

RE: Human Rights Dialogue 2018

APSCF opinion on Child Rights Issues

- 1. The need to complete the deinstitutionalization reform is imperative. Efforts need to be further focused on this.** Children in institutions mostly belong to one of two groups: either they come from poor families who could not support them, or they had some form of disability. Institutionalisation, however, is not the answer, and if adequate structural support was effectively present, institutionalisation could be averted. In principle, the right to assistance is acknowledged by national legislation, but even in the cases where it is disbursed, it is not enough to cover for the real needs of beneficiaries.

Indeed, in recent years, Moldova's government has introduced relevant child-related legislation, but without dedicating sufficient attention and resources for its implementation. Lack of funds is mentioned as an excuse, but under-investment in the child protection system of a country leads to much more significant economic and social costs in the long-term. In ensuring thorough implementation of child protection legislation, two elements are particularly important: capacity building and quality standards. On the one hand, professionals in different state institutions should receive adequate training on how to deal with situations of child vulnerability. For example, teachers should receive training in inclusive education, on how to work with children with disability, on how to approach cases when there is reasonable suspect that a child is victim of domestic violence, child labour or other abuses. But child-focused training of professionals should also involve state institutions that do not work exclusively with children, including in the police and justice system (e.g. prosecutors, criminal investigation officers, lawyers, etc.). NGOs do organise sporadic short-term trainings for professionals across different state institutions, but such capacity building activities should be structurally embedded across the state system

Finally, to ensure that all state institutions work in the best interest of the child, relevant quality standards and control mechanisms must be in place. These are important also for ensuring an effective cooperation with the NGO sector. Very often, state cooperation with civil society is limited to transferring responsibility: the state is simply relieved that someone is delivering services. However, the commitment of national and local authorities must not be weakened by the active presence of NGOs. On the contrary, authorities must continue to monitor, coordinate, and ensure coherence and quality of the services delivered. Accountability matters, and, fundamentally, the state must not abdicate its commitment to protect the rights of the children in the hope that someone else will take care of it.

- 2. Improving the data collection system, including by creating a centralized system for all areas of the UN Child Rights Convention, in particular with regard to vulnerable groups of children, including children living in poverty, children whose parents emigrated abroad, street children, Roma children and child victims of sexual abuse and sexual exploitation, etc.**

In general, there is a lack of comprehensive, ongoing and coordinated data collection on child rights. The universities and research institutes do not have an active role in this process; the existing studies have a rather narrow focus and are looking into particular projects/programs.

Disaggregation of quantitative data is a challenge in Moldova¹. National level data is available on some child rights issues, often with disaggregation by rural and urban areas, as well as by gender. However, deeper disaggregation on the situation of particularly vulnerable groups (i.e. children with disabilities, children living in poverty, Roma children, street children, children under the age of 2) is often limited or missing. In some sectors, (e.g. child protection) data is incomplete or contradictory. For example, the number of children without parental care for whom placement in the residential care system is the protection solution decided by the line authorities, does not coincide with the number of children without parental care who are actually placed in residential care. The latter is, usually, larger. Statistics and analytical information on the situation of children in the districts of the left bank of the Nistru River and the municipality of Bender is insufficient, and the existing one is not reliable.

- 3. The budgeting process to be child-oriented, providing clear child assignments in relevant sectors and agencies, including specific indicators and a tracking system.**
- 4. Extension of alternative care services and ensuring their availability in all regions of the country.**
- 5. Capacity building for NGOs that are focused on child and family protection.** Regional and local NGOs, even some from big cities, need to improve and strengthen both financial and human resources capacities. Many organizations deal with lack of financial and human resources, and this factor has essential consequences on their activity. (Example: in locality X there is one NGO that provides different social services for child and family, but due to the lack of financial and human resources, organization has to quit their activity and this means services no longer exist in these region/locality.)

¹ Child Protection Index. Moldova country profile. ChildPact and World Vision, 2015
<http://www.childprotectionindex.org/country/moldova>