract for the US expert Lycette Nelson was covered through another UNDP-implemented project “Support of Justice Sector Reform” and its component “Strengthening the individual and institutional capacities to prevent and fight torture and impunity” funded by General Prosecutors Office of the Republic of Moldova (GPO).

<sup>23</sup> See Annex 3: List of participants

<sup>24</sup> See Annex 4: Agenda

<sup>25</sup> See Annex 5: Pictures

<sup>26</sup> <http://www.undp.md/jobs/jobdetails/625/>

The close engagement of the Deputy Minister of Health in the consultations and selection process led to strengthening of ownership over the position leading to its institutionalised on 29 October 2014 through the Order No.1185 of the Ministry of Health,<sup>27</sup> stipulating the regulations, organization and independence of the position. As a part of this activity, a handover of tasks, documents and contacts from the pilot Ombudsperson in psychiatry institutions to the newly appointed Ombudsperson in Psychiatry Institutions (Patients' Advocate) was supported. The handover included 11 field visits to psychiatric hospitals and psycho-neurological care homes (internats), transfer of complaints, cases, reports, list of contacts, as well as induction in the successes obtained and challenges faced. During implementation of the Action, the newly appointed Ombudsperson in Psychiatry Institutions (Patients' Advocate) completed 170 visits to psychiatric hospitals and internats and made 21 official appearances at public events such as trainings, conferences and even television shows, thus increasing awareness of the public and relevant actors and stakeholders regarding the problem of torture in mental health institutions and the institutionalised position. Furthermore, the Patients' Advocate processed a total of 1,465 patients' complaints, leading to resolution of 100 cases of forced hospitalization at the administrative level and 29 cases brought to courts. These results were promoted on the UNDP in Europe and Central Asia web-site.<sup>28</sup>

**R4 – “Women and men with psychosocial and intellectual disabilities mainstreamed into torture prevention work and CSOs are scrutinising the actions of the State bodies following the reports on torture”**

4.1 *"Indicator 1"*: Seminar held for NPM and CSOs and a group of women and men with psychosocial and intellectual disabilities (R4)

4.2 *"Indicator 2"*: Number of monitoring visits to health care facilities carried out by the NPM in consultation and/or participation of CSOs and women and men with psychosocial and intellectual disabilities (R4)

4.3 *"Indicator 3"*: Number of articles, publications, journalistic investigations of torture cases, public and/or awareness actions and/or events, number of beneficiaries of these activities (R4)

4.4 *"indicator 4"*: Number of public and/or awareness actions and/or events, number of reports in mass-media (R4)

Civil society engagement in raising public awareness regarding the prevalence of torture in mental health settings was enhanced as a result of increased activity of the media and civil society organizations in this regard. Challenges in reaching this result were encountered due to non-functioning of the NPM. In order to mitigate this, and to increase and maintain the focus on monitoring places of detention, UNDP maintained close cooperation with the Ombudsperson Office as well as organized trainings on monitoring places of detention for CSOs, including CSOs from Transnistrian region. UNDP has raised with the Ombudsperson Office and development partners the issue of setting up NPM and the Office has started elaboration of the NPM Regulation at the end of 2015.

A4.1 – Organise a seminar for NPM, CSOs and a group of women and men with psychosocial and intellectual disabilities on torture issues in mental health facilities and their joint monitoring work (R4) – Due to non-functioning of the NPM throughout the reporting period (the new Ombudsperson was appointed by the Parliament in April 2015 only and the NPM was not set up by the end of 2015

<sup>27</sup>[http://www.ms.gov.md/sites/default/files/legislatie/regulament\\_serviciul\\_pentru\\_apararea\\_drepturilor\\_pacientilor\\_din\\_statii.pdf](http://www.ms.gov.md/sites/default/files/legislatie/regulament_serviciul_pentru_apararea_drepturilor_pacientilor_din_statii.pdf)

<sup>28</sup>[http://www.eurasia.undp.org/content/rbec/en/home/ourwork/democratic-governance-and-peacebuilding/successstories/patient\\_s-advocate-in-moldova--helping-patients-with-disabilitie.html](http://www.eurasia.undp.org/content/rbec/en/home/ourwork/democratic-governance-and-peacebuilding/successstories/patient_s-advocate-in-moldova--helping-patients-with-disabilitie.html)

taking other competing priorities at the Ombudsperson Office), cooperation with the NPM mechanism was not possible. In order to mitigate this challenge, and to increase and maintain the focus on monitoring places of detention by civil society, on 22-23 October 2015, the UNDP organized a two-day training for NGOs on monitoring places of detention. As a result of the training, 11 persons (4 women and 7 men)<sup>29</sup> representatives of 4 NGOs, 3 lawyers, 1 university professor, and 2 state institutions representatives increased their knowledge on:

- International legislation for the prevention of torture and inhumane and degrading treatment;
- Mandate, competencies and guarantees of the NPM;
- Accessing places of detention;
- Elaboration of monitoring programmes and selection of the monitoring group members;
- Basic principles of monitoring places of detention;
- Monitoring penitentiary institutions;
- Monitoring police stations;
- Monitoring psychiatric facilities.<sup>30</sup>

*A4.2 – Provide technical support for the NPM in monitoring of mental health facilities in consultation and cooperation with CSOs, women and men with psychosocial and intellectual disabilities (R4) –*

Due to a non-functioning NPM, cooperation with the Mechanism was not possible. At the same time, UNDP in cooperation with OHCHR, provided consultations to various NGOs on monitoring places of detention, including psychiatric institutions. In addition to this, dialogue with the Ombudsperson Office on the need to elaborate NPM Regulation and set up a new composition of the NPM in line with the Law on Ombudsperson as of April 2014 was maintained.

*A4.3 – Support civil society in public awareness campaigns, public/ journalistic investigation of cases of torture, public reporting on the actions of relevant State bodies following the allegations of torture through a grants scheme (R4) –*

Under a sub-grants program “GP-2014: Freedom from Torture”<sup>31</sup>, Teleradio-Moldova implemented a 14-month project “Citizen’s awareness campaign on fighting torture and violence and achieved the following results:

- 3 talk-shows “Public Dossier” (Dosar Public) were produced and broadcasted. One of the talk-shows focused on the issue of torture in penitentiary institutions (broadcasted in June 2014 and dedicated to the International Day in Support of Victims of Torture marked on 26 June), the second one - on the issue of torture in mental health institutions (broadcasted in December 2014 and dedicated to the Human Rights Day celebrated on 10 December), and the third - on torture in the army.<sup>32</sup> According to the estimations, a total of 267 961 persons viewed the talk-shows.
- 6 promotional spots (3 in Romanian and 3 in Russian language) were broadcasted by the channel throughout June 2014 - July 2015. The spots were broadcasted 94 times. A total of 3,329,844 views were reported during the period (spot 1: 1,038,362 views of 40 broadcasts: 21 in Romanian, 19 in Russian; spot 2: 1,611,495 views of 25 broadcasts: 13 in Romanian, 12 in Russian; spot 3: 679,987 views of 29 broadcasts: 16 in Romanian, 13 in Russian).<sup>33</sup>

Furthermore, through the same sub-grants program “GP-2014: Freedom from Torture”, NGO Media Centre, Tiraspol, implemented a 15-month project “Prevention of Torture: Monitoring and Raising

<sup>29</sup> See Annex 20 – “List of Participants: NPM Training”

<sup>30</sup> See Annex 35 – “Agenda: NPM Training”

<sup>31</sup> <http://www.undp.md/tenders/details/760/>

<sup>32</sup> <http://www.trm.md/ro/moldova1/dosar-public/>

<sup>33</sup> See Annex 21 – “Final Narrative Report, TRM, GP 2014 - Freedom from Torture”

Awareness through Mass Media”. NGO Media Centre concluded an agreement with the *de facto* Ombudsperson in Transnistrian region of the Republic of Moldova and established a civil society Council before the *de facto* Ombudsperson to monitor the situation in the detention facilities. The Council became the first ever proto-NPM structure, with civil society involvement in the region. Altogether the following results were achieved by the sub-grantee:

- 11 articles<sup>34</sup> published in local media on efforts towards combatting torture in penitentiary institutions;
- 2 press-conferences organized to mark the International Day in Support of Victims of Torture;
- 3 monitoring visits organized to the Tuberculosis ward in the Central Hospital of Dubassari, the Psychiatric hospital, and internat for children and 3 reports publicly published;<sup>35</sup>
- 70 publications on combatting torture in Transnistrian region were prepared and published as public information;<sup>36</sup>
- 2 reports<sup>37</sup> on situation of torture in places of detention were published.<sup>38</sup>

A4.4 – Support State institutions, CSOs and UN initiatives on public awareness on torture, commemoration of victims of torture and supporting human rights activists within 5<sup>th</sup> anniversary of April 2009 events, International Day in Support of Victims of Torture (26 June) (R4)

Three public events were organized in co-operation with the Rehabilitation Center of Torture Victims (RCTV) “Memoria”:

- On 3 April 2014, a conference to commemorate the torture victims from and the 5<sup>th</sup> anniversary of the April 2009 events was organized. The conference was attended by representatives of national and international organizations, public authorities, as well as civil society. A total of 115 persons attended the event (58 women, 57 men);<sup>39</sup>
- On 24 June 2014, Round Table “Torture in Moldova - impunity and the right to rehabilitation” was organized to mark the International Day in Support of Victims of Torture, to further raise public awareness on torture and issues victims of torture facing with. In

<sup>34</sup> 1. [http://mediacenter.md/novosti\\_media-centra/238-yuristy-i-zhurnalisty-gotovy-obedinitnya.html](http://mediacenter.md/novosti_media-centra/238-yuristy-i-zhurnalisty-gotovy-obedinitnya.html)  
 2. [http://e.mail.ru/cgi-bin/link?check=1&refresh=1&cnf=fcfb15&url=http%3A%2F%2Fmediacenter.md%2Fpublikacii%2F271-tyurma-bolna-tuberkulezom-i-vich.html&msgid=1403085819000000444;0;1&x-email=natalia\\_barbier%40mail.ru&js=1](http://e.mail.ru/cgi-bin/link?check=1&refresh=1&cnf=fcfb15&url=http%3A%2F%2Fmediacenter.md%2Fpublikacii%2F271-tyurma-bolna-tuberkulezom-i-vich.html&msgid=1403085819000000444;0;1&x-email=natalia_barbier%40mail.ru&js=1) and <http://dnestr.tv/4154-tyurma-bolna-tuberkulezom-i-vich.html>;  
 3. <http://mediacenter.md/obiavleniya/276-v-pridnestrove-poyavitsya-vozmozhnost-dlya-bolee-effektivnoy-zaschity-prav-cheloveka.html>  
 4. <http://mirpmr.ru/news/society/6764.html> and <http://mediacenter.md/main/281-zaschitim-prava-chelovek-vmeste.html>;  
 5. <http://ngointeraction.org/main/ru/component/content/article/1-latest-news/1836-protection-of-human-rights>  
 6. <http://mediacenter.md/gazeti/305-gazeta-chelovek-i-ego-prava-13-2014.html>  
 7. [http://mediacenter.md/prava\\_celoveka/375-sovet-protiv-pytok.html](http://mediacenter.md/prava_celoveka/375-sovet-protiv-pytok.html) and <http://ecolife-dubossary.ru/?p=1354>;  
 8. <http://dnestr.tv/4327-tyurma-remeslo-okayannoe.html>  
 9. [http://mediacenter.md/proekti\\_sechas/euundp\\_gp-2014/493-ks-namechennaya-vstrecha-ne-sostoyalas.html](http://mediacenter.md/proekti_sechas/euundp_gp-2014/493-ks-namechennaya-vstrecha-ne-sostoyalas.html)  
 10. [http://mediacenter.md/prava\\_celoveka/478-v-pridnestrove-apparat-upolnomochennogo-po-pravam-cheloveka-podvel-itogi-raboty-za-god.html](http://mediacenter.md/prava_celoveka/478-v-pridnestrove-apparat-upolnomochennogo-po-pravam-cheloveka-podvel-itogi-raboty-za-god.html)  
 11. [http://mediacenter.md/prava\\_celoveka/496-propiska-medicina-zarplata.html](http://mediacenter.md/prava_celoveka/496-propiska-medicina-zarplata.html).

<sup>35</sup> [http://mediacenter.md/prava\\_celoveka/599-dubossarskiy-tuberkuleznyy-dispanser-doklad-o-situacii.html](http://mediacenter.md/prava_celoveka/599-dubossarskiy-tuberkuleznyy-dispanser-doklad-o-situacii.html);  
[http://mediacenter.md/prava\\_celoveka/703-psihiatricheskaya-bolnica-s-vyhvatincy-doklad-o-situacii.html](http://mediacenter.md/prava_celoveka/703-psihiatricheskaya-bolnica-s-vyhvatincy-doklad-o-situacii.html);  
[http://mediacenter.md/prava\\_celoveka/681-popenskaya-shkola-internat-doklad-o-situacii.html](http://mediacenter.md/prava_celoveka/681-popenskaya-shkola-internat-doklad-o-situacii.html)

<sup>36</sup> <http://mediacenter.md/publikacii>

<sup>37</sup> [http://mediacenter.md/prava\\_celoveka/663-pridnestrove-prava-cheloveka-v-mestah-nesvobody.html](http://mediacenter.md/prava_celoveka/663-pridnestrove-prava-cheloveka-v-mestah-nesvobody.html)  
[http://mediacenter.md/prava\\_celoveka/558-nikto-ne-dolzhen-podvergatsya-ni-pytkam-ni-beschelovechnomu-ili-unizhayuschemu-dostoinstvo-obrascheniyu-ili-nakazaniyu.html](http://mediacenter.md/prava_celoveka/558-nikto-ne-dolzhen-podvergatsya-ni-pytkam-ni-beschelovechnomu-ili-unizhayuschemu-dostoinstvo-obrascheniyu-ili-nakazaniyu.html)

<sup>38</sup> See Annex 22 – “Final Narrative Report, Media Centre, GP 2014 - Freedom from Torture”

<sup>39</sup> See Annex 6: Agenda and List of participants



addition to this, the issue of lack of rehabilitation services for torture victims funded by the government was raised at the event. Both events involved April 2009 victims of police torture and ill-treatment, civil society, representatives of the Government and international community. The event was attended by a total of 67 persons (34 women, 33 men).<sup>40</sup> The events were covered by about 15 mass-media, including TV, radio and news agencies (see Chapter 4. Visibility for more details).

- On 22 April 2015 a conference to mark the 15 year anniversary of RCTV “Memoria” with the topic “Right to rehabilitation. Prevention of torture and violence. Combatting impunity” was organized. The conference was attended by 67 (44 women, 23 men)<sup>41</sup> representatives of international organizations, national public authorities, lawyers, psychologists and representatives of most active NGOs on combatting torture and fighting impunity in Moldova.

Additionally, in June 2015, a large multi-dimensional awareness-raising campaign under the slogan “Right to Rehabilitation” was supported and organized. The campaign included activities and events carried out by different organizations, including the Ombudsperson Office, RCTV “Memoria”, Teleradio-Moldova, NGOs Amnesty International, Human Rights Embassy, Promo-Lex, and CIDO. The events were covered by a wide range of media channels (see Chapter 4. Visibility for more details) and involved the public at large, international organizations, representatives of local public institutions, international and local volunteers, and victims of torture, altogether more than 200 people took part in the campaigns events.<sup>42</sup>

On 3 December 2015, the Action supported organization of the event marking the International Day of Persons with Disabilities, organized by the MLSPF and aimed at promoting social inclusion of people with psycho-social and intellectual disabilities while at the same time raising awareness about right to rehabilitation of victims of torture and the redress mechanisms available in Moldova.

**R5 – “Law enforcement bodies can identify, investigate and prosecute cases of torture in health care facilities, including on women and men with psychosocial and intellectual disabilities and bring those responsible to justice”**

5.2 *“Indicator 2”*: Legal framework adopted and organisational arrangements made for the development of the psychological evaluation of the alleged victims of torture (R5)

5.3 *“Indicator 3”*: Guidelines for Prosecutors on the Investigation of Cases of Torture updated (R5)

5.4 *“Indicator 4”*: 20 trained prosecutors (R5)

5.5 *“Indicator 5”*: Curricular and training materials developed, number of professionals trained (R5)

5.6 *“Indicator 6”*: E-course for key professional groups and CSO activists developed, number of persons trained, including from Transnistrian region and Gagauzia (R5)

Capacity of law enforcement bodies to identify, investigate and prosecute cases of torture in health care facilities and bring those responsible to justice was improved as a result of a partnership and common effort of civil society organizations, General Prosecutor Office’s (GPO) Torture Combatting Section and National Institute of Justice (NIJ). The Guidelines for Prosecutors on the Investigation of Cases of Torture in Psychiatry Institutions, taking into account gender sensitive aspects, were elaborated, approved by the General Prosecutor, and prosecutors on investigation of cases of torture and ill-treatment in mental health facilities built their knowledge on the Guide. In addition, efforts were made towards engaging civil society in the advocacy for the development of forensic

<sup>40</sup> See Annex 7: Agenda and Annex 8: List of Participants

<sup>41</sup> See Annex 44 – “List of Participants: Event 22 April 2015, Memoria”

<sup>42</sup> See Annex 23 – “2015 Awareness campaign - Agenda”

psychological evaluation of the alleged victims of torture in line with the Istanbul Protocol, as well as in the elaboration of an e-course on the prevention and combating of torture for key professional and activist groups. At the same time elaboration of a curriculum on forensic documentation of torture in accordance with the Istanbul Protocol was finalized with the view towards incorporating it into courses for relevant professionals at the National Institute of Justice, a development that is expected to contribute to sustainable identification, investigation and prosecution of cases of torture in health care facilities.

*A5.1 – Support civil society in the advocacy for the development of forensic psychological evaluation of the alleged victims of torture in line with the Istanbul Protocol through a grant scheme (R5) –*

Under the sub-grants program “GP-2014: Advocacy for Psychological Evaluation”,<sup>43</sup> NGO Institute for Penal Reform (IRP) implemented an 11-month project “Forensic psychological expertise – effective tool for the documentation of the cases of torture and other related ill-treatment”, achieving the following results:

- Lawyers, prosecutors, judges from Moldova improved their capacities to effectively investigate torture and other inhuman and degrading treatment cases as a result of an elaborated, published and distributed Study on judicial psychological expertise of victims of torture in Moldova<sup>44</sup> (250 copies distributed);
- Civil society organizations became better equipped with knowledge on judicial psychological expertise of victims of torture as a result of a Round Table (with the participation of 30 persons: 14 women and 16 men)<sup>45</sup> discussing the results on the study and the recommendations.<sup>46</sup>

*A5.2 – Support the drafting of Guidelines for Prosecutors on the Investigation of Cases of Torture in order to include information on the investigation of cases of torture in mental health facilities and taking into account gender sensitive aspects (R5) –*

Three National Consultants (CSO Consultant, State Institutions Consultant and Medical Consultant) on anti-torture were contracted to provide expertise during a number of Project’s activities. In addition, in 2014, the Action developed synergies with the UNDP Moldova project “Support to Justice Sector Reform”, which provided an International Consultant on Anti-torture in psychiatry. Both National Consultants and the International Consultant, in cooperation with the GPO Torture Combatting Section, provided substantial inputs and drafted the Guidelines on investigation of cases of torture of people with psycho-social and intellectual disabilities. The Guidelines included a framework through which the prosecutors can understand the issue of torture and ill-treatment in mental health settings, especially in the light of recent developments in international law and standards. The document also draws extensively on the best practices and guidance materials from a number of different common law jurisdictions (the United States, the United Kingdom and Australia).

Further, in 2015, as a result of a proactive collaboration with the GPOs Torture Combatting Section, the Guidelines were consulted and tested with 19 prosecutors (2 women, 17 men)<sup>47</sup>, all of whom are key prosecutors investigating cases of torture in mental health facilities. The Guide was approved by the General Prosecutor through the Order 39/8 as of 30 December 2015, put into application and

<sup>43</sup> <http://www.undp.md/tenders/details/925/>

<sup>44</sup> See Annex 32 – “Psychological expertise - IRP”

<sup>45</sup> See Annex 36 – “List of participants - Round Table, IRP, GP 2014 – Advocacy for Psychological Evaluation” and Annex 37 – “List of participants - Round Table, IRP, GP 2014 – Advocacy for Psychological Evaluation”

<sup>46</sup> See Annex 24 – “Final Narrative Report, IRP, GP 2014 - Advocacy for Psychological Evaluation”

<sup>47</sup> See Annex 25 – “List of Participants: Seminar with Prosecutors”

became incorporated into the Prosecutors work as an internal guiding standard. The Guide was printed as a booklet in portable form and provided to the GPOs Torture Combatting Section for internal use while investigating cases of torture of people with psycho-social and intellectual disabilities. Three women with experiences in psychiatry provided their inputs to the Guidelines, which was helpful in focusing on the gender aspects of torture in psychiatry and provided survivor perspective into the investigation processes.

*A5.3 – Organise training of GPO’s Torture Combatting Section prosecutors in the investigation of cases of torture in mental health facilities and taking into account gender sensitive aspects (R5)* – On 1-3 December 2014, a 3-day training aimed at instructing GPOs Torture Combatting Section prosecutors to investigate cases of torture and ill-treatment in mental health settings, including from gender perspective, with the title “Investigation of cases of Torture and Related Ill-treatment in Psychiatric Institutions” was organized.<sup>48</sup> The training was led by an international expert on anti-torture and persons with disabilities Lycette Nelson, USA,<sup>49</sup> supported by three national anti-torture Consultants (CSO Consultant, State Institutions Consultant and Medical Consultant), and involving active participation of the newly appointed Ombudsperson in Psychiatry Institutions (Patients’ Advocate). As a result of collaboration with the General Prosecutor Office’s Torture Combatting Section, the training was attended by 5 women and 15 men, resulting in increased capacity of 20 prosecutors<sup>50</sup> in the following areas:<sup>51</sup>

- Understanding and applying the international legal framework and European standards related to torture and ill-treatment in mental health facilities;
- Gaining knowledge of the types of violations occurring in mental health settings in Moldova;
- Understanding the barriers to investigating torture and ill-treatment in mental health settings and developing strategies to overcome them;
- Understanding and applying best practices for gathering evidence;
- Understanding and applying strategies for dealing with challenges related to credibility and competence of victims and witnesses with intellectual and psycho-social disabilities.

The focus of the training was on investigation, supporting victims, and using experts during different stages of investigation. In addition, since the prosecutors are agents of the government, the obligations of the government to provide access to justice for people with disabilities under Article 13 of the CRPD and steps prosecutors can take to ensure full participation of people with intellectual and psycho-social disabilities in all stages of proceedings to comply with Article 13 were emphasised.

Further identified training needs of the target group of the training includes direct interaction with users of mental health services and people with intellectual disabilities, which would help the prosecutors understand the criteria for determining credibility of statements made by victims and witnesses who are users of mental health services and people with intellectual disabilities. Biases and stereotypical subjective beliefs were also among the challenges identified by the prosecutors

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<sup>48</sup> See Annex 5: Pictures.

<sup>49</sup> The Project ensured building synergies with other projects and initiatives and the contract for the US expert Lycette Nelson was covered through another UNDP-implemented project “Support of Justice Sector Reform” and its component “Strengthening the individual and institutional capacities to prevent and fight torture and impunity” funded by General Prosecutors Office of the Republic of Moldova (GPO).

<sup>50</sup> See Annex 9 - List of Participants

<sup>51</sup> See Annex 10 - Agenda

themselves, thus a need for further activities to encourage attitudinal shifts in relation to persons with disabilities was identified.

In addition to this, on 26-27 October 2015, 19 prosecutors (2 women, 17 men)<sup>52</sup>, all of whom are key prosecutors who investigate cases of torture in mental health facilities deepened their knowledge on investigating cases of torture and ill-treatment in mental health settings through consulting and testing the Guidelines. Their inclusion in the process of testing the draft Guidelines was aimed at increased local ownership and ensuring the usability of the Guide by the end-users.

*A5.4 – Provide consultancy for the National Institute of Justice for the development of curricular on forensic documentation of torture (R5)* – During the reporting period, 3 National Consultants (Consultant on Medical Documentation, Consultant on Psychological Documentation and a Legal Consultant)<sup>53</sup> developed a training course on documentation of torture and related ill-treatment for the legal professionals at the National Institute of Justice (NIJ). The Course, including the curriculum and study materials<sup>54</sup> was closely consulted with the NIJ with the aim of ensuring local ownership and usability and was presented to the NIJ in December 2015. An agreement was reached to use the course starting from 2016 for the continuous training of the judges and prosecutors as well as to use the elaborated support materials for the initial training courses related to issues of torture.

In addition, a needs assessment and feasibility study on incorporating the provisions of the Istanbul Protocol into the curriculum of the State University of Medicine and Pharmacy “N. Testemitanu” was developed. The study was presented and discussed with the professors and students of the State University of Medicine and Pharmacy “N. Testemitanu” on 16 December 2015 at a Round Table, organized in cooperation with the State University of Medicine and Pharmacy “N. Testemitanu”. The event was attended by 26 persons (9 women, 17 men)<sup>55</sup> who, as a result of the event, built their understanding of definition of torture, specifics of torture of persons with intellectual disabilities, and gender based torture in mental health facilities. As a result of the event, key medical professionals agreed that the course on documentation of torture would be useful for a variety of specializations, including family doctors in rural areas and can be taught separately and/or incorporated into the existing courses of the State University of Medicine and Pharmacy “N. Testemitanu” (see Chapter 4. Visibility for more details).

*A5.5 – Support a coalition of CSOs in the elaboration of e-course on the prevention and combating of torture for key professional and activist groups through a grant scheme and regular consultation with UNDP and OHCHR (R5)* – As a result of a sub-grants program “GP-2014: E-course”<sup>56</sup> NGO Human Rights Embassy implemented a 12-month project “E-course Prevention and Combatting of Ill-treatment and impunity in Republic of Moldova”, with the aim of contributing to the prevention of torture and fighting against impunity on the whole territory of the Republic of Moldova, including Transnistrian region, especially in respect of the most vulnerable women and men with psycho-social and intellectual disabilities in mental health facilities by developing, piloting and launching Internet-based distance learning courses on prevention and combating of torture in Moldova (e-courses). The following results were achieved:

<sup>52</sup> See Annex 25 – “List of Participants: Seminar with Prosecutors”

<sup>53</sup> <http://www.undp.md/jobs/jobdetails/716/>

<sup>54</sup> See Annex 38 - “NIJ Course on Documenting Torture”

<sup>55</sup> See Annex 26 – “List of Participants: Round Table at State Medicine University”

<sup>56</sup> <http://www.undp.md/tenders/details/796/>

- 35 legal professionals (11 women, 24 men), out of which 10 judges, 10 prosecutors and 15 lawyers, advanced their knowledge on using international human rights law in daily litigation, and gained further knowledge on using international human rights standards to prevent and combat torture in the Republic of Moldova;
- 14 mass media representatives and students of journalism (11 women, 3 men) gained understanding on reflecting the torture phenomenon in their journalistic materials, using international human rights standards in their professional/journalistic work to prevent and combat torture in the Republic of Moldova.<sup>57</sup>

**2.3.** Describe if the Action will continue after the support from the European Union has ended. Are there any follow up activities envisaged? What will ensure the sustainability of the Action?

Sustainability of the Action will be ensured through the following:

- UNDP in collaboration with OHCHR will continue providing assistance to NGOs trained on reporting for the CRPD review in 2016 and the UPR (Activity A1.3 – *Conduct trainings for CSOs, including from Transnistrian region and Gagauzia, on drafting shadow reports on torture to the UN review mechanisms*) until their reports are submitted;
- UNDP in cooperation with GPO and civil society will continue advocating for legislative changes proposed in the Report with analysis of national legislation in terms of prohibition and combatting torture in mental health facilities, published in 2015 (Activity A2.2 – *Produce a Report with analysis of national legislation in terms of prohibition and combatting torture in mental health facilities*);
- Two NGOs - IDOM and IRP under the a sub-grants program “GP-2014: Strategic Litigation” (Activity A3.1 – *Support civil society in strategic litigation on cases of torture, including in mental health facilities through a grants scheme*), which initiated strategic litigation cases, will continue them after the end of the Action;
- As a result of institutionalisation of the position of the Ombudsperson in Psychiatry Institutions on 29 October 2014 through the Order No.1185 of the Ministry of Health (A3.3 – *Support pilot Ombudsperson in psychiatry institutions with the view of institutionalisation*), it is expected that the mechanism will continue functioning after the end of the Action;
- The developed Guide for Prosecutors on the Investigation of Cases of Torture of People with Psycho-Social and Intellectual Disabilities, adopted by the General Prosecutor (Activity A5.2 – *Support the drafting of Guidelines for Prosecutors on the Investigation of Cases of Torture in order to include information on the investigation of cases of torture in mental health facilities and taking into account gender sensitive aspects*), will be used by General Prosecutors Office Torture Combatting Section prosecutors after the end of the Action;
- The Course on documentation of torture and related ill-treatment developed for the legal professionals at the National Institute of Justice (NIJ) presented to the NIJ in December 2015 (Activity A5.4 – *Provide consultancy for the National Institute of Justice for the development of curricular on forensic documentation of torture*) is expected to be incorporated into the curriculum of the Institute and legal professionals will have the opportunity to study it starting in 2016.

**2.4.** Explain how the Action has mainstreamed cross-cutting issues such as promotion of human rights, gender equality, democracy, good governance, children’s rights and indigenous peoples, environmental sustainability and combating HIV/AIDS (if there is a strong prevalence in the target country/region).

<sup>57</sup> See Annex 27 – “Final Narrative Report, Human Rights Embassy, GP 2014 – E-Course”

The Action had promotion of human rights and gender equality at its core. The entire Action was heavily designed on the human rights standards, especially those related to the combating of torture in psychiatry institutions, as well as on the gender sensitive aspects of this crime. Thus, both human rights standards and gender issues were incorporated into the activities throughout the Action as reported above. Some of the more vivid examples include the following:

- Under the sub-grants program GP-2014: Monitoring - particular attention was paid on identifying cases of sexual abuse of women and forced abortions in psychiatric institutions;
- The Report with analysis of national legislation in terms of prohibition and combatting torture in mental health facilities (Activity A2.2 – *Produce a Report with analysis of national legislation in terms of prohibition and combatting torture in mental health facilities*) pays special attention to the issue of torture and ill-treatment in psychiatric institutions and gender issues, such as prevention of torture and ill-treatment as related to gender;
- Additionally, the process of drafting the Guide for Prosecutors on the Investigation of Cases of Torture of People with Psycho-Social and Intellectual Disabilities (Activity A5.2 – *Support the drafting of Guidelines for Prosecutors on the Investigation of Cases of Torture in order to include information on the investigation of cases of torture in mental health facilities and taking into account gender sensitive aspects*) included information on the investigation of cases of torture in mental health facilities, took into account gender sensitive aspects;  
Children’s rights were addressed by the Action as a number of monitored psychiatric facilities, including in Transnistrian region, included facilities where children and minors are institutionalised;
- Special attention was paid to gender equality, inclusion and women empowerment, and gender disaggregated data on the participants of the events was collected throughout the Action implementation. The average distribution of men and women participating in events shows that 59% of participants in the Action activities were women.

The rest of the cross-cutting issues such as democracy, good governance, indigenous peoples, environmental sustainability and combating HIV and AIDS do not apply in the context of this Action.

**2.5.** How and by whom have the activities been monitored/evaluated? Please summarise the results of the feedback received from the beneficiaries and others.

The activities were monitored and evaluated by the UNDP Moldova project management team. The training evaluation forms, filled out after the trainings by the participants, indicated an overall satisfaction with the trainings, topics of the trainings, modality of implementation of activities, quality of trainers and logistical organization. Furthermore, the implementation of the projects under the sub-grant programs was closely monitored by the project manager and any changes were discussed directly with the NGOs as soon as they appeared.

Board meetings were held regularly to discuss the Action’ results and any changes within the Action.

Most of the project partners, Board members and sub-grantees took part in the Final Project Event was held on 16 December 2015.<sup>58</sup> The participants (29 persons: 14 women, 15 men)<sup>59</sup> positively assessed the implementation of the Action and provided a number of ideas for further torture

<sup>58</sup> See Annex 38 - "Agenda: Final Project Event"

<sup>59</sup> Annex 39 – “List of Participants Final Project Event”

prevention and combating work in Moldova. These ideas and proposals have a potential to form a basis of further interventions in this important area of work.

**2.6. What has your organisation or any actor involved in the Action learned from the Action and how has this learning been utilised and disseminated?**

Throughout the project, the project manager worked and communicated closely with all actors, sub-grant program recipients, NGOs and state institutions. The communication was geared towards effective implementation of the Action but also at identifying the challenges, lessons learnt and improving the implementation modalities where necessary.

Most of the lessons were learnt from cooperation with the civil society. During the implementation of A5.5 (Support a coalition of CSOs in the elaboration of e-course) a number of unforeseen changes and events challenged the successful achievement of results. As a consequence of several losses of data by the NGO, the courses had to be restarted several times. The lessons learnt in this regards are:

- Backing-up information on external sources is crucial when working with online data;
- It is important to have detailed contracts with the service providers, especially when concerning storage of data. The contract should stipulate the number of times back-up is carried out;
- Where needed, most important information should be stored offline for ease of access and mitigation of risk of loss.

Although the political situation in the country was not stable, the Action managed to implement an absolute majority of the planned activities and reach significant results. This was possible as a result of close cooperation with the partner public institutions, both with top management, and middle level management and staff, and productive communication and cooperation with civil society.

**2.7. Please list all materials (and number of copies) produced during the Action on whatever format (please enclose a copy of each item, except if you have already done so in the past).**

*Please state how the items produced are being distributed and to whom.*

- Report on analysis of national legislation in terms of prohibition and combatting torture in mental health facilities – electronic copy<sup>60</sup> - produced by national Consultant on State Institutions in Anti-torture, Dumitru Sliusarenco. Distributed electronically to the participants of the event as well as interested groups consisting of civil society, legal professionals, etc. The copy is also available on the UN Moldova web-site for future reference and access by any interested party;
- Course on Documentation of Torture for NIJ<sup>61</sup> – 70 hard copies and electronic copy - produced by 3 National Consultants (Consultant on Medical Documentation Andrei Padure, Consultant on Psychological Documentation Cornelia Adeola and a Legal Consultant Victor Zaharia) in close consultations with NIJ;
- Needs assessment and feasibility study on incorporating the provisions of the Istanbul Protocol into the curriculum of the State University of Medicine and Pharmacy “N.

<sup>60</sup> See Annex 41 – “Report with analysis of national legislation in terms of prohibition and combatting torture in mental health facilities”

<sup>61</sup> See Annex 42 – “Curriculum for course on documentation of torture for NIJ” and Annex 43 – “Course materials for course on documentation of torture for NIJ”

Testemitanu” – electronic copy<sup>62</sup> - produced by Consultant on Medical Documentation Andrei Padure. 30 hardcopies distributed to professors and students of the Medical University at the Round Table on 16 December 2015;

- Guidelines for Prosecutors on the Investigation of Cases of Torture of People with Psycho-Social and Intellectual Disabilities – 200 hard copies – produced by International Consultant Lycette Nelson, 3 National Consultants (CSO Consultant Ion Schidu, State Institutions Consultant Dumitru Sliusarenco and Medical Consultant Arcadie Astrahan) in consultation with GPO Torture Combatting Section prosecutors, UNDP, OHCHR and 3 women with experiences in psychiatry. Since this is an internal document only the first pages are attached to this Report;<sup>63</sup>
- Methodological recommendations on legal assistance to women and men with intellectual disabilities victims of torture - 200 copies – produced by Institute for Penal Reform (IRP) under the sub-grants program “GP-2014: Strategic Litigation”,<sup>64</sup> distributed to legal professionals: Round Table participants, legal aid lawyers and interested representatives of civil society organizations;
- Study on judicial psychological expertise of victims of torture in Moldova – 250 copies - produced by Institute for Penal Reform (IRP) under the sub-grants program “GP-2014: Advocacy for Psychological Evaluation”,<sup>65</sup> distributed to lawyers, prosecutors, judges and civil society participants of the Round Table.

**2.8.** Please list all contracts (works, supplies, services) above € 60000 awarded for the implementation of the action since the last interim report if any or during the reporting period, giving for each contract the amount, the award procedure followed and the name of the contractor.

No contracts above €60000 were awarded for the implementation of the action during the reporting period.

### **3. Beneficiaries/affiliated entities and other Cooperation**

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**3.1.** How do you assess the relationship between the Beneficiaries/affiliated entities of this grant contract (i.e. those having signed the mandate for the Coordinator)? Please provide specific information for each Beneficiary/affiliated entity.

There are no entities affiliated within this grant contract.

**3.2.** Is the above agreement between the signatories to the grant contract to continue? If so, how? If not, why?

N/A

**3.3.** How would you assess the relationship between your organisation and State authorities in the Action countries? How has this relationship affected the Action?

<sup>62</sup> See Annex 28 - “Needs assessment and feasibility study on incorporating the provisions of the Istanbul Protocol into the curriculum of the State University of Medicine and Pharmacy “N. Testemitanu”

<sup>63</sup> See Annex 40 – “Title page of Guide for Prosecutors”

<sup>64</sup> See Annex 31 – “Methodological recommendations on legal assistance - IRP”

<sup>65</sup> See Annex 32 – “Psychological expertise - IRP”



UNDP Moldova established working relations with State authorities in the Republic of Moldova, which positively contributed to the implementation of the Action. For example, the previously established relations with the Ministry of Health allowed involving Deputy Minister of Health to serve as an independent observer on the selection panel for the Ombudsperson in Psychiatry Institutions (Patients' Advocate). Thus, strong local ownership was built, demonstrated by the subsequent institutionalisation of the Ombudsperson in Psychiatry Institutions (Patients' Advocate) position. Further, the previously established relations with the General Prosecutor Office were crucial for the elaboration and adoption of Guidelines for Prosecutors on the Investigation of Cases of Torture of People with Psycho-Social and Intellectual Disabilities, as well as for the commitment of the Office to further promote the improvement of national anti-torture legal framework.

**3.4. Where applicable, describe your relationship with any other organisations involved in implementing the Action:**

- Associate(s) (if any)
- Sub-contractor(s) (if any)
- Final Beneficiaries and Target groups
- Other third parties involved (including other donors, other government agencies or local government units, NGOs, etc.)

Soros Foundation Moldova – as an Associate of the Action, Soros Foundation Moldova was actively involved during the selection processes of NGOs to be awarded sub-grants under the sub-grant programs launched during the reporting period. Soros Foundation Moldova is also member of the Board for the Action.

East Europe Foundation - as an Associate of the Action, East Europe Foundation was actively involved during the selection processes of NGOs to be awarded sub-grants under the sub-grant programs launched during the reporting period. East Europe Foundation is also member of the Board for the Action.

OHCHR (Office of the High Commissioner for Human Rights) – during the reporting period, the Action and all its activities, including selection of NGOs awarded sub-grants under the sub-grant programs and consultants to provide relevant expertise, were implemented in close consultation with the OHCHR Human Rights Adviser to the UN Resident Coordinator in Moldova and with the OHCHR in Moldova staff. OHCHR is also member of the Board for the Action.

CSOs - the relationship with NGOs can be characterised as positive, with cooperation and support maintained and encouraged through 7 sub-grants awarded to 5 different NGOs:

- IDOM and Keystone Moldova as a coalition: 1 sub-grant within the “GP-2014: Monitoring”;
- IDOM: 1 sub-grant within the “GP-2014: Strategic Litigation”;
- IRP: 2 sub-grants – one within the “GP-2014: Strategic Litigation”, and “GP-2014: Advocacy for Psychological Evaluation”;
- Media Centre: 1 sub-grant within the “GP-2014: Freedom from Torture”;
- Teleradio-Moldova in partnership with RCTV “Memoria”: 1 sub-grant within the “GP-2014: Freedom from Torture”;
- Human Rights Embassy: 1 sub-grant within the “GP-2014: E-course” - Prevention and Combatting of Ill-treatment and impunity in Republic of Moldova.

In addition, organization of relevant events (such as Activities A1.3, A2.1, A4.1, and A4.4) directed at NGOs as beneficiaries resulted in development of closer links with relevant human rights NGOs in Moldova.

NGO Organization for the Promotion and Protection of the Rights of Persons with Psycho-Social Disabilities – the only one specialized NGO in the Republic of Moldova of the users and survivors of psychiatry. It was founded in 2013 and registered by the Ministry of Justice on 17 January 2014. The main goal of the NGO is to raise awareness and promote the rights of the target group - persons with mental health problems, mainly shifting from care approach to equal rights approach as enshrined in the UN CRPD. The Action has built relation with the NGO and it became a Board member for the Action. The members and beneficiaries of the NGO were involved in the Action activities and events both as participants and contributors. This has also resulted in improved social inclusion of people with psycho-social and intellectual disabilities.

National Legal Aid Council - cooperation with the National Legal Aid Council was ensured during the planning stages and organization of trainings for legal aid lawyers (such as Activity 3.2 – *Train legal aid and NGOs lawyers on litigation of cases of torture in mental health facilities taking into account gender sensitive aspects*). The cooperation can be characterized as productive, demonstrated by the active participation of the lawyers in the training exercise. National Legal Aid Council is also member of the Board for the Action.

General Prosecutor Office's Torture Combatting Section - cooperation with prosecutors was most visible during the organization of trainings for prosecutors (such as Activity A5.3– *Organise training of GPO's Torture Combatting Section prosecutors in the investigation of cases of torture in mental health facilities and taking into account gender sensitive aspects*) and elaboration of Guidelines for prosecutors (Activity A5.2 – *Support the drafting of Guidelines for Prosecutors on the Investigation of Cases of Torture in order to include information on the investigation of cases of torture in mental health facilities and taking into account gender sensitive aspects*). The cooperation has been productive demonstrated by the active participation of prosecutors in the training, strengthened by encouragement of local ownership during the finalization of the Guidelines for Prosecutors on the Investigation of Cases of Torture of People with Psycho-Social and Intellectual Disabilities by including the partner in the process of preparation, consultation and testing of the guidelines. GPO is also member of the Board for the Action.

National Institute for Justice - a positive relationship with National Institute for Justice resulted in agreement for incorporation of the course on documentation of torture and related ill-treatment for the legal professionals into the curriculum of the NIJ. The Course, including the curriculum and study materials was presented to the NIJ in December 2015 and it is expected that legal professionals will have the opportunity to study it starting from 2016. NIJ is also member of the Board for the Action.

State University of Medicine and Pharmacy "N. Testemitanu" – a very positive relationship in cooperative spirit contributed to a successful and fruitful discussion of the needs assessment and feasibility study on incorporating the provisions of the Istanbul Protocol into the curriculum of the State University of Medicine and Pharmacy "N. Testemitanu". The Round Table where the study was presented and discussed with the professors and students of the State University of Medicine and Pharmacy "N. Testemitanu" was organized in very close cooperation with the State University of Medicine and Pharmacy "N. Testemitanu" and resulted in a very high interest and participation rate. The administration of the University was very open to cooperation with UNDP and UNDP plans to

continue working and advocating further towards incorporation of the Istanbul Protocol into the curriculum of the Medical University.

The Board for the Action includes representatives of the Ministry of Justice, General Prosecutor's Office, Ministry of Health, Supreme Council of Magistrates, Ministry of Labour, Social Protection and Family, Ombudsperson Office, Equality Council, National Legal Aid Council, Soros Foundation Moldova, East Europe Foundation, NGO Organization for the Promotion and Protection of the Rights of Persons with Psycho-Social Disabilities, OHCHR and UNDP Moldova.

**3.5. Where applicable, outline any links and synergies you have developed with other actions.**

The Action developed synergies with the UNDP Moldova project "Support to Justice Sector Reform", which provided an International Consultant on Anti-torture and persons with disabilities with the objective to provide expertise and capacity building for prosecutors, defence lawyers and NGOs to strengthen their capacities to combat, prosecute and prevent torture and related ill-treatment against the most vulnerable women and men in psychiatric facilities. As a result, several joint activities were conducted: a training course for prosecutors, a training course for legal aid and NGO lawyers, a meeting for civil society, and drafting of the Guidelines for Prosecutors on the Investigation of Cases of Torture of People with Psycho-social and Intellectual Disabilities. The added value of the joint activities was the superior quality of implemented activities (since the International Consultant is a highly qualified professional in the field of anti-torture and related ill-treatment in psychiatric facilities), as well as decreased costs of organization of separate trainings, and allowed to avoid overlap in activities – trainings for prosecutors on anti-torture.

**3.6. If your organisation has received previous EU grants in view of strengthening the same target group, in how far has this Action been able to build upon/complement the previous one(s)? (List all previous relevant EU grants).**

This is the first EU grant UNDP Moldova has received. At the same time, UNDP Moldova has previously implemented other Actions with the EU funding through other contractual arrangements. In this respect the Action capitalized on the knowledge and experience received during the implementation of the Action "Strengthening the forensic examination of torture and other forms of ill-treatment, as a key strategic element in comprehensive, integrated, holistic efforts to end torture and related forms of ill-treatment in Moldova" funded by the EU and implemented by the UNDP Moldova in 2011-2012. The current Action maintained the partnerships and networks developed during the implementation of the Action in 2011-2012. For example, the Action built upon previously developed training materials on anti-torture used in training for prosecutors and medical personnel to develop a training course including judges. A continuum of efforts and demonstrated interest of the local authorities and stakeholders contributing towards combatting torture shows commitment to the cause and is expected to contribute to the successful achievement of objectives and increase the sustainability of efforts.

**3.7. How do you evaluate cooperation with the services of the Contracting Authority?**

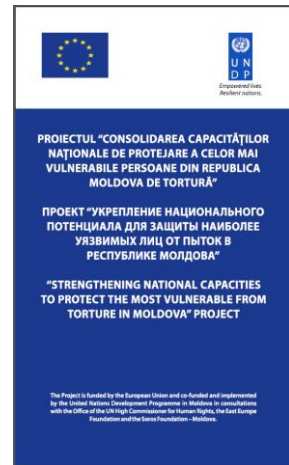
The cooperation with the Contracting Authority was positive. The communication was prompt and advice was provided when requested both on Action implementation and visibility aspects.

#### 4. Visibility

How is the visibility of the EU contribution being ensured in the Action?

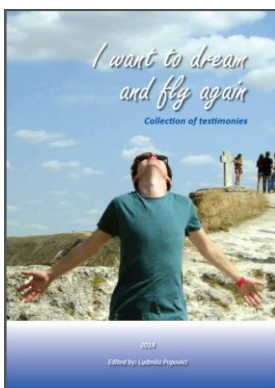
During the period of Action implementation UNDP Moldova ensured the visibility of the EU contribution in line with the provisions of the Communication and Visibility Manual for EU External Actions in order to raise the awareness of specific or general audiences of the reasons for the Action as well as the results and the impact of the Action. In February 2014 the Communication and Visibility Plan was drafted, submitted to and discussed with the EU Delegation of the Republic of Moldova, and UNDP Moldova followed the Plan during the reporting period by organizing the planned visibility and awareness raising activities.

A banner was produced with the title of the project in 3 languages and the logos of EU and UNDP, which has been displayed within all activities and training courses, and other visibility events.



In April 2014 a part-time Communication Consultant for the Action has been contracted for the period April 2014 – December 2015.

On 6 March 2014 a publicly open meeting with NGOs was organized. Sub-grants schemes for NGOs were presented, as well as plans for the commemoration of 5th anniversary of April 2009 events and organization of 26 June events (International Day in Support of Victims of Torture) were discussed. The possibilities to support the event organized of 5th anniversary of April 2009 and 26 June were communicated to the NGOs. In total 18 participants (9 women and 9 men) from 11 NGOs (one NGO represented persons with psychosocial and intellectual disabilities) participated in the meeting,<sup>66</sup> as well as representatives from Equality Council, Ombudsperson Office and OSCE Mission to Moldova and one defense lawyer. Subsequently, most of the participating NGOs submitted their project proposals to the sub-granting schemes, and one of the NGOs requested the support in the organization of 3 anti-torture public events (see below on the events organized on 3 April and 24 June 2014, and 22 April 2015).



All sub-grant programs announced by the Project were published in English, Romanian and Russian languages thus ensuring their accessibility for and encouraging applications from the part of ethnic/linguistic minorities and from NGOs Transnistrian region. The vacancy for the position of Ombudsperson in psychiatry (Patient's Advocate) was published in English, Romanian and Russian languages. Other vacancies were published in English only taking that the knowledge of this language was obligatory for the fulfillment of the assignments. EU visibility was ensured within all the sub-grants and vacancy announcements published. All the sub-grants and vacancy announcements and related documents were

published on the UNDP Moldova website [www.md.undp.org](http://www.md.undp.org), were announced through the on the [embassylawyer@googlegroups.com](mailto:embassylawyer@googlegroups.com) mailing list which is the largest mailing list for lawyers and human rights defenders in Moldova with more than 950 subscribers, and published on the web portal [www.civic.md](http://www.civic.md), which is Moldovan civil society most important web resource with a wide audience.

<sup>66</sup> See Annex 11: List of Participants

In April 2014 a presentation of goals, planned accomplishments and donors of the Action was developed and published on UNDP Moldova official website.<sup>67</sup> Thus, those interested to learn more about the Action can easily find this information.

On 3 April 2014 a conference to commemorate the torture victims from April 2009 was organized in co-operation with the Rehabilitation Center of Torture Victims “Memoria”. The project, invited media to attend and cover this event. As result, news stories were published by circa 15 outlets, i.e. Jurnal TV,<sup>68</sup> Info-prim Neo,<sup>69</sup> Radio Chisinau,<sup>70</sup> Ziarul National,<sup>71</sup> Glasul Natiunii,<sup>72</sup> Adevarul,<sup>73</sup> Active News,<sup>74</sup> TV Moldova 1, Radio Moldova, Moldpress, Prime TV etc.

In addition to the Conference, the Project supported printing out of the book “I Want to Dream and Fly Again” with the collection of testimonies of April 2009 torture victims. The book has been printed out in 150 in Romanian<sup>75</sup> and in 50 copies in English<sup>76</sup> and disseminated free of charge among the participants of 3 April conference, victims of torture and those interested, and within the 24 June conference (see below).

In May 2014 and May 2015, during the Europe Day celebrations, the Project participated with a stand in the “European village” twice in Chisinau (2014 and 2015), in Comrat (2014) and in Soroca (2015). The Project’s stand was filled with information about the Action and recent sub-grant programs, Project’s banner and leaflets in Romanian and Russian. The visitors took the opportunity to interact and ask questions to the representatives of the Project.

On 24 June 2014, the Action, in co-operation with the Rehabilitation Center of Torture Victims “Memoria”, organized a Round Table “Torture in Moldova - impunity and the right to rehabilitation”. The event was covered by circa 10 media outlets, i.e. TV Moldova 1,<sup>77</sup> Jurnal de Chisinau,<sup>78</sup> Evenimentul Zilei,<sup>79</sup> Radio Chisinau,<sup>80</sup> Unimedia,<sup>81</sup> Radio Moldova etc.

The topic of impunity, right to rehabilitation of torture victims etc. was also discussed during a talk-show<sup>82</sup> aired by the public broadcaster TV Moldova 1 on occasion of the International Day in Support of Victims of Torture – 26 June in 2014.

The Action provided guidelines to sub-grant recipients on the visibility rules, including the example of disclaimers to be used on all visibility materials. The sub-grantees periodically published news items about the activities carried out within the projects on their websites. The Institute for Penal

<sup>67</sup> [http://www.md.undp.org/content/moldova/en/home/operations/projects/democratic\\_governance/strengthening-national-capacities-to-protect-the-most-vulnerable.html](http://www.md.undp.org/content/moldova/en/home/operations/projects/democratic_governance/strengthening-national-capacities-to-protect-the-most-vulnerable.html)

<sup>68</sup> <http://jurnaltv.md/ro/news/2014/4/3/7-aprilie-2009-ramane-un-mister-10015207/>

<sup>69</sup> <http://www.ipn.md/ro/societate/61039>

<sup>70</sup> [http://www.radiochisinau.md/marturiile\\_tinerilor\\_maltratati\\_la\\_7\\_aprilie\\_2009\\_intr\\_o\\_singura\\_carte-13086](http://www.radiochisinau.md/marturiile_tinerilor_maltratati_la_7_aprilie_2009_intr_o_singura_carte-13086)

<sup>71</sup> <http://www.ziarulnational.md/tinerii-maltratati-in-timpul-evenimentelor-din-aprilie-2009-isi-au-o-carte-a-lor/>

<sup>72</sup> <http://glasul.md/victima-a-protestelor-din-aprilie-2009-nu-ne-priviti-ca-pe-niste-exponate/>

<sup>73</sup> [http://adevarul.ro/moldova/actualitate/o-carte-despre-raul-delanga-noi-1\\_533e58b20d133766a87cb97f/index.html](http://adevarul.ro/moldova/actualitate/o-carte-despre-raul-delanga-noi-1_533e58b20d133766a87cb97f/index.html)

<sup>74</sup> [http://activenews.ro/o-carte-despre-raul-de-langa-noi\\_1829656.html](http://activenews.ro/o-carte-despre-raul-de-langa-noi_1829656.html)

<sup>75</sup> See Annex 12: “Vreau să visez și să zbor din nou” book

<sup>76</sup> See Annex 13: “I want to Dream and Fly Again” book

<sup>77</sup> <http://trm.md/ro/mesager/mesager-din-24-iunie-2014/>

<sup>78</sup> <http://www.jc.md/tortura-tinteste-in-demnitatea-umana/>

<sup>79</sup> <http://www.evz.md/ro/actualitate/item/2106-statistica-719-sesizari-de-cazuri-de-tortura-si-157-de-dosare-penale-deschise-in-2013.html>

<sup>80</sup> <http://www.radiochisinau.md/pages/view/14364>

<sup>81</sup> <http://unimedia.info/comunicate/reprezentantii-sistemului-penitenciar---participanti-la-o-reuniune-in-domeniul-eradicarii-torturii-si-altor-forme-de-rele-tratamente-4785.html>

<sup>82</sup> <http://trm.md/ro/social/moldova-l-lanseaza-campania-nu-ceda-in-fata-torturii-si-violentei-tu-poti-fi-protejat/>

Reform (IRP) published two news stories.<sup>83</sup> IRP also published a press-release on the Round Table held on 18 September 2015<sup>84</sup> as well as a press-release on the presentation of the study on psychological expertise.<sup>85</sup> These were also covered by written media EVZMD.md,<sup>86</sup> IPN,<sup>87</sup> Democracy.md<sup>88</sup> as well as Romanian web-site Adevarul.ro,<sup>89</sup> as well as by the Evening news broadcasted by TV Moldova 1 on 18 September 2015.<sup>90</sup> The two events organized by IRP were broadcasted on the Moldovan and Romanian internet channel.<sup>91</sup>

The Round Table with the presentation of the Report with analysis of national legislation in terms of prohibition and combatting torture in mental health facilities was publicized on the UNDP web-site<sup>92</sup>, while the Report was also published on the UNDP Moldova web-site for open public access<sup>93</sup>. (For more information see 2.2 Results and Activities, A2.2).

The Round Table at the State University of Medicine and Pharmacy “Nicolae Testemitanu” on introducing an optional study course on the phenomenon of torture and other inhumane treatment, into the university and post-university study curriculum was published on the web-site of the State University of Medicine and Pharmacy “Nicolae Testemitanu”<sup>94</sup> and UNDP Moldova<sup>95</sup>.

The Project’s activities were also covered by media organizations in Transnistrian region of Moldova. A news story about the situation of women with psycho-social and intellectual disabilities in mental health facilities of Moldova was published by web portal of Media Centre<sup>96</sup> (Tiraspol), as well as supported publication of other 12 articles (see point A4.3 for the internet links to the articles).

Finally, the Action was covered by the following media channels:

- <https://www.facebook.com/ONUMoldova/posts/544953465667431>
- <http://www.zdg.md/stiri/stiri-sociale/oamenii-vin-la-institutiile-medicale-ca-sa-se-trateze-dar-ajung-victime-ale-torturii>
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<sup>85</sup> <http://irp.md/news/636-republica-moldova-restanier-la-expertizarea-psihiologice-a-victimelor-torturii.html>

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<sup>92</sup> <http://www.md.undp.org/content/moldova/ro/home/presscenter/pressreleases/2015/11/30/un-proiect-finan-at-de-uniunea-european-reduce-n-vizor-problema-torturii-n-institu-iile-psihiatrice.html>

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<sup>94</sup> <http://usmf.md/news/fenomenul-torturii-discutat-la-usmf-nicolae-testemitanu/>

<sup>95</sup> <http://www.md.undp.org/content/moldova/en/home/presscenter/pressreleases/2015/12/16/universitatea-de-medicin-ar-putea-introduce-un-curs-despre-tortur-.html>

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**The European Commission may wish to publicise the results of Actions. Do you have any objection to this report being published on the EuropeAid website? If so, please state your objections here.**

UNDP Moldova has no objections for the publication of the results of the Action, although UNDP Moldova would appreciate consultations in advance of their publication.

#### **5. Location of records, accounting and supporting documents**

Please indicate in a table the location of records, accounting and supporting documents for each Beneficiary and affiliated entity entitled to incur costs.

<b>Beneficiary</b>	<b>Location of records, accounting and supporting documents</b>
UNDP Moldova	UN House, 131, 31 August 1989 Str., Chisinau, Republic of Moldova

Name of the contact person for the Action: Evghenii Golosceapov, Programme Analyst

Date report due: 31March 2016