



Republic of Moldova

**parliament**

**LAW No. 45**  
**of 01-03-2007**

**on preventing and combating violence  
against women and domestic violence**

Published: 18-03-2008 in Official Gazette No. 55-56 art. 178

*MODIFIED*

*LP231 of 15.08.24, MO355-357/15.08.24 art. 561; in force 15.08.24*

*The name in the redaction of LP231 of 15.08.24, MO355-357/15.08.24 art.561; in force 15.08.24*

The prevention and combating of family violence are part of the national policy of protecting and supporting the family and represent an important public health issue. To strengthen, protect and support the family, to ensure compliance with the fundamental principles of family legislation, recognizing the fact that achieving gender equality between women and men is the key element in preventing violence against women, the fact that family violence affects women in a way disproportionately, but also the fact that children and men can also be victims of violence,

Parliament adopts this organic law.

**Chapter I**

**GENERAL PROVISIONS**

**Article 1.** Object of the law

This law establishes the legal and organizational bases of the activity of preventing and combating domestic violence, the authorities and institutions empowered to prevent and combat domestic violence, the mechanism for reporting and solving cases of violence.

**Article 2.** Main notions

For the purposes of this law, the following terms mean:

*family violence* – acts of physical, sexual, psychological, spiritual or economic violence, with the exception of actions of self-defense or defense of another person, including the threat of such acts, committed by a family member against another member of the same family, through

which material or moral damage was caused to the victim;

*physical violence* - intentional injury to bodily integrity or health by hitting, biting, hitting, pulling hair, stabbing, cutting, burning, strangling, biting, in any form and of any intensity, by poisoning, intoxication, other actions with a similar effect ;

*sexual violence* - any sexual violence or any illegal sexual conduct within the family or in other interpersonal relationships, such as marital rape, prohibition of the use of contraceptive methods, sexual harassment; any unwanted, forced sexual conduct; forcing the practice of prostitution; any illegal sexual behavior in relation to a minor family member, including caressing, kissing, posing of the child and other unwanted touches with a sexual connotation; other actions with similar effect;

*psychological violence* – causing mental suffering and/or tension, imposing will or control, intimidation, including through the use of information technology and/or electronic communications, manifested by acts of: swearing; insult; mockery; nickname; blackmail; demonstrative destruction of objects; involvement in personal life; jealousy; solitary confinement, including in the family home; isolation from friends, community; prohibition of contacting other family members, including creating impediments to the meeting of parents and children; deprivation of access to information; banning, creating impediments or controlling access to social networks; prohibition and/or creation of impediments in professional achievement or following the study program/professional training program; threat of death or bodily harm; threat of spreading, without consent, information about intimate, private and/or family life; persecution; deprivation of identity documents; ostentatious display of weapons or hitting of domestic animals; other acts with similar effect;

*[Art.2 the notion in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

*spiritual violence* - underestimating or diminishing the importance of satisfying moral-spiritual needs by prohibiting, limiting, ridiculing, penalizing the aspirations of family members, by prohibiting, limiting, ridiculing or punishing access to cultural, ethnic, linguistic or religious values; imposing a system of personally unacceptable values; other actions with a similar effect or with similar repercussions;

*economic violence* - deprivation of economic means, including lack of primary means of existence, such as food, medicine, basic necessities; abuse of various situations of superiority to steal the person's assets; prohibition of the right to possess, use and dispose of common goods; unfair control over common goods and resources; refusal to support the family; imposition of heavy and harmful work to the detriment of health, including of a minor family member; other actions with similar effect;

*violence against women* – act/acts of gender-based violence, which cause or may cause physical, sexual or psychological harm or suffering to the woman/women, including the threat of such acts, coercion or arbitrary deprivation of liberty, committed in the public or private sphere;

*[Art.2 the notion in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

*femicide* - act of violence against women, including girls, which involves the death of the victim, as a result of the crime of intentional homicide or the crime of serious intentional injury to bodily integrity or health, or the crime of domestic violence, or the victim's suicide, as a result of determining or facilitating it or as a result of family violence, committed for reasons of prejudice based on gender;

*[Art.2 the notion introduced by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

*adult victim* – adult person who has been subjected to acts of violence against women and/or acts of violence in the family;

*[Art.2 the notion in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

*child victim* – person who has not reached the age of 18 and who has been subjected to or witnessed acts of violence against women and/or acts of violence in the family;

*[Art.2 the notion in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

*moral damage* – causing physical and/or mental suffering, which leads to humiliation, fear, humiliation, inability to defend against violence, feelings of frustration and other consequences of a similar nature;

*material damage* - material damage, susceptible to financial/pecuniary evaluation or estimation, resulting from any act of violence in the family, in cohabitation, as well as the costs for handling cases of family violence;

*aggressor* - person who commits acts of violence against women and/or family violence. In the case of notifications received from several family members, who accuse each other of committing acts of violence, the aggressor is determined taking into account the following circumstances:

- establishing the persons involved who acted in their own defense or that of another person;
- the probability of the occurrence of critical situations for each person;
- the way of acting in the scene of violence and the severity of the injuries and/or suffering caused by each person;
- previous notifications regarding acts of violence against women and/or family violence;
- other circumstances that indicate the initiator of acts of violence;

*[Art.2 the notion in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

*protection order* - legal document by which the court applies protection measures to the victim;

*crisis situation/critical situation* - all the circumstances presenting an imminent danger to the life and/or physical and/or mental integrity of the person, requiring emergency intervention with protective measures;

*emergency restraining order* – administrative act issued by the police, through which protective measures are applied to ensure the immediate removal of the aggressor from the home of the family subject to violence and the establishment of prohibitions provided by law, in order to prevent the repetition/commitment of acts of violence, guaranteeing thus safety of the victim and other family members in their home and outside it.

**Article 3.** Subjects of violence against women  
and domestic violence

*[Art.3 the name in the redaction of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(1) Subjects of family violence are the aggressor and the victim members of the same family.

(1<sup>1</sup>) The subjects of violence against women are the aggressor and the victim.

*[Art. 3 para. (1<sup>1</sup>) introduced by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(2) Family members, in the sense of this law, are:

a) in the condition of cohabitation: persons in marriage, in divorce, under guardianship and conservatorship, in respect of whom a judicial protection measure has been instituted, their relatives, relatives, spouses of relatives, persons in relationships similar to those between spouses (cohabitation) or between parents and children;

b) in the condition of living separately: persons who are married, divorced, their relatives, relatives, adopted children, persons under guardianship, in respect of whom a judicial protection measure has been instituted, persons who are or have been in relationships similar to those between spouses (cohabitation).

**Article 4.** The normative framework

*[Art.4 the name in the recitation LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(1) The legislation regarding the prevention and combating of violence against women and domestic violence consists of the Constitution of the Republic of Moldova, this law, other normative acts, and international treaties to which the Republic of Moldova is a party.

*[Art. 4 para. (1) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(2) If the international treaty to which the Republic of Moldova is a party establishes other norms than this law, the norms of the international treaty shall apply.

**Article 5.** The basic principles of prevention  
and combating violence against  
women and domestic violence

The prevention and combating of violence against women and violence in the family is carried out on the basis of the following basic principles:

a) legality;

b) respect for fundamental rights and freedoms;

c) equality and non-discrimination;

- d) respecting human dignity;
- e) confidentiality;
- f) access to justice;
- g) protection and security of the victim;
- h) cooperation of public administration authorities with civil society and international organizations;
- i) speed;
- j) intersectionality.

*[Art.5 in the redaction of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

#### **Article 6. Scope of the law**

The provisions of this law apply equally to citizens of the Republic of Moldova, foreign citizens and stateless persons living on its territory.

### **Chapter II COMPETENT AUTHORITIES AND INSTITUTIONS WITH PREVENTION AND COMBAT FUNCTIONS OF VIOLENCE IN THE FAMILY**

*[Chapter II the name in the redaction of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

#### **Article 7. Authorized authorities and institutions**

with prevention and de  
combating violence against  
women and domestic violence

*[Art.7 the name in the redaction of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(1) The authorities and institutions empowered to prevent and combat violence against women and family violence are:

*[Art.7 para.(1) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

a) the authorities of the specialized central public administration (the National Agency for the Prevention and Combating of Violence against Women and Domestic Violence, the Ministry of Labor and Social Protection, the Ministry of Health, the Ministry of Education and Research, the Ministry of Internal Affairs, the Ministry of Justice);

a<sup>1</sup>) territorial social assistance agencies;

b) the specialized authorities of the second-level local public administration and decentralized structures:

– the territorial social assistance structures, the structures responsible for social assistance and the protection of children's rights from the municipality of Chisinau and from the autonomous territorial unit of Găgăuzia;

- the general directions of education, youth and sports;

- health protection bodies;
- the territorial subdivisions of the police;
- c) local public administration of the first level;
- d) assistance and protection centers/services for victims of domestic violence and their children and assistance and counseling centers/services for family aggressors;
- e) other organizations with specialized activities in the field.

(2) The central specialized body empowered to develop and promote policies to prevent and combat violence against women and violence in the family, as well as social assistance to victims and aggressors, is the Ministry of Labor and Social Protection.

[Art.7 para.(2) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]

(2<sup>1</sup>) The National Agency for the Prevention and Combating of Violence against Women and Family Violence is the central administrative authority subordinate to the Government empowered to coordinate inter-institutional activity in the field of preventing and combating violence against women and family violence, implementing of national programs, to provide assistance to the Government in the implementation of policies, to monitor and evaluate public policies in the field, to facilitate cooperation and dialogue with civil society, to report on the manner of national application of the Council of Europe Convention on prevention and combating of violence against women and domestic violence (hereinafter – *the Istanbul Convention* ), other international conventions and instruments.

(3) In addition to the National Agency for the Prevention and Combating of Violence against Women and Family Violence, the National Coordinating Council in the Field of Preventing and Combating Violence against Women and Family Violence is created and operates (hereinafter - the National Coordinating Council) , which includes representatives of specialized central public administration authorities, according to para. (1), representatives of civil society and other interested parties. The National Coordinating Council ensures collaboration between the authorities and organizational structures with competences in the field of preventing and combating violence against women and violence in the family, as well as their cooperation with non-commercial organizations and foreign partners, it also serves as a platform for debates in the implementation process, at national and local level, of policies to prevent and combat all forms of violence regulated by the Istanbul Convention. The regulation of the National Coordinating Council is approved by a Government decision. The activity of the members of the National Coordinating Council is not remunerated.

(4) The function of implementing policies to prevent violence against women and violence in the family, as well as social assistance of victims and aggressors, is carried out at the local level by territorial social assistance agencies through territorial social assistance structures and by the structures responsible for social assistance and the protection of children's rights from the municipality of Chisinau and from the autonomous territorial unit of Gagauzia, within which specialist positions are established in the field of preventing and combating violence in family and the rehabilitation of crime victims.

*[Art.7 para.(4) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(5) The other public services at the local level will designate persons with attributions regarding the prevention and combating of violence against women and violence in the family, responsible for coordinating specific activities within their institution and collaborating in carrying out common activities at the level of the administrative territory, based on some established procedures for cooperation in preventing and combating cases of violence against women and family violence.

*[Art.7 para.(5) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

**Article 8.** Competencies of the administration authorities  
central and local public

(1) The central specialized bodies of the state (Ministry of Labor and Social Protection, Ministry of Health, Ministry of Education and Research, Ministry of Internal Affairs, Ministry of Justice), within the limits of their competence:

a) ensures the development and promotion of the policy of strengthening the family, preventing and combating violence against women and violence in the family, providing protection and assistance to victims and aggressors;

*[Art.8 para.(1), letter a) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

b) coordinates the activity in the field of decentralized/deconcentrated structures;

c) ensures access to information for people regarding the mechanism, measures to prevent and combat acts of violence against women and violence in the family and contributes to updating the official web page on violence against women and violence in the family by transferring general information on the activities carried out and implemented projects, as well as statistical data collected based on unique indicators for all authorities, which are included in the programs of statistical works approved by the Government;

*[Art.8 para.(1), letter c) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

d) systematically collect statistical data by field disaggregated by gender, provide support in carrying out research on the phenomenon of violence against women and family violence;

*[Art.8 para.(1), letter d) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

e) strengthens the capacities of human resources in the field of preventing and combating violence against women and violence in the family, ensures their continuous training and improvement;

*[Art.8 para.(1), letter e) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

f) cooperate with non-commercial organizations, with natural and legal persons involved in activities to prevent and combat violence against women and violence in the family;

*[Art.8 para.(1), letter f) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

g) informs the National Agency for the Prevention and Combating of Violence against Women and Family Violence every six months and annually about the activity carried out in the field of preventing and combating violence against women and family violence, according to their mission and field of expertise, as well as upon request – in case of organizing debates within the National Coordinating Council.

(1<sup>1</sup>) The Ministry of Labor and Social Protection, as the central specialized body of the state empowered with the functions of developing and promoting policies to prevent and combat violence against women and violence in the family, as well as social assistance for victims domestic violence and abusers:

a) draw up policies to strengthen the family, to prevent and combat violence against women and violence in the family, to provide protection and assistance to victims of violence and to advise family aggressors, also contribute to the implementation of these policies;

b) ensures the establishment and maintenance of the anonymous and confidential free telephone assistance service, which offers counseling to callers, 24/24 hours, 7 days a week, regarding the prevention of violence against women and violence in the family, as well as regarding the services available for victims of domestic violence and abusers;

*[Art.8 para.(1<sup>1</sup>), letter b) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

c) manages administrative data sources from the social field and disseminates sectoral statistics on the dimension of preventing and combating violence against women and violence in the family, disaggregated according to established criteria, according to the methodology coordinated with the central authority in the field of statistics;

d) participate, jointly with the authorities and competent institutions, with non-commercial organizations, with other representatives of civil society and with development partners, in research, studies and information campaigns to prevent and combat violence against women and violence in the family;

*[Art.8 para.(1<sup>1</sup>), letter d) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

e) ensures, directly or through subordinate administrative authorities, the financing and/or purchase of assistance and rehabilitation services for victims of violence and assistance and counseling services for family aggressors;

f) analyze, in collaboration with the territorial social assistance structures, the development needs of the network of assistance and protection centers/services for victims of violence, as well as assistance and counseling centers/services for family aggressors;

g) ensures the integration of the field of preventing and combating violence against women and family violence into the National Reference Mechanism for the protection and assistance of crime victims;



h) contributes to the economic empowerment of victims of violence in cooperation with empowered subjects.

(1<sup>2</sup>) The National Agency for the Prevention and Combating of Violence against Women and Domestic Violence:

a) coordinates, at the national level, the implementation of policies to prevent and combat violence against women and violence in the family, ensures the monitoring and evaluation of public policies in the field;

b) supports the inter-institutional implementation of national programs in the field of preventing and combating violence against women and family violence;

c) organizes and conducts the meetings of the National Coordinating Council;

d) provides methodological support for the unified and efficient implementation, at the central and local level, of the normative framework and policies to prevent and combat violence against women and violence in the family, including the activity of territorial multidisciplinary teams;

e) organize training through multidisciplinary modules for specialists with functions to prevent and combat violence against women and violence in the family;

f) ensures the creation and maintenance of the official web page on the prevention and combating of violence against women and family violence in order to provide the population with access to information on the mechanism for solving acts of violence, to the infrastructure of social services for victims of violence and for family aggressors, as well as the results of studies, research in the field;

g) facilitates cooperation and dialogue with civil society and development partners;

h) establishes and manages a coordinated system of collection and analysis of administrative data and official statistics in the field;

i) plans and organizes the conduct of research, studies and information campaigns to prevent and combat violence against women and family violence together with the competent authorities and institutions, with non-commercial organizations, with other representatives of civil society and with development partners;

j) draw up the annual report on violence against women and family violence with the contribution and participation of all authorities and institutions empowered with functions in the field. The annual report is presented to the Government;

k) prepare the national reports and ensure the arrangements for the monitoring visits to the country of the Expert Group for action against violence against women and violence in the family (GREVIO);

k<sup>1</sup>) examines notifications received from natural persons, legal persons and public institutions, which involve inter-institutional cooperation regarding the prevention and combating of violence against women and violence in the family;

*[Art.8 para.(1<sup>2</sup>), letter k<sup>1</sup>) introduced by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

l) carries out other activities in the field of preventing and combating violence against women and family violence.

(2) Local public administration authorities:

b) form multidisciplinary teams in the field;

c) establish and ensure, within the limits of the allocated and/or available financial resources, the financing of assistance and protection centers/services for victims of violence against women and domestic violence and their children, as well as assistance and counseling centers/services for aggressors family;

*[Art.8 para.(2), letter c) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

c) <sup>1</sup> contributes to the social inclusion of victims of violence against women and family violence by creating opportunities for re-profiling and/or employment in the labor field, ensures their access to social housing;

*[Art.8 para.(2), letter <sup>c 1</sup> ) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

d) include in local development programs the issue of preventing and combating violence against women and family violence; plans to organize studies and information campaigns to combat violence against women and family violence, to support social services and other assistance measures for victims of violence against women and family violence; cooperates in the implementation of the system for recording cases of violence against women and family violence;

*[Art.8 para.(2), letter d) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

e) develops social partnerships with non-commercial organizations, including foundations, unions, patronages, with religious cult organizations, as well as with international bodies to contribute to the prevention and combating of violence against women and violence in the family.

*[Art.8 para.(2), letter e) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(2 <sup>1</sup> ) The local guardianship authority:

a) ensures the initial assessment and the implementation of urgent child protection measures in cases of family violence in which imminent danger to the child's life and health is found;

b) ensures, at the local level, confidential mechanisms for reporting cases of family violence;

c) collaborates with the territorial guardianship authorities in order to ensure the protection of child victims of family violence.

(3) Territorial social assistance structures, structures responsible for social assistance and the protection of children's rights from the municipality of Chisinau and from the autonomous territorial unit of Gagauzia, through the service responsible for the prevention and combating of family violence and the rehabilitation of crime victims:

a) cooperates with the police bodies in the activity of identifying persons prone to committing acts of violence against women and family violence;

*[Art.8 para.(3), letter a) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

b) update the database, at the territorial level, targeting victims of violence against women and domestic violence redirected for protection and assistance;

*[Art.8 para.(3), letter b) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

c) place, as the case may be, the victim in the rehabilitation center, offering him the appropriate assistance;

d) in order to liquidate the consequences of acts of violence against women and family violence, redirect the case to specialists from assistance and protection centers/services;

*[Art.8 para.(3), letter d) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

e) facilitate, at the request of law enforcement bodies, the aggressor's access to rehabilitation programs;

f) apply, under the law, with a request regarding the application of protection measures; participates as an interested person in the processes of requesting measures to protect victims of domestic violence; presents, at the request of the court, informative materials characterizing the family in question and the alleged aggressor, as well as other information that the court considers necessary for the examination of the case; contributes, under the law, to the execution of the measures established in the protection ordinance; carries out other activities to defend the rights and legitimate interests of victims, including minor victims;

g) carries out, jointly with other competent authorities and in cooperation with non-commercial organizations in the field, informational programs to prevent violence against women and violence in the family;

*[Art.8 para.(3), letter g) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

h) determines the need to create assistance and protection centers/services for victims of violence against women and domestic violence and their children, as well as assistance and counseling centers/services for family aggressors, ensuring their methodological and informational support;

*[Art.8 para.(3), letter h) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

i) monitors and coordinates the professional activities of social workers within the town halls to prevent violence against women and family violence, as well as to support/advise victims and resocialize aggressors;

*[Art.8 para.(3), letter i) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

j) presents to the territorial social assistance agency semi-annual and annual reports on the activities carried out in the territory and the intersectoral activity in the field of preventing and combating violence against women and violence in the family;

*[Art.8 para.(3), letter j) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

k) monitor the victims and provide them with assistance after they have left the rehabilitation centers.

(4) The general directorates of education, youth and sport:

a) ensures the information and training of teaching staff in order to qualify acts of violence against women and family violence, the application of methods and means of preventing such acts and reporting them to the competent authorities;

*[Art.8 para.(4), letter a) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

b) carries out, jointly with other competent authorities and in cooperation with non-commercial organizations in the field, educational programs for parents and children in order to prevent and combat violence against women and violence in the family;

*[Art.8 para.(4), letter b) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

c) ensures the development of counseling activities for the psychological and psychosocial rehabilitation of children who are victims of family violence;

d) communicate to the competent authorities, through the teaching staff, notifying the guardianship authority and the police immediately, of cases of family violence, including cases of family violence against children.

(5) Medical institutions of all types and levels:

a) organize information campaigns;

b) notifies the police and the guardianship authority, through medical staff, regarding cases of violence against women and family violence;

*[Art.8 para.(5), letter b) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

c) provides counseling and medical assistance to the victims;

c<sup>1</sup>) resolves, within the limits of competence, the victim's request for a medico-legal examination of the severity of the injury to bodily integrity or health;

d) initiates and realizes programs and services addressed to aggressors; ensures the realization of the programs of alcoholism, detoxification, psychotherapeutic treatment, as the case may be, with the support of expenses from the abuser's means or, as the case may be, from the funds of the mandatory medical assistance insurance;

e) initiate sustainable partnerships with all programs aimed at mother and child health;

f) conclude contracts for the provision of medical services with rehabilitation centers/services for victims and aggressors.

(6) Police bodies, at the level of specialized structure:

a) identify, register and report cases of violence against women and family violence;

*[Art.8 para.(6), letter a) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

- b) ensures the nominal record of the aggressors;
- c) notifies the local guardianship authority about each case of family violence involving the child victim/witness;
- d) examines the requests and notifications received from citizens, medical institutions, medico-legal centers and other institutions regarding family conflicts, acts of violence, death threats or the existence of an imminent danger of their realization;
- e) visit the families whose members are recorded, carry out the work of preventing repeated acts of violence in the family;
- f) orders the issuance of an emergency restraining order regarding the aggressor if, from the circumstances established at the scene of the crime, as a result of the risk assessment, there is a reasonable suspicion that acts of domestic violence have been committed and/or there is an imminent danger of repetition/ committing violent actions;
- g) apply to the judicial authorities to obtain a protection order in a crisis situation based on the request submitted by the victim or the case notification; ensures the supervision of the execution of the protection ordinance;
- h) in the case of committing an act of violence against women and/or family violence, explain to the victim her rights, and at her request, grant her help to be placed in the rehabilitation center;

*[Art.8 para.(6), letter h) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

- i) informs the victim about her right to benefit from free legal assistance;
- k) maintain order and public security around the assistance and protection centers/services for victims of violence against women and domestic violence and their children, in accordance with the law;

*[Art.8 para.(6), letter k) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

- l) monitors and implements, together with social workers, cases of violence against women and family violence in the territory served, updates the database with information in the field;

*[Art.8 para.(6), letter l) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

- m) cooperate with the competent authorities in the field, with civil society in order to prevent and combat violence against women and violence in the family.

*[Art.8 para.(6), letter m) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(7) The authorities mentioned in art. 7 para. (4) and para. (5):

- a) identifies potential families affected by violence and ensures the record of cases of violence against women and family violence in the locality;

*[Art.8 para.(7), letter a) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

b) identify crisis situations and redirect victims of violence against women and family violence to victim assistance and protection services;

*[Art.8 para.(7), letter b) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

c) ensures the exchange of information with other persons involved in the examination of the case;

d) informs the service responsible for the prevention and combating of family violence and the rehabilitation of crime victims about the case found and the measures taken, and about cases of violence in families with children also informs the local guardianship authority;

e) provides the police bodies with the necessary support in the process of criminal prosecution of cases of violence against women and family violence;

*[Art.8 para.(7), letter e) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

f) provides victims and aggressors with information services regarding their rights and responsibilities, the bodies empowered with competences in the field, the infrastructure of social services;

g) provides, upon request, the results of findings on cases of violence against women and family violence to law enforcement bodies, the victim, the aggressor or their representatives;

*[Art.8 para.(7), letter g) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

h) carry out other actions, according to the competence, in order to prevent and combat acts of violence, to ensure the effective protection of victims of violence against women and of violence in the family, to resocialize the aggressors.

*[Art.8 para.(7), letter h) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(8) In order to ensure a systemic approach to the protection and assistance of the subjects of violence against women and family violence, the implementation of joint activities to prevent and combat violence against women and family violence, including the activities referred to in paragraph (7), by order of the leader, qualified specialists are appointed as members of the territorial multidisciplinary team.

*[Art.8 para.(8) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(9) Member of the territorial multidisciplinary team:

a) is responsible for the results of the work performed;

b) ensures the confidentiality of information regarding the victim's identity and private life;

c) collaborate effectively with other team members;

d) participates in team meetings;

e) fulfills the tasks within the terms provided by the legislation.

(10) The territorial social assistance agencies and the structures responsible for social assistance and the protection of children's rights in the municipality of Chisinau and in the autonomous territorial unit of Gagauzia ensure:

a) coordination and monitoring of activities in the field of preventing and combating violence against women and family violence in the administrative-territorial units;

*[Art.8 para.(10), letter a) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

b) providing methodological support in the field covered by this law to territorial social assistance structures;

c) carrying out the relevant actions for the social integration/reintegration of victims of violence against women and family violence;

*[Art.8 para.(10), letter c) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

d) developing partnerships with public authorities and institutions or with private organizations, with international organizations, with non-commercial organizations in the country and with other representatives of civil society, to contribute to the prevention and combating of violence against women and violence in the family;

*[Art.8 para.(10), letter d) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

e) the presentation to the Ministry of Labor and Social Protection of the semi-annual and annual reports on the activities carried out in the territory by the social assistance structures.

#### **Article 9.** Competence of the probation body

(1) Probation subjects penalized for contravention or convicted for acts of domestic violence may be required by the court to participate in probation programs.

(2) The probationary activity is carried out by the probationary bodies in accordance with the law.

#### **Article 9<sup>1</sup>.** Competences of the National Administration of Penitentiaries

The National Administration of Penitentiaries coordinates and ensures control of the activity of penitentiary institutions related to:

a) realization of correctional programs for aggressors in penitentiaries;

b) cooperation with other competent authorities in the field.

#### **Article 10.** Assistance and protection centers/services of victims of domestic violence and children their and assistance centers/services and counseling for domestic abusers

(1) Typology of centers/services:

a) for victims of domestic violence and for their children: the free telephone assistance service; shelters (placement); day counseling centers/services and others;

b) for aggressors: centers/assistance and counseling services for family aggressors.

(2) Assistance and protection centers/services for victims of domestic violence and their children offer specialized support services such as: shelter (placement), legal, psychological, social, emergency medical assistance and other types of assistance.

(3) Assistance and counseling centers/services for family abusers offer specialized information services, individual/group couple counseling, legal counseling, referral and facilitation of the abuser's access to medical, employment and professionalization services.

(4) The organization and operation of the assistance and protection centers/services for victims of domestic violence and their children, as well as the assistance and counseling centers/services for family aggressors, are carried out in accordance with the framework regulations and the minimum standards of quality approved by the Government.

(5) The centers/services can be created:

a) by the Government, at the proposal of the Ministry of Labor and Social Protection or the National Agency for the Prevention and Combating of Violence against Women and Domestic Violence;

b) by local public administration authorities;

c) by international organizations and non-commercial organizations, with the information of the Ministry of Labor and Social Protection and the National Agency for the Prevention and Combating of Violence against Women and Violence in the Family;

d) by public administration authorities and non-commercial organizations, based on a joint activity agreement.

(6) In the case of the existence of limited resources, priority will be given to the allocation of funds to support centers/services for the assistance and protection of victims of domestic violence and their children.

### **Chapter III**

#### **THE MECHANISM FOR THE RESOLUTION OF DOCUMENTS OF VIOLENCE AGAINST WOMEN AND VIOLENCE IN THE FAMILY**

*[Chapter III the name in the redaction of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

**Article 11.** The victim's right to protection

(1) The victim is guaranteed the protection of his legitimate rights and interests.

(2) Persons with responsibility, other persons who know of the existence of a danger to the life and health of a potential victim must communicate this fact to the authorities empowered with the functions of preventing and combating violence in the family and against women and violence in the family.

*[Art. 11 para. (2) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(2<sup>1</sup>) The victim has the right to assistance for physical, psychological and social recovery through special medical, psychological, legal and social actions. The granting of protection and assistance services is not conditioned by the victim's desire to make statements and participate in



the prosecution of the aggressor. The right to private life and the confidentiality of information regarding the victim are guaranteed.

(3) The authorities empowered with the functions of preventing and combating violence against women and family violence are obliged to react promptly to any notification and to inform the victims: about their rights; about the authorities and institutions with functions to prevent and combat violence against women and violence in the family; about the type of services and organizations they can turn to for assistance; about the support available to them; about the place and the ways in which they can file a complaint; about the procedure that follows after submitting the notification and their role after the respective procedures; about the method of obtaining protection; about the extent and conditions in which they have access to legal advice or assistance; about whether or not there is any danger to their life or health in the event of the release of a detained or convicted person; about the cancellation of the protection order.

*[Art.11 para.(3) in the wording of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(4) The victim of violence against women and/or family violence has the right to demand from the aggressor compensation, under the law, for the material and moral damage caused by acts of violence, and from the state - for compensation for the material and moral damage as a result of not providing assistance and adequate protection.

*[Art. 11 para. (4) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(4<sup>1</sup>) The victim of violence against women and/or family violence who suffered serious injury to their bodily integrity or health benefits from financial compensation from the state for the damage caused by the crime, under the conditions established by the legislation.

*[Art. 11 para. (4<sup>1</sup>) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(5) The victim has the right to free primary and qualified legal assistance according to the legislation regarding legal assistance guaranteed by the state.

(6) The victim is given medical assistance by medical and sanitary institutions in accordance with the Law on mandatory medical assistance insurance. The physical examination of the victim and the completion of the medico-legal verification documents of the severity of the injury to bodily integrity or health are carried out free of charge in the cases provided for by law.

(7) The private life and identity of the victim are protected. The registration, storage and use of personal data regarding the victim is carried out in accordance with the provisions of the Law on the protection of personal data.

**Article 12. Reporting cases of violence**  
against women and violence  
in the family

*[Art.12 the name in the redaction of LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

(1) The victim has the right to report any case of violence against women and family violence and request protection.

*[Art. 12 para. (1) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(2) Representatives of the authorities empowered to prevent and combat violence against women and family violence are prohibited from taking actions aimed at discouraging the victim from reporting acts of violence to which she is subjected.

*[Art. 12 para. (2) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(3) Any person who witnesses acts of violence against women and/or family violence or who has reasonable suspicions that such acts have been committed or that acts of violence are possible has the right to communicate this to the authorities empowered with functions of preventing and combating violence against women and family violence.

*[Art. 12 para. (3) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(4) Persons in positions of responsibility and professionals who are required to ensure confidentiality are obliged to report to the competent authorities about acts of violence against women and family violence that endanger the life or health of the victim or about the imminent danger of similar occurrences acts of violence. In other cases, reporting will only be done with the consent of the victim.

*[Art. 12 para. (4) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(4<sup>1</sup>) Reporting cases of violence against children, including reasonable suspicion of violence against children, is mandatory and does not need to be done with the consent of the victim.

(5) The police are obliged to respond immediately to communications about cases of violence against women and family violence and not to underestimate the importance of actions to counter any form of family violence.

*[Art. 12 para. (5) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

### **Article 12<sup>1</sup>. Issuance of the emergency restraining order**

(1) In the case of establishing at the scene, as a result of the risk assessment, the circumstances from which there is a reasonable suspicion that acts of violence have been committed in the family and/or there is an imminent danger of repeating or committing violent actions, the body of the police is obliged to immediately issue the emergency restraining order regarding the aggressor in order to remove the crisis situation and, at the same time, take the necessary actions to ascertain the committing the crime of domestic violence.

(1<sup>1</sup>) The police body has the right to apply one or more of the following measures to the aggressor:

- a) the obligation to temporarily leave the common home or to stay away from the victim's home;
- b) the prohibition to approach the victim, respecting the distance that would ensure his security and excluding any visual contact with the victim and/or children;
- c) prohibiting any contact, including by telephone or by any other means of communication, with the victim and/or the children;
- d) the prohibition to keep and carry the weapon.

(2) The emergency restriction order is issued for a period of up to 10 days and is immediately implemented, the aggressor and the victim (in the case of children – the legal representative of the victim) being informed about the restrictions applied, their rights and obligations and about liability for failure to comply with the requirements of the restraining order.

(3) The supervision of the fulfillment of the measures established in the emergency restriction order is exercised by the employees of the post or of the police sector in the locality in the manner provided by law.

(4) The aggressor has the right to challenge the emergency restriction order in court under the conditions of administrative litigation. Filing the request does not suspend the action of the restriction order.

(5) The victim has the right, during the period of action of the emergency restriction order, to request, under the law, the release of the protection order. The action of the emergency restriction order, in this case, is extended by law and ends with the implementation of the protective measures established by the court.

### **Article 13. Submission of the application**

(1) The request about committing acts of violence in the family is submitted:

- a) at the police bodies;
- b) in court;
- c) to the territorial social assistance structure, the structure responsible for social assistance and the protection of children's rights from the municipality of Chisinau and from the autonomous territorial unit of Gagauzia;
- d) to the local public administration authority.

(2) The application is submitted at the place:

- a) domicile of the victim;
- b) temporary place of residence of the victim if he left the residence to avoid the continuation of direct violence;
- c) residence of the aggressor;
- d) in which the victim sought assistance;
- e) where the act of violence took place.

(2<sup>1</sup>) The application for the issuance of the protection order is submitted by the victim personally or through a representative. In case of impossibility of submitting the application by the victim due to health, age, other valid reasons, at her request, the application for the release of the protection order can be submitted, in the interests of the victim, by the police body, the territorial

structure of social assistance / the structure responsible for social assistance and the protection of children's rights in the municipality of Chisinau and the autonomous territorial unit of Gagauzia or by the prosecutor. The request for the release of the protection order in the interests of the child or the person in respect of whom a judicial protection measure is instituted can be submitted by the local guardianship authority or the prosecutor and in the absence of a request from the victim or his legal representative.

**Article 14.** Method of examination of the application

(1) The request submitted to the police body is examined according to the procedure provided by the legislation in force.

(2) The request or approach for the release of the protection order filed in court is examined according to the Code of Civil Procedure, the Code of Criminal Procedure.

(3) The request submitted to any authority authorized to prevent and combat domestic violence is redirected according to the competence within one working day.

**Article 15.** Protection measures

(1) The court issues, within 24 hours of receiving the request, a protection order, by which it can offer assistance to the victim and her children, applying the following measures to the aggressor:

- a) the obligation to temporarily leave the common home or stay away from the victim's home, without deciding on the ownership of the assets;
- b) the obligation to stay away from the victim's location, at a distance that would ensure his safety, excluding any visual contact with the victim or his children, with other dependents;
- c) the prohibition of any contact, including by telephone, by correspondence or in any other way, with the victim or her children, with other persons dependent on her;
- d) the prohibition to approach certain places: the victim's place of work, the children's place of study, other specific places that the protected person frequents;
- e) the obligation, until the termination of the protective measures, to contribute to the maintenance of the children he has in common with the victim;
- g) limitation of the rights regarding the goods in the possession and use of the victim;
- h) the obligation to participate in a special treatment or counseling program to reduce or eliminate violence;
- j) the prohibition to keep and carry a weapon.

(1<sup>1</sup>) The protective measures provided for in para. (1) lit. a)–d) must be applied with electronic monitoring. In this case, the provisions of art. 2711 of the Enforcement Code of the Republic of Moldova no. 443/2004 is applied accordingly.

(1<sup>2</sup>) The victim or, as the case may be, members of his family may wear an electronic surveillance system that allows verification of compliance with the obligation by the aggressor, expressing his agreement in this regard in written form.

(2) The protection order is immediately communicated to the territorial subdivision of the police and the probation body within the administrative-territorial unit where the aggressor resides, and they, in turn, ensure that the aggressor is informed without delay regarding the measures

applied. In the case of the issuance of the protection order regarding the child or the victim who has children, the court also informs the guardianship authority from the place where the child is located.

(2<sup>1</sup>) In cases where the protection order was issued during the period of action of the emergency restriction order, the prohibitions established by the restriction order cease with the application of the protection measures ordered by the protection order.

(3) The protection measures provided for in paragraph (1) are applied for a period of up to 3 months, may be revoked under the terms of this law and may be extended in the case of a repeated request or failure to comply with the conditions provided for in the protection ordinance.

(4) The application of protective measures does not prevent the initiation of divorce proceedings, the sharing of common property, the forfeiture of parental rights, the taking of the child without forfeiture of parental rights and other actions provided for by the legislation in force.

(4<sup>1</sup>) During the period of the action of the protection order regarding the victim with children, regardless of whether the children are included in the protection order or not, they will be with the parent-victim. At the request of the aggressor parent, the visitation of the child can take place according to a program approved by the territorial guardianship authority.

(5) The supervision of the fulfillment of the measures established in the protection ordinance belongs to the competence of the police body and the probation body in the manner provided by law. In case of application of the measure specified in para. (1) lit. j), the police body immediately picks up the weapons and ammunition from the aggressor.

(7) The appeal of the protection ordinance is made in accordance with the legislation in force.

#### **Article 15<sup>1</sup> . Revocation of protective measures**

(1) At the well-founded request of the victim, the court may revoke the established protection measures ahead of time.

(2) Revocation can be ordered if the following conditions are cumulatively met:

- a) the aggressor complied with the established prohibitions and obligations;
- b) the aggressor followed/is following the counseling or treatment that was established for him.

(3) The court will examine whether the victim's will is freely expressed, making sure that he had real access to assistance and protection.

(4) The request for revocation is resolved by summoning the parties and the police representative who supervised the execution of the protection order whose revocation is requested.

#### **Article 15<sup>2</sup> . Supervision of the execution of the order of emergency restriction and ordinance of protection**

(1) Supervision of the execution of protection measures for the victim of domestic violence, imposed by the emergency restriction order and by the protection ordinance, is the responsibility of the police.

(2) The police inform and explain to the aggressor the measures to protect the victim.

(3) If the aggressor has to leave the family home, the police must ask him to immediately hand over all the keys to the home, which are later handed over to the victim or are taken over for temporary custody at the police body. Leaving the home, the aggressor can take, under police supervision, only strictly necessary personal items (clothes, documents, hygiene items).

(4) If the aggressor refuses to leave the house voluntarily, the police body has the right to take the measures required, under the law, to defeat the resistance against the legal requirements.

(5) During the period of action of the protection measures of the victim, the police body will ensure the performance of unannounced visits to the victim's home, as well as the immediate intervention to any communication about the non-compliance or attempted violation of the protection measures by the aggressor.

(6) Refusal or evasion of the aggressor from the execution of the requirements of the emergency restriction order/protection order attracts liability according to the law.

**Article 15<sup>3</sup> . Risk assessment and management  
of repeating/committing acts of  
domestic violence**

(1) The process of assessing and managing the risks of repeating/committing acts of violence in the family is intended to respond with prompt and appropriate measures aimed at ensuring the protection of the victim or potential victim following the actions or potential actions of the aggressor.

(2) The organization and implementation of the assessment and management of the risk of repeating/committing acts of violence in the family take place in the manner and under the conditions established by the internal procedures of the competent authority and/or by common orders.

**Article 15<sup>4</sup> . Integrated collection mechanism  
of the data**

(1) The integrated data collection mechanism for the creation of official statistics in the field of preventing and combating violence against women and family violence includes the collection of information through the interoperability platform (MConnect) from the information systems owned by the authorities and institutions empowered in the field.

(2) The information provided is based on administrative data sources, disaggregated according to the form and type of violence, gender, age, disability, ethnicity, the relationship between the victim and the aggressor, the status of the victim as a person requesting a form of protection on the territory of the Republic of Moldova, geographical location, its country of origin.

(3) Data for the creation of official statistics in the field are collected, recorded and stored in an information system developed and owned by the National Agency for the Prevention and Combating of Violence against Women and Family Violence.

*[Art.15<sup>4</sup> introduced by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

**Article 16 . financing**

(1) The implementation activities of this law are financed from the state budget, from the budgets of administrative-territorial units, within the limits of the financial means established annually, from other sources not prohibited by law.

(2) The financing of the assistance and protection centers/services for victims of domestic violence and their children and the assistance and counseling centers/services for family aggressors is carried out from the allocations provided for in the state budget, from donations, grants, from other sources, according to the legislation in force. In the case of limited resources, priority will be given to the allocation of funds to support the assistance and protection centers/services for victims of domestic violence.

(3) The specialized central bodies empowered with the functions of preventing and combating violence against women and violence in the family in the annual budget planning process provide financial resources for:

*[Art.16 para.(3) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

a) continuous professional training of specialized personnel engaged in prevention and combating violence against women and violence in the family;

*[Art.16 para.(3), letter a) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

b) development of the system for identification, registration, risk assessment, reporting and management of cases of violence against women and family violence;

*[Art.16 para.(3), letter b) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

c) informing and sensitizing public opinion regarding the phenomenon of violence against women and that of family violence;

*[Art.16 para.(3), letter c) amended by LP231 of 15.08.24, MO355-357/15.08.24 art.561; effective 08/15/24]*

d) consolidated data collection system.

#### **Article 17 . penalties**

(2) In case of committing acts of violence against women and family violence that meet the constitutive elements of a crime, liability arises under the law, regardless of the establishment of protective measures

*[Art. 17 para. (2) amended by LP231 of 15.08.24, MO355-357/15.08.24 art. 561; effective 08/15/24]*

(3) Non-compliance with this law by persons with a position of responsibility and professionals in the field is a violation of labor discipline and attracts disciplinary liability in accordance with the legislation.

### **Chapter IV FINAL PROVISIONS**

#### **Article 18**

(1) This law enters into force at the expiration of 6 months from the date of publication.

(2) The Government, within 3 months:

- a) will submit proposals to the Parliament for bringing the legislation into force in accordance with this law;
- b) will bring its normative acts in accordance with this law.

**PARLIAMENT PRESIDENT Marian LUPU**

**No. 45-XVI. Chisinau, March 1, 2007.**