

PROGRESS REPORT
on the implementation in 2019 of the action plan on reducing ill-treatment, abuse and discrimination against
persons in Police custody for the years 2017-2020

| No. crt. | Actions | Sub-actions | Performance indicators | Deadlines | Measures taken |
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| 1 | 2 | 3 | 4 | 5 | 6 |
| 1.1 | Strengthening the regulatory framework | 1.1.2. Review of the institutional framework regulating the process of holding and escorting of persons in Police custody, as well as actions to ensure the rights of the person detained and held in arrest | Number of acts amended or approved; clear rules on detention and escort of detained persons | Quarter I, 2019 | <p>During the reference period, by Order of the Head of the GPI no.126 as of 29.03.2019, it was approved the <i>Framework Regulation on the organization and functioning of the Department/Service of detention and escort of the territorial units of the General Police Inspectorate</i>, which sets out the mission, functions, basic tasks, rights, as well as the manner of its organization and operation. In the context of the Approval of the Framework Regulation during the reference period, the job description type of the employees of the Detention and escort service of the territorial subdivisions were developed, endorsed and approved.</p> <p>In the context of developing the capacities of the created entities, by the Order of the Head of the GPI no.217 as of 21.06.2019 the "<i>Instruction for the activity of the detention and escort Department/Service during the escort and transportation of persons in police custody</i>" was approved. This document describes the requirements for ensuring security during escort and transportation of persons in Police custody, the security, escort and transportation of persons deprived of liberty. These instructions describe the way the employees of the detention and escort services can intervene while accompanying persons in/taken from Police custody to the place of destination.</p> <p>At the same time, for the efficient management of the processes related to the detention of detainees, on 21.10.2019, by the Order of the Head of the GPI no.380 were approved the "<i>Instructions on the organization and operation of Provisional Detention Isolators</i> (hereinafter PDI) under the GPI and the necessary measures for their safety". This instruction sets out all the rules that are applicable to persons deprived of liberty while in police custody, such as the procedure of reception / release from PDI, distribution of persons held in custody in PDI, their rights, obligations and prohibitions, feeding of persons, measures taken in case of refusal of food, making access to PDI.</p> |
| 1.2. | Development of standard operating procedures in the area of detention, guard and escort of persons held in custody | 1.2.2. Development and approval of standard operating procedures in different situations for employees | Number of procedures developed | 2018–2020 | <p>Based on the partnership relations between the Foundation Soros Moldova and GPI, in order to develop and uniform the intervention practices during 2019, 2 standard operating procedures were developed: a) standard operating procedure regarding the mechanism of providing medical assistance to persons held in custody and in provisional detention and B) standard operating procedure regarding the right to an interpreter or translator during detention, guard, escort and transportation of persons detained/held in custody .</p> <p>These 2 procedures have been developed by 2 groups of experts, commissioned by the Foundation Soros-Moldova, which are part of the public institutions: the National</p> |

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| | | | | | <p>Center for Prehospital Emergency Medical Assistance (NCPEMA), the Ministry of Health, Labour and Social Protection (MHLSP), the Ministry of Justice (MOJ) and the General Police Inspectorate (GPI).</p> <p>At the stage of development of the project, to match the needs of the institutions, these have been subject to a process of consultation within the framework of round-table discussions, which were attended by expert consultants from other institutions, such as the General Prosecutor's Office, and the Association of the Deaf of Republic of Moldova.</p> <p>The standard operating procedure " <i>on the mechanism of providing medical assistance to persons detained and held in provisional detention</i>" was approved by the Order of GPI no. 444 as of 15.11.2019. It describes the manner and conditions of providing medical assistance to persons detained and placed in PDIs in different situations.</p> <p>At the same time, the standard operating procedure " <i>on ensuring the right to interpreter or translator during detention, guard, escort and transportation of persons detained/held in custody</i>" was approved by the order of the Minister of Internal Affairs no.797 as of 10.12.2019.</p> <p>The standard operating procedures are designed for the employees of the Police who can order the actual or legal detention of persons suspected of committing crimes and ensure the guard and security of persons held in custody in the PDI of the Police. These are developed by representatives of the GPI and civil society and describe exactly the way the Police employees should act in these 2 situations.</p> |
| | | 1.2.3. Editing the manual of standard operating procedures in the field of detention, detention and escort of persons held in custody | At least one copy per Police specialised and territorial unit | Quarter II, 2020 | |
| 2.1. | Optimisation of organisation and operation of provisional detention isolators | 2.1.2. Review of the Police detention system by creating regional detention isolators | Map of provisional detention isolators optimized; provisions issued | 2017–2019 | <p>As a result of the process of evaluating the places of detention within the Police, as well as the commitments made under the Budget Support Program for Police Reform, modernization of at least 15 police PDIs, 15 feasible places were selected during 2018 for the establishment of regional provisional detention isolators (<i>Chisinau, Balti, Edinet, Riscani, Soroca, Ungheni, Singerei, Orhei, Hincesti, Criuleni, Anenii Noi, Cimislia, Causeni, Comrat and Cahul</i>).</p> <p>The determining factors that influenced the process of selecting and establishing of regional PDIs were: the state of the buildings; the location (<i>on the surface, semi-basement, basement</i>); the area of the premises; the accommodation capacity; the geographical position; the demographic factor; the analysis of the criminal situation; the analysis of the flow of detainees; the closest distance to the substantive court and the Court of Appeal whose jurisdiction is the court ; the closest distance to pre-trial centres in the prison system; road infrastructure; correlation with state policies relevant for the state (<i>reform of the system of justice, prosecution, prison , administrative-territorial</i></p> |

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| | | | | | <p><i>structure, etc.).</i></p> <p>During 2019, the activity of 10 PDIs operating according to the regional principle was relaunched, from 2 to 5 Police units.</p> |
| 2.2. | Guaranteeing decent conditions of detention | 2.2.4. Construction of temporary detention facility within Balti Police Inspectorate | Completed and arranged construction | 2018–2020 | <p>The construction of PDI in Balti as the object of capital investment was included in Annex no. 6 of the Law on the state budget for 2019 no. 303 as of 30.11.2019 "Capital investments on central public authorities", with the establishment of a budget of 4.5 mln. MDL for 2019.</p> <p>Following the completion of the procedures for the procurement of the construction works, the GPI has been signed the contract with the economic operator concerning the construction of this objective within 12 calendar months.</p> <p>Due to the delay of the procurement process and the delayed signing of the work contract, only 69.20% of the financial resources were used.</p> |
| | | 2.2.5. Reconstruction and arrangement of Provisional Detention Isolators | Minimum 14 Provisional Detention Isolators renovated according to standards | 2017–2020 | <p>In the context of the optimization of the processes and the increase of employee professionalism who relates to the persons held in custody in terms of ensuring the security, safety, escort , transportation, and insurance of the guarantees those people benefit , on the basis of the analysis carried out in previous years, the year of 2019 has been put forward the work of 10 of the PDI operating according to the regional principle (<i>Edinet, Riscani, Singerei, Orhei, Ungheni, Hincesti, Chisinau, Causeni, Cimislia, and Cahul</i>).</p> <p>The launch events were widely reflected in media sources</p> <p>These PDIs are fully operational and operate according to the regional principle, they are ranked from 2 to 5 Police units.</p> <p>Thus, if in accordance with the Police Matrix on the implementation of the budget support programme, it is planned the setting up of a minimum of 15 Isolators for provisional detention, for the completion of the process of the creation of regional PDIs, it is necessary to improve the conditions of imprisonment in a minimum of 5 locations.</p> <p>In this regard, at the end of the year 2019, in 2 PDIs (<i>Anenii Noi and Criuleni</i> districts) the reconstruction works was completed in 95%, and the reMIAning 3 objects (<i>PDI of Balti, Soroca, and Comrat</i>), the work was completed in a proportion of about 45-50%, these PDIs should be completed and put into operation in the third quarter of 2020.</p> <p>The investments made for these objects are: resize of the spaces for the accommodation and installation of video monitoring systems , internal communication with the cell (<i>such as intercom</i>), broadcasting, anti-fire security, protection of human values, etc., is a set of products dedicated to enabling the effective and efficient management of the cases of detention, the provision of the MIA safeguards for persons deprived of their liberty, and, at the same time, the tools to support the intervention of the Police officer.</p> <p>Similarly, in the case of reconstructed and being in reconstruction PDIs, at least one accommodation room was provided with transparent glass door, for people suffering from claustrophobia - fear of being locked in a room or in a small space without having any possibility to escape from there.</p> <p>All renovated PDIs were equipped with lighting systems in cells to ensure their</p> |

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| | | | <p>needs established by the National Sanitary Norms. Similarly, the sanitary blocks installed in cells, are under anti-vandal construction.</p> <p>In some premises intended for the holding of persons are provided the elements of orientation in the space (N/S/W / E), by which to ensure the exercise of the right to freedom of expression of religious beliefs or faith.</p> <p>All reconstructed objects were provided with furniture and inventory according to institutional needs and proportionally to existing accommodation (<i>tables, chairs, mattresses, blankets, bed linen (sheet), cups, plates, spoons, electric kettle, microwave oven, etc.</i>).</p> <p>With the complete operationalization of the PDI mentioned above, during the reconstruction works at the objectives, the activity of 26 PDI was completely stopped: <i>Criuleni, Dubasari, Straseni, Donduseni, Vulcanesti, Balti, Ialoveni, Anenii Noi (Order of GPI no.114 as of 25.09.2018), Leova (Order of GPI no.79 as of 20.02.2019), Bender (Order of GPI no.84 as of 22.02.2019), Soroca (Order of GPI no.105 as of 19.03.2019), Soldanesti (Order of GPI no.106 as of 19.03.2019), Telenesti (Ord. (Order of GPI no.193 as of 30.05.2019), Comrat (01.10.2019), Basarabeasca (Order of GPI no.468 as of 02.12.2019), Nisporeni (18.11.2019), Stefan Voda (Order of GPI no.467 as of 20.12.2019), Rezina (Order of GPI no.488 as of 16.12.2019), Ocnita (16.12.2019), Briceni (16.12.2019), Glodeni and Drochia (Order of GPI no.515 as of 21.12.2019), Taraclia and Cantemir (Order of GPI no.516 as of 31.12.2019),</i></p> |
| 2.2.6. Arrangement of walking spaces in such a way that, in addition to natural light and heat, it provides protection against bad weather | Walk spaces fitted-out, according to approved rules in all renovated provisional detention isolators | 2018–2020 | <p>Under CPT rules, physical exercise is an important part of the daily schedule of detainees, including in police Provisional Detention Isolators. In this regard, at the stage of drawing up the specification for the purchase of project documentation services, the minimum conditions were formulated to them, so as to be sufficiently spacious and adequately equipped, to allow persons held in PDIs to carry out some activities (e.g. Sports) outdoors, as well as to protect against bad weather.</p> <p>The fitting out of the walks spaces were described in the Minimum Standard Rule required for the premises of detention and vehicles intended for the transport of persons held in Police custody, approved by the Order of the Head of the GPI no.527 as of 28.12.2017.</p> <p>Although the CPT rules do not exhaustively establish the minimum area required for carrying out outdoor exercises for the detainee, at the design stage, the number of places in the PDI was taken into account, so that during the day, the possibility of each person, without exceptions, to perform outdoor exercises for at least one hour was provided.</p> <p>At all PDIs, the activity of which was inaugurated, such walking spaces are provided.</p> |
| 2.2.7. Fitting-out of waiting rooms (cells) in Police units | Minimum 100 renovated waiting rooms (cells) | 2018–2020 | <p>In the context of the implementation of Budgetary Support for Police Reform, according to the Financing Agreement no.CHRIS: FNI/2015/038-144, entered into between Republic of Moldova and the European Commission, the Government has made a number of commitments that are expected to be completed by the end of the year 2020, which would make the Police a professional, well-trained, equipped, accountable, efficient, transparent institution, comparable to the similar establishment in</p> |

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| | | | <p>the community.</p> <p>One of the most important objectives undertaken to be carried out during the reporting period, is the improvement of the material conditions of detention of persons held in Police custody and to guarantee their rights.</p> <p>According to the provisions of the Policy Matrix on the implementation of Budgetary Support for Police Reform and the Action Plan on reducing ill-treatment, abuse and discrimination against persons in police custody, approved by GD no.748 as of 20.09.2017, it is foreseen the modernization of 100 rooms (<i>presentation rooms for recognition, meeting with the defender, hearing rooms, transit cells</i>) within the Police subdivisions.</p> <p>Thus, in the context of the processes of capital modernization of Telenesti PI, on 28.05.2019, the Working Group for acquisitions accepted the request to allocate the necessary financial means for modernization and fitting-out, according to the existing minimum norms, 7 rooms of the 100 provided by the Policy Matrix: On 30.06.2019 based on the Order of GPI no.193 as of 30.05.2019, the activity of PDI of Telenesti PI was stopped, in order to carry out the capital repair for a specified period.</p> <p>By the end of 2019, the reconstruction of these rooms was completed, the work will continue in 2020.</p> <p>In the context of the capital modernization processes started at Telenesti PI, through the electronic procurement system was launched the procedure for contracting the repair works of the rooms needed to be used in the criminal proceedings.</p> <p>Another 93 spaces within the territorial units of the Police will be renovated by the end of 2020.</p> |
| <p>2.2.8. Development of the PI telephony system (<i>Internet Protocol</i>) within the Police subdivisions to ensure the right to inform relatives or other persons about the place of detention</p> | <p>System implemented in all territorial units</p> | <p>2018–2020</p> | <p>The right of a person in police custody to be able to inform a close person or a third party of his/her situation must be guaranteed from the very beginning of detention. This right is also provided by the art. 173 CPC which obliges the person who has drawn up the detention minutes, within 6 hours, to allow the detained person to notify one of the close relatives or another person about the place where she/he is held. The CPT also highlights the need to comply with paragraph. 2 of the same Article which provides, in the case of Detained Persons – foreign nationals, the possibility of informing the Embassy or Consulate if the detained person so requests.</p> <p>However, the standards of the CPT acknowledge that the exercise of this right may be subject to certain exceptions, for the protection of the legitimate interests of the police investigation, which has to be clearly defined and strictly limited in time, and the use of this will need to be accompanied by appropriate safeguards (<i>e.g. any delay to inform a close relatives or a third party must be recorded in writing together with the reasons for which it happened and, subject to the approval of an officer of the police force, who is not involved in the case or a prosecutor</i>).</p> <p>Although, during the monitoring visits carried out by the CPT, no non-compliance regarding the right to contact a close person for notification of detention was revealed, in most cases, the contact of persons was carried out through the phones provided by police employees.</p> <p>In this context, the development of the telephone system within the Police subdivisions to ensure the right to inform relatives or other persons about the place of</p> |

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| | | | | | <p>detention was imperative.</p> <p>In the process of carrying out the modernization works, this component will be implemented.</p> |
| | | 2.2.9. Implementation in detention facilities of Intercom communication system and radio system terminals | Communication system implemented in all renovated provisional detention isolators | 2018–2020 | <p>According to the execution projects developed during 2017 – 2018, the installation of radio systems and the installation of Intercom communication systems in each cell are foreseen. These new elements are intended to ensure a high climate of safety and protection for persons held in custody and Police employees.</p> <p>Thus, during 2019, such systems were installed in 9 Police PDIs (<i>Edinet, Hincesti, Ungheni, Causeni, Orhei, Cimislia, Singerei, Riscani and Cahul</i>). In accordance with the provisions of the Policy Matrix on the implementation of the Budgetary Support for Police Reform for the years 2017-2020, in the targeted period, the Police, will install such systems in the other PDIs.</p> |
| 2.3. | Ensuring conditions for hearing persons in Police custody | 2.3.1. Creation and fitting out, in the premises of provisional detention isolators, of the hearing rooms of persons | Hearing rooms set up in all renovated provisional detention isolators | 2017–2020 | <p>In the context modernization process start of the provisional detention isolators, hearing rooms were provided and set up in all PDI subject to the modernization process.</p> <p>Hearing rooms are rooms reserved for questioning. According to the concept of PDI's modernisation approved, the PDI shall be properly lighted, heated, and ventilated and shall be equipped in such a way as to allow all the participants to the hearing to be sitting on chairs of the same kind and comfort, such as the officer who conducted the interrogation will not be in the position of the dominant (e.g., in the raised position), or to be placed away from the suspect. In addition, the interior colors should be neutral and the hearing room equipped with safety systems such as the Panic Button and the shackle bar, as well as audio/video recording system, for the safety of participants in the hearing process (officer, defender, interpreter/translator, person in police custody).</p> <p>Thus, during 2019, such systems were installed in 10 Police PDI (<i>Edinet, Hincesti, Ungheni, Causeni, Orhei, Cimislia, Singerei, Riscani and Cahul</i>).</p> |
| | | 2.3.2. Equipping hearing rooms with audio and video recording equipment | 100% of hearing rooms in provisional detention facilities properly equipped | 2017–2020 | <p>In accordance with the Rules of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT), electronic recording (audio and/or video) of hearings represents an important additional safeguard against ill-treatment for persons held in custody.</p> <p>In this respect, during 2018-2019, according to the standard norms of the CPT were fitted-out the hearing rooms in 10 PDIs of the Police (<i>Edinet, Hincesti, Ungheni, Causeni, Orhei, Cimislia, Singerei, Chisinau, Riscani and Cahul</i>). These rooms are fitted-out in a neutral manner, with a light shade, sufficiently illuminated and airy. Also, they are equipped with chairs of the same type, panic button, electronic recording systems, high quality audio/video, placed in such a way as to include all participants of the proceedings.</p> <p>The equipment of the other PDI subject to modernization is to be completed by the end of 2020.</p> |
| 2.4. | Guarantee of detainees meeting with lawyers in conditions of confidentiality | 2.4.1. Fitting-out, within police subdivisions and provisional detention isolators, of premises | 100% of the Police units provided with spaces for private meetings of the detainee with the | 2017–2020 | <p>Confidential communication between an individual and a lawyer is protected by the Convention for the Protection of Human Rights and Fundamental Freedoms, and constitutes an important safeguard to the right of the people to the defence.</p> <p>In this context, the arrangement of the premises for the meeting of the detained, arrested, convicted persons, in conditions of confidentiality with the lawyers, were</p> |

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| | | for meeting detained, arrested, convicted, in conditions of confidentiality with lawyers | lawyer | | provided in the modernization projects of PDI. Thus, during 2019, such meeting rooms were fitted-out in 10 Police PDI (<i>Chisinau, Edinet, Hincesti, Ungheni, Causeni, Orhei, Cimislia, Singerei, Riscani and Cahul</i>). In accordance with the provisions of the Policy Matrix on the implementation of the Budgetary Support for Police Reform for the years 2017-2020, in the targeted period, the Police will create and fit-out such spaces in the other PDIs. This creation and arrangement is to be completed by the end of 2020. |
| 3.1. | Development of escort and transport capabilities | 3.1.2. Purchasing specialised transport units for transporting persons in police custody and their re-equipment to meet minimum requirements | At least 25 specialised units purchased; 100% of transport units complying with approved rules | 2017–2019 | <p>In order to standardize the conditions and requirements for police transport units intended for transporting detainees, the Minimum standards for their equipment were approved, which were taken into account in the process of purchasing and re-equipment of the useful space.</p> <p>Since 2017, it has been purchase and re-equip, according to approved norms, 25 transport units for transporting detainees.</p> <p>These transport units were transmitted to the territorial units of the Police in 2 festive events from 12.02.2018 and 15.01.2019.</p> <p>All vehicles are equipped with systems for video monitoring, air-conditioning, ventilation, artificial lighting adapted to the surface of the rear speaker, seat belts, etc., in order to ensure the observance of the safeguards for persons deprived of their liberty in the process of transportation.</p> <p>By renewing the truck park, the conditions for transporting detainees were substantially improved, ensuring their security and safety, as well as improved working conditions for Police officers involved in escort missions.</p> <p>In the context of the implementation of the GPS monitoring platform of the MIA, intended exclusively for the car fleet of MIA subdivisions, monitoring equipment, GPS Tracker, were installed at all police vehicles.</p> <p>In this context, the existing solution allows the dispatchers to monitor, in real regime, the location and direction of travel of the vehicles.</p> |
| | | 3.1.3. Implementation of modern monitoring and communication systems during travel | 100% of purchased units were equipped with monitoring and communication devices | 2017–2019 | |
| 3.2. | Reorganisation of the current escort system | 3.2.1. Establishment of specialized escort and guard structures at the level of each Police unit carrying out provisional detention | Institutionalised mechanism | 2018–2019 | <p>In order to streamline the activities and optimize the processes related to detention management and escort of detained persons, during 2019, were created Detention and Escort Services within several territorial subdivisions of the Police.</p> <p>Thus, by the MIA Order no. 58 as of 12.02.2019 (<i>Causeni PI, Hincesti PI and Ungheni PI-3 inspectorates</i>) and MIA Order no. 253 as of 26.04.2019 (<i>Comrat PI, Ceadâr-Lunga PI, Vulcănești PI, Anenii Noi PI, Balti PI, Bender PI, Briceni PI, Cahul PI, Cantemir PI, Calarasi PI, Cimislia PI, Criuleni PI, Dondușeni PI, Drochia PI, Dubasari PI, Edinet PI, Falesti PI, Floresti PI, Glodeni PI, Ocnita PI, Orhei PI, Rezina PI, Riscani PI, Singerei PI, Soroca PI, Straseni PI, Stefan Voda PI, Taraclia PI, Telenesti PI- 29 inspectorates</i>) was reorganized, by merging, the Provisional Detention Isolator and Escort Service, being created Detention and Escort Services. They were also excluded from the operational management section, thus becoming independent units, directly subordinated to the head of PI.</p> <p>Subsequently, by the Ord. of MIA no. 766 as of 28.11.2019 were reduced Detention and Escort Services within PI (<i>Briceni PI, Cantemir PI, Dondușeni PI, Drochia PI, Glodeni PI, Nisporeni PI, Ocnita PI, Rezina PI, Taraclia PI, Telenesti PI- 10</i>) thus filling the number of functions in territorial subdivisions whose Provisional Detention Isolators with regional competence were put into operation. (</p> |

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| | | | | | <p><i>Cahul PI, Edinet PI, Orhei PI, Riscani PI-4)</i></p> <p>At the present stage only the Escort Service within Chisinau municipality PD was not subjected to the reorganization process, according to the model applied in the other territorial units of the Police. On this subject, a comprehensive analysis of the existing situation will be carried out, in the light of the processes and policies implemented by the Superior Council of Magistracy and the National Administration of Penitentiaries.</p> |
| | | 3.2.2. Review the current mechanism of interaction between Police escort services and the Department of Penitentiary Institutions of the Ministry of Justice, in order to optimize expenses and escort efforts, by approving an interdepartmental order that clearly describes the situations and the manner of interaction | Departmental Act developed, consulted and implemented | Quarter III, 2018 | <p>In the context of the implementation of the reform of the penitentiary system, by GD no. 437 as of 15.05.2018 on the organization and functioning of the National Administration of Penitentiaries, has been repealed the Decision of the Government no.1119 as of 14 October 2004 "On some issues related to the work of the prison system", which established some issues related to the supervision and escort of detainees. This, by far, has not fully resolved the issues of escorting detainees.</p> <p>It should be noted that, according to the provisions of art. 21 let. k) of Law No. 320 of 27.12.2012 on the Police Activity and Police Officer Status, ensuring the detention of persons detained in Provisional Detention Isolators, as well as their escort is the express duty of the Police</p> <p>At the same time, based on the provisions of art. 13 al.(2) let. H) - escorting persons in respect of whom the sentence has not become final is the competence of the National Prison Administration.</p> <p>In this regard, there is a lack of a regulatory framework for the situation of persons in the custody of the prison system, which has not been addressed, by the ruling, the merits of the case.</p> <p>This subject therefore requires a more complex approach and a viable, consensus solution at the level of public authorities, which requires the continuation of these activities in 2020.</p> |
| | | 3.2.3. Developing a mechanism for interaction between Police Escort Services, in order to optimize expenditure / efforts | Mechanism developed, approved and implemented | Quarter IV, 2018 | <p>Piloting and implementing mechanisms of interaction between Police Escort Services in order to optimize the institution's expenses/efforts, are to be implemented during 2020, as these processes are directly related to the commissioning and full operationalization of PDIs subject to capital repair.</p> |
| 4.1. | Implementation of Information Systems | 4.1.1. Developing and piloting, at the Police level, the module "e-Detention" with connection to the Automated Information System "Register of detained, arrested and convicted | Piloted system | Quarter II, 2018 | <p>On 26.03.2018, the joint meeting of MJ, GPO, MIA and NAC took place at MJ headquarters, where the concept of "e-Detention" developed by the expert contracted by MJ was discussed, based on the needs presented by the Police.</p> <p>Following the presentation of the Concept, it was decided that further examination by the parties concerned to submit proposals for its improvement.</p> <p>On 11.09.2018, on the official web-site of the Ministry of Justice, the notice regarding the initiation of the preparation of the draft of the Government Decision on approval of the Technical Concept of the e-Detention Information System was published.</p> <p>In order to promote the draft of Technical Concept, the Ministry of Justice has formed a Work Group in which the GPI has designated persons for the representation of</p> |

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| | | persons” | | | interests. By the end of the reporting year, some progress had not been achieved. |
| | | 4.1.2. Purchasing technical equipment for connection to the Automated Information System " Register of detained, arrested and convicted persons” | Equipment purchased and distributed to subdivisions | Quarter II, 2018 | For the efficient management of detention cases, the preparation of files, for detainees, until the implementation of the computer solution for managing the cases of detained persons, all renovated PDIs were provided, at least, with a multifunction printer and a workstation. |
| | | 4.1.3. Implementation and operationalization of the Information System "E-Detention" at the level of Police Structures | Access to the Information System "E-Detention" in 100% of Police Units | Quarter II, 2019 | The activity is conditioned by the achievement of action 4.1.1. It is therefore to be extended to 2020. |
| | | 4.1.4. Elaboration of the institutional legal framework for the management of the Information System " E-Detention” | Regulatory legal framework developed, consulted and approved | Quarter III, 2019 | The activity is conditioned by the achievement of action 4.1.1. It is therefore to be extended to 2020. |
| 4.2. | Development of professionalism, integrity and transparency of the actions of employees involved in ensuring the detention of persons in Police custody | 4.2.1. Elaboration and editing of a compendium with extracts of international and community normative acts concerning the detention in Police custody | Compendium edited and distributed to police units | Quarter II, 2018 | This work is carried out with the support of partner organisations, with powers to monitor the observance of the rights of persons held in custody. It is expected to be completed by 2020. |
| | | 4.2.2. Conducting tactical simulation exercises in various crisis situations related to the process of guarding and escorting detainees | Minimum an annual exercise carried out; number of participants in the exercises | 2019–2020 | During 2019 there was no exercise to simulate critical situations. This activity is expected to be carried out by the end of 2020. |
| | | 4.2.3. Regular | Promotion rate; | 2018–2020 | In accordance with the provisions of the Ord. of the GPI no.364 of 08.10.2019 "on |

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| | | assessment of the physical knowledge and capabilities of employees involved in security, surveillance and escort activities based on pre-established conditions of the institution | high level of knowledge and application of intervention procedures | | <p>the evaluation of professional performance of Police employees", in the period 16.10.2019 - 15.11.2019, all civil servants with special status within Police subdivisions were subjected to the professional performance evaluation procedure, successfully promoting the evaluation exercise.</p> <p>Likewise, under the Order of the SPJ no.34/16-1369 of 23.10.19, no. 34/16-1470 of 05.11.19 and no.34/16-1509 of 12.11.19, " On the organisation of the assessment of the knowledge to the speciality training of the employees of Detention and Escort Departments/Services within the territorial subdivisions of the GPI," has been carried out the knowledge assessment on the field of the knowledge of the regulations approved.</p> |
| | | 4.2.4. Investigation of all complaints regarding alleged cases of ill-treatment, abuse and discrimination | Number of complaints received and examined; complaints submitted for examination according to material competence; number of cases examined in disciplinary matters | 2017–2020 | <p>During 2018, the GPO (General Prosecutor's Office) has examined 687 complaints about alleged cases of torture, inhuman or degrading treatment, 438 of which were subject to investigation of Police officers (<i>187 – investigative officers, 55 – Police officers within the National Patrol Inspectorate, 16 – criminal investigation officers, 180 – other Police officers, as well as carabineers, border guards</i>).</p> <p>In 184 cases, the declared place of the crime was the premises / headquarters of the Police subdivisions (<i>26-in PDI, 119-in Police Inspectorates, except PDI, and 39-in the premises of police stations</i>).</p> <p>In regards to complaints relating to the violation of the standards in places of detention, considered by the specialized authority Detention and Escorting Department of the Judiciary Police Service , have been considered:</p> <ul style="list-style-type: none"> - the complaint lodged by Caun Veaceslav, detained in P-11, on the fact that on 27.12.2018 he was escorted from Donduseni courtroom drunk and placed in PDI of Ocnita PI. On the given case was issued the court ruling no. 34/16-C-10/19 of 27.05.2019. - complaint lodged by Brigunet Petru, detained in P-16, on the fact that on 15.12.2018 he was escorted with the application of handcuffs to the Calarasi court. On this case was issued the court ruling no. 34/16-B-7/19 of 14.05.2019. - the complaint lodged by the citizen Pruteanu Valeriu, detained in P-13 with reference to alleged illegal acts committed by unknown persons inside the Chisinau Court, Buiucani Headquarters on 12.09.2019. Following the examination of this case, the deed did not find confirmation and in the absence of conclusive evidence, the examination of the case was terminated (GPI no.P-3943/19 of 22.11.2019). |
| 4.3. | Ensuring the access of persons held to quality medical examination | 4.3.2. Fitting-out, in the premises of Provisional Detention Isolators, of premises intended for medical examination under conditions of confidentiality | Medical facilities fitted-out in all renovated Provisional Detention Isolators | 2017–2020 | <p>In the context of accommodating the conditions of detention within the PDI, rooms for medical examination in conditions of confidentiality were provided.</p> <p>All medical facilities were equipped with necessary medical devices and drugs for primary interventions.</p> <p>In addition to the fact of adapting conditions for used to the conditions for medical examination of the detainees in conditions of confidentiality, have been taken measures to ensure the protection of personal information gained by a medical employee during the examination/consultation of persons held in custody in the PDIs.</p> |

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| | | 4.3.3. Development of procedures to guarantee the confidentiality and privacy of persons held in custody during the medical examination process | Procedures developed and approved; share of examinations carried out with the request for supervision by non-medical personnel | Quarter III, 2018 | <p>With the support of the Foundation Soros Moldova, during 2019 was developed the standard operating procedure on the mechanism of providing medical assistance to detained persons and persons held in custody. The Work Group has participated in the preparation of this document was one of a mix, consisting of 1 representative of the Ministry of Health, Labour and Social Welfare, 1 representative from the National Centre for Pre-hospital Emergency Care, and 3 representatives from the General Police Inspectorate.</p> <p>On October 23, 2019, was organized a round table of consultation of the SOP on the provision of health care with representatives of institutions interested in the elaboration of the document and the participation of experts from various related fields.</p> <p>Following the consultation phase, the project was approved by the GPI Order no.444 as of 15.11.2019.</p> |
| 4.4. | Ensuring the detention safety and staff integrity | 4.4.3. Equipment with portable video cameras of employees involved in guarding persons in Police custody | Rate of employees involved in guarding and escorting detained persons equipped with portable video cameras; intervention actions recorded | 2018–2019 | <p>In October 2018, with the support of an expert from Georgia, contracted by UNDP, the feasibility study on the use of body cameras for police officers was conducted.</p> <p>The outcomes of the study were presented to the Police employees within GPI, giving several alternatives for the implementation of this concept at the level of the Police, based on several factors.</p> <p>In this context, during the reference year the public tender procedure was launched, and on 09.12.2019, the contract was signed to purchase the turnkey solution of the Body cameras system, being procured 100 cameras, for piloting, 13 docking stations, fasteners, management software, located regionally in 3 centers, 2 in Chisinau municipality (PD of Chisinau Municipality and NII) an other one in Balti municipality. Bălți. The cost of the pilot project is 2344800,00 MDL, including VAT.</p> <p>This project after piloting in some Police structures, which are at risk of corruption, will be extended to other subdivisions.</p> |
| | | 4.4.4. Installation of video monitoring systems on the perimeter and in detention facilities, as well as in specialized transport units | 100% of renovated provisional detention facilities surveyed video; 100% of purchased transport units monitored video | 2018–2019 | <p>During the year 2018, video monitoring systems were installed in 4 PDIs (Edinet, Causeni, Ungheni and Hincesti PI). Thus, at present, full video monitoring of persons in detention is provided in 5 PDIs (Chisinau, Edinet, Causeni, Ungheni and Hincesti PI). This is to be extended to all PDIs.</p> <p>At the end of the first quarter of 2019, through the platform of public procurement "MTender", has been launched in the procedure for the Installation of the monitoring, anti fire and protection of human values system in the 6-PDIs (ocds-b3wdp1-MD-1554210473935).</p> <p>At the same time, video monitoring systems were installed in 15 Police vehicles.</p> <p>In order to equip 100% of PDIs being in the process of modernization and the purchased Police vehicles, this activity will continue throughout 2019-2020.</p> |
| | | 4.4.5. Implementation of modern security systems, including detection of prohibited objects, in | Purchased equipment; 100% of upgraded Provisional Detention Isolators provided with | 2018–2019 | <p>In the PDI rebuilt, several systems were installed to ensure the security of the persons held in custody: alarm, access control, fire alarm system, video-monitoring system, intercom communication system.</p> <p>In order to guarantee a high level of security, as well as to prevent cases of clandestine introduction of prohibited objects, both in PDIs and Police vehicles, employees involved in these missions within territorial units (<i>PD of Chisinau</i></p> |

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| | | places of provisional detention isolators in order to exclude possible cases of abuse and intimidation of detainees | equipment | | <i>municipality – 8; Cahul IP– 3; Causeni IP – 3; Cimislia IP– 2; Edinet IP - 2; Hincesti IP – 3; Orhei IP – 2; Riscani IP – 2; Singerei IP– 2; Ungheni IP – 3; Anenii Noi IP– 2; Comrat IP – 3; Straseni IP– 1; Falesti IP– 2; Soroaca IP – 2; Rezina IP– 1; Balti IP– 3; Briceni IP– 1; Criuleni IP– 2) were equipped with high performance portable metal detectors (GPI Order no.374 as of 18.10.2019).</i> |
| | | 4.4.6. Development of standard operating procedures on the way to carry out body control and search of persons in police custody | Procedures developed and disseminated in all Police structures; number of intimidating complaints | 2019 | GPI Order no. 380 of 21.10.2019 on the approval of the instructions on the organisation and operation of the PDI subordinated to the GPI and the necessary measures for their safety. |
| 4.5. | Ensuring conditions for informing the persons held in Police custody | 4.5.1. Elaboration and distribution of information leaflets written in the meaning of all persons of any age, displayed in a simple and clear language, available in different languages | Edited leaflets; distributed leaflets | 2018–2020 | <p>In order to implement the Joint Action Plan on the implementation of the project "procedural guarantees at the prejudicial stage of the criminal process", (according to the cooperation Agreement signed between MIA, GPI and Foundation Soros -Moldova as of 24.03.2016), as well as to ensure the observance of the rights and freedoms of the person held in Police Custody and to exclude possible illegalities from the part of people with positions of responsibility in the Police, the GPI Order No. 47 as of 06.02.2019, on the conduct of activities within the General Police Inspectorate, to improve the observance of the rights and guarantees of persons held in Police custody, under which was implemented the Letter of Rights, which will be handed to the person held and / or detained in police custody by representatives of the finding bodies and criminal investigation subdivisions of the GPI.</p> <p>At the same time, based on the GPI Order no. 226 as of 27.06.2019 "On the conduct of certain activities within the GPI to improve the observance of the rights and guarantees of persons detained and held in police custody "were transmitted free of charge information panels on the " <i>Torture Prevention</i>", to subdivisions subordinated to the GPI (30 panels).</p> |
| 4.6. | Monitoring of detention facilities | 4.6.1. Application of human rights monitoring tools in the detention process | Monitoring reports carried out; recommendations implemented | 2017–2020 | <p>On July 15, 2019, within a round table extended, with the participation of several subjects in the concerned fields, the members of the Council for the prevention of torture has submitted the annual activity report on the prevention of torture, in which are included the non-compliances identified following the monitoring visits conducted during the course of the year 2018 at the detention facilities of the MIA.</p> <p>Under the terms of the Partnership Agreement signed between GPI and the MIHR, the representatives of the Detention and Escorting Department and the representatives of the Institute for Human Rights have been conducted 7 monitoring visits to the PDI. The objections and the recommendations were presented to the GPI and the subordinated subdivisions, by means of the monitoring reports drawn up in this regard, as follows:</p> <ul style="list-style-type: none"> - in the period 27.02-01.03.2019, monitoring visits were made to PDI of Singerei, Riscani, Edinet, Soroaca, Drochia and Falesti; - during 03-05. 04. 2019, monitoring visits were made to PDI of Briceni, Ocnita, |

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| | | | | <p>Glodeni and Falesti;</p> <ul style="list-style-type: none">- on 12.03.2019, monitoring visits to the PDI of Soldanesti and Rezina were made;- during 02.05-03.05.2019, monitoring visits to the PDI of Stefan Voda and Causeni were made;- during the period 23-24. 05. 2019, monitoring visits to the PDI of Ceadir-Lunga and Taraclia were made;- on 31.05.2019, monitoring visits to the PDI of Edinet, Falesti and Drochia were made;- between 17.07-19.07.2019, monitoring visits to the PDI of Hincesti, Cimisia, Comrat, Stefan Voda, Causeni, Anenii Noi, Orhei, Singerei, Balti, Drochia, Riscani and Edinet were made ; <p>Also, during 2019, the National Council for the Prevention of Torture, Ombudsman, has carried out monitoring visits of PDIs as follows:</p> <ul style="list-style-type: none">- on 20.03.2019, the monitoring visit of PDI in Nisporeni was carried out;- on 16.08.2019, the monitoring visit of PDI in Edinet and Riscani was carried out;- on 03.09.2019, the monitoring visit of PDI in Cahul was carried out;- on 06.11.2019, the monitoring visit of PDI in Briceni was carried out;- on 20.11.2019, the monitoring visit of PDI in Chisinau municipality was carried out. Chişinău;- on 21.12.2019, was carried out the monitoring visit of the Police Inspectorates of PD of Chisinau municipality Riscani, Botanica, Ciocana, Buiucani and PDI of PD of Chisinau municipality; Chişinău; <p>In the context of the promotion of the good deeds that cause changes in people's lives, no matter where they are located, on the initiative of the employees of the Detention and Escort Department, in agreement with MIHR and with the support of the Pastor of the Church of Ghidighici, the priest Maxian Melinti, it has been held on 25.04.2019 the above-mentioned Campaign in the support of persons held in Police custody, where each person held in Police custody, detainee or remanded in custody, placed in pre-trial Provisional Detention Isolators within the territorial subdivisions of the GPI have received a basket with traditional products.</p> <p>At the same time, in order to assess the organization of service activities within the Provisional Detention Isolators managed by the General Police Inspectorate, the verification of the process of service execution by employees trained in guarding, supervising and escorting detained and arrested persons held in the Provisional Detention Isolators, as well as to assess the theoretical and practical skills of safely performing functional duties 9 Subpart. 11) of the regulation on the organization and functioning of the Ministry of Internal Affairs, approved by Government Decision No. 69312017, was issued the Order of MIA no. 333 as of 04.06.2019 „on the evaluation of the organization and execution of the service activity within the Provisional Detention Isolators managed by the General Police Inspectorate”, between 06 - 11.06.2019, in agreement with the employees of SDOI and SPIA a MIA.</p> <p>On 02.09.2019 the Partnership Agreement no. 2056 was signed between the SPJ of</p> |
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| | | | | | GPI and IHRM, for the collaboration on the basis of mutual benefit, the social interests and the observance of the Human Rights of persons held in Police custody at the stage of judicial interaction through the activities that would provide institutional support for the proposed and agreed activities. |
| 5.1. | Developing the capacities and abilities of persons with competences in the field of guard, surveillance and escort of detainees | 5.1.3. Organization of interactive training sessions for Police officers carrying out criminal and contravention detentions | Minimum 2 training seminars in 2 days; minimum 50 trained Police officers per year | 2017–2020 | <p>In order to develop the professional skills of the Police officers, within the Department of professional and managerial development of the Academy "Stefan cel Mare" of the MIA, during the course of the year 2019, have been organized and conducted 23 training /specialized courses with topics aimed at the "<i>Activities of criminal prosecution</i>" , "<i>Legal Protection of Human / National Minorities Rights</i>", "<i>Special Investigation Activity</i>", etc., whereby have been trained 530 employees of the Police Units.</p> <p>At the same time, in the context of the organisation and the carrying out of the process of professional training at the place of work, during the reference period, all the subdivisions of GPI has been studying the subject entitled "<i>Pursuit, arrest/detention of persons suspected of having committed a offence</i>".</p> |
| | | 5.1.4. Organizing interactive training sessions of Police officers engaged in escorting and detention within police inspectorates and provisional detention isolators in terms of respect for Human Rights and Gender Equality. | Minimum 2 training seminars by 2 days annually; minimum 50 trained Police officers per year | 2017–2020 | <p>During 2019, following the establishment by reorganization of detention and escort services, an increased attention was drawn to the professional training of employees in this field, by applying best practices in the segment of legal protection of the rights of persons deprived of liberty, in Police custody.</p> <p>Thus, during this period 104 employees of the Police were trained as follows:</p> <ul style="list-style-type: none"> - with the support of the Technical Assistance Project "Support for Police Reform in the Republic of Moldova", 34 employees were trained. The trainings were delivered in 2 stages: 18-22.01.2019 and 8-12. 04. 2019 by an expert from Finland. They held an interactive, analysis and assessment of the real situation recorded in detention systems in different countries; - similarly, under the GPI approach, within the Academy "Stefan cel Mare", based on the plan of training/specialization/retraining courses of employees of the MIA subdivisions within the Academy "Stefan cel Mare" for the years of studies 2019 – 2020, approved by the Order no. 374 as of 20.06.2019, between 11 and 13.11.2019, 20 employees from Detention and Escort Services were trained; - with the support of the Institute for Human Rights of Moldova (IHRM), under the existing Partnership Agreement, they have been delivered 2 training courses dedicated to the staff of the Service of Detention and Escort: 03-04.04.2019, 23 - 24.05.2019, on the subject "Strengthening the capacity of the Police staff in view of preventing torture and reducing ill-treatment, abuse and discrimination against persons held in Police custody" and the "Ability of the capacity of the Police staff in view to prevent torture and reduce ill-treatment, abuse, and discrimination against persons held in Police custody ." In total, 50 police employees participated in these training sessions. |
| | | 5.1.5. Carrying out practical exercises on the manner and conditions of | Minimum 2 practical exercises carried out annually | 2018–2020 | <p>During 2019, the following activities were carried out:</p> <p>-in the period 24.06.2019-13.07.2019, according to the Order of GPI no.206 as of 18.06.2019, "On the organization of the assessment of knowledge in the basic training of employees of the GPI subdivisions", testing and support of control norms were</p> |

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| | | application of force and special means of equipping the Police with respect to detained persons | | | <p>carried out in the physical training;</p> <p>- between 02-13.09.2019, according to the Order of GPI no.498 of 30.09.2019 „, On the organization and performance of training sessions and shooting from the machine gun ” Kalashnikov " cal.7.62 mm with the number of subdivisions subordinated to MIA”, training sessions and shooting from the pistol "Kalashnikov" cal .7.62 were organized in the conditions of exercise no.3 of the Regulation on the training of the shooting, which was approved by the Order of the MIA no.222 as of 20.07.2018;</p> <p>During the first quarter of the year of 2020, will be organized and conducted training sessions to the employees of Police subdivisions in this field, conducted in accordance with the provisions of the Order of the Ministry of Internal Affairs no.222 as of 20.07.2018 " On the approval of the Regulation on the training of shooting within the Ministry of Internal Affairs.</p> |
| 5.2. | Psychological counselling of police officers | 5.2.1. Professional training of psychologists in Police units, including in the field of prevention and reduction of emotional burnout and professional stress | Number of seminars performed; number of trained psychologists | 2017–2019 | <p>During 2019, all 35 psychologists from the Police units attended 3 training sessions organized at the Police level by the specialized service of the Human Resources Division. This was a planned activity and was included in the Police Training Plan for 2019.</p> |
| | | 5.2.2. Conducting training seminars within the subdivisions of the General Police Inspectorate on the reduction of emotional burnout and professional stress | Seminars conducted; number of participants | 2017–2019 | <p>During the year 2019, the Police employees were trained to comply with the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment and the European Convention on Human Rights. In this context, the thematic plan of general training included topics related to legislation in the field of human rights protection, such as: means and mechanisms for the protection of human rights; minimum standards on the treatment of detainees; International and National Anti-Torture mechanisms; jurisprudence of the ECHR vs violation of certain fundamental human rights; strategic approach to promoting equal opportunities; regime, rights and obligations of persons detained in Provisional Detention Isolators; prevention and fight against torture and ill-treatments, legislation in the field of prevention of torture and ill-treatments; UN Resolution 1325; UN Convention against torture; fight against discrimination, bias and violence against National/Sexual Minorities; Order of the General Prosecutor's Office no. 77 as of December 31, 2013, on the approval of the Regulation on the procedure for the identification, recording and reporting on alleged cases of torture, inhuman or degrading treatment.</p> <p>During the year 2019, the Police Employees has attended various training activities (seminars, workshops, trainings, etc.) organized by the GPI in the areas concerned with the financial support of NGOs, through various programs.</p> <p>During 2019, 14 training activities in the field of human rights protection were held, in which 141 Police employees were trained, including 42 ladies and 99 men.</p> |

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| | | <p>5.2.3. Psychological counselling of police officers who are frequently in contact with detained persons</p> | <p>Annual psychological evaluation report performed; Number of seminars performed;</p> | <p>2017–2019</p> | <p>During 2019, the Police psychologists have been developed 22,783 tests applied to the "Psychodiagnostic" compartment and 37 questionnaires to the "Organizational diagnosis" compartment</p> <p>On each questionnaire applied to the Compartment "Organizational diagnosis" was developed the informative note with qualitatively processed statistical data, as well as conclusions and recommendations on the evaluated field.</p> <p>Each informative note made includes recommendations for improving the situation, submitted on the assessed aspect: managerial skills, institutional vision and on the aspect of employee motivation. They are found in each subdivision that applied the questionnaires, as well as a copy within the Psychological Service of the HRD of the GPI.</p> <p>At the same time, 5,962 assessments were organized in the "Psychodiagnostic" Department and 37 organizational profiles.</p> <p>Also, during 2019, 8309 psychological counselling were conducted: 559 psychological counselling conducted by the Specialists of the Psychological Service of the GPI and 7750 counselling sessions by psychologists from the police subdivisions.</p> |
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