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## APSCF opinion on Child Rights Issues

### RE: EU-Moldova Human Rights Dialogue 2019

In the context of the Human Rights Dialogue, Alliance of Active NGOs in the field of Child and Family Social Protection (APSCF) raise the following issues with the Government of Moldova:

#### 1. Respect for the right to family

##### **Limited adequate and accessible preventative services and lack of specialised family-type services**

Accessible and adequate early intervention services need to be developed, home visiting, rehabilitation, day care and respite services to strengthen family care and prevent unnecessary separation. Universal services (education and health) need to be strengthened, in order to provide timely and appropriate support, and ensure child wellbeing and prevention of family separation through the implementation of the instruction on the inter-agency cooperation mechanism for primary prevention of risks and ensuring the child wellbeing;

##### **Children left behind**

Authorities should take adequate measures to inform families of their rights and duties, and provide adequate resources and staff to social services and other competent structures to provide comprehensive support. More simplified legal and administrative procedures for appointing a legal guardian should be available for parents working abroad, considering the primary importance for children to remain in a family environment during the time when one or both of their parents are away. Furthermore, parents should be reassured that informing the authorities will be welcomed, will not have negative consequences on their legal rights on their offspring, but will provide an additional layer of protection to their children.

#### 2. Violence against children

Despite the fact that stopping abuse, exploitation, trafficking and all forms of violence and torture against children is a priority domain for Moldova in the process of transposition in the national strategic documents, there still is a big gap between policies and practice, which may be explained by weak implementation mechanisms and lack of services for children and families.

The inadequate implementation of the legal provisions and international commitments assumed by the Republic of Moldova leads to the fact that, about 4000 children (2017) victims of violence, identified annually within the Intersectoral cooperation mechanism for monitoring and assistance to child victims and potential victims of abuse, neglect, exploitation, trafficking (Governmental Decision no. 270/2014), do not benefit from specialized rehabilitation services and in contact with the justice



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system are exposed to an increased risk of re-victimization. Lack of specialized services for children victims of violence, neglect exploitation and trafficking was directly acknowledged in the Child Protection Strategy for 2014-2020, while the need to strengthen the legal and institutional framework in this field is mentioned in the Moldova-EU Association Agreement (art.137).

The lack of data, especially of data regarding the national prevalence of violence against children, represents one of the major challenges in the process of planning, budgeting, implementation and evaluation of programs in the area of child protection.

Even though the Government of Moldova approved the Instruction on the mechanism of intersectoral cooperation for the primary prevention of child welfare risks (HG nr. 143/2018), one of the biggest challenges of the system is to apply the systemic approach to prevention of all forms of child abuse, including child sexual abuse through social awareness campaigns & structural prevention programs & integration of such programs in the school curriculum.

Taking into consideration that in the last years, the number of reported crimes committed against children in Moldova has increased considerably, measures must be taken that will contribute to the growth of resilience of children against adversity, especially against sexual abuse and exploitation. In this respect it should be mentioned the issue of limited informational resources targeting children and the parents, sporadic awareness raising campaigns, as well as educational programs promoted solely by the NGO sector.

Also, due to the fact that many of reported cases of violence against children were committed online, special attention should be given to awareness raising efforts and education about situations of risks involving the use of new information and communication technologies. Raising the issue of safety online in schools is mandatory in order to ensure effective prevention of online child abuses, especially of online child sexual exploitation and sexual abuse. A special focus should also be given to development of online reporting mechanisms available for children and capacity building of professionals in contact with children in order to improve the intervention actions in cases of online abuses – being one of the actual main challenges faced by professionals within the child protection sector.

### **3. Respect for the right to opinion and participation of children as established in the UN Convention on Child Rights**

In the context of some precedents from 2018, mainly the opinions of the authorities that the right of adolescences to participate in social/ public raising awareness events must be restricted, including the setting of punishments not only of administrative but also penal liability for individuals and entities, is important to ensure the respect of the right to opinion and participation. The Republic of Moldova has ratified the UN Convention on Child Rights and has committed itself to guarantee the right for every child to express his or her views on any matter that concerns them. APSCF warns on importance of respecting the right to opinion and participation of children as stated in the UN Convention. This is a fundamental right and cannot be allowed any intimidations of citizens, parents, teachers and civil society organizations, who support children's right to participation.



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#### **4. Inclusive education - ensuring the right for education for every child**

Notwithstanding the many advances in the implementation of inclusive education in the Republic of Moldova, the vast majority of educational units remain inaccessible for children and young people with different disabilities and with special educational needs, including pre-school children. In what regards early education, there is no systemic approach yet implemented. There are some practices of including children with special educational needs (including disability), but they are sporadic. Early education institutions, with few exceptions, are not ready for a qualified approach addressed to children with special educational needs.

It is essential that the government find the necessary resources at national level according to needs and standard cost per pupil and to constantly monitor the effective access of children with SEN to inclusive education services in the territory. LPA should be more involved in increasing the accessibility of children with locomotor disabilities (road repair, transport insurance, ramp construction at school buildings, adaptation of auxiliary rooms, etc.), as well as support for vulnerable families with children with SEN for the integration of these children. Is necessary to analyse of the use of financial sources for inclusive education in the last two years and elaborate some measures to improve the use of the budget for inclusive education and to revise the calculation formula for ensuring the financial implementation of inclusive education in schools and kindergartens, so as to cover the needs of children with different levels of disability.

*With respect,*

*On behalf of the 66 NGOs members*

*Carolina BUZDUGAN, Secretary General of APSCF<sup>1</sup>*



<sup>1</sup> The Alliance of Active NGOs in the field of Child and Family Social Protection (APSCF) is a network of 66 non-governmental organizations throughout the Republic of Moldova, including the Transnistrian region. APSCF is working to create a coherent and functional development framework of the decision makers and of the implementation mechanisms and practices, while ensuring the respect and real protection of children and families.