

INFORMATION
on the implementation in 2017 of the Action Plan on the reduction of maltreatment, abuse and discrimination
against the persons in Police custody for the years 2017-2020

No. crt.	Actions	Sub-actions	Performance indicators	Deadlines for achievement	Measures taken
1	2	3	4	5	6
1.2.	Elaboration of standard operating procedures in the field of retention, guard and escort of detained persons	1.2.1. Elaboration of the nomenclature of procedures to be adopted in the field of executing retention and escort of detained persons	Nomenclature approved	Trimester IV, 2017	<p>In order to identify the areas of intervention that need to be handled, was assessed the situation on the field that creates confusions, can be differently interpreted or are not sufficiently well described, the position of all territorial subdivisions being requested in this respect.</p> <p>In this sense, were identified the most vulnerable areas of intervention for Police employees related to the retention, detention, guard and escort processes, drawing up a nomenclature thereof. The list of activities is not an exhaustive one, being reviewed and completed whenever it is needed. The development of standard operating procedures are to be carried out primarily, taking into account their importance and urgency.</p>
2.1.	Optimizing the organization and operation of provisional detention isolators	<p>2.1.1. Achieving evaluation report of the current system of provisional detention within the Police</p> <p>2.1.2. Revision of the detention execution system within the Police by creating regional detention isolators</p>	<p>Report accomplished</p> <p>Map of provisional detention isolators optimized; provision documents issued</p>	<p>Trimester IV, 2017</p> <p>2017–2019</p>	<p>By the GPI head provision no. 34/1 - 62 of 03.03.2017 "On the evaluation of the provisional detention isolators within the territorial subdivisions of the Police", the institutional working group was set up, consisting of 4 persons who, during the period 06-24.03.2017, visited all the provisional detention isolators within the structural units of the Police. The Working Group assessed the work of all PDIs, including those whose work was wholly or partially suspended.</p> <p>As a follow-up to this exercise, was developed the Institutional Report on detention conditions, by which were proposed several solutions to improve the conditions of detention, as well as to adjust the functioning algorithm of the PDI by establishing regional PDIs, as the current formula implies implications major financials and the renovation of all of them according to the standards can not be achieved due to insufficient financial resources.</p> <p>At the current stage, 31 PDIs operate within the Police subdivisions, 18 are fully located at the ground, 10 in the semi-basement and 3 in the basement.</p> <p>The architectural plans of the PDI highlight the existence of 285 cells,</p>

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					<p>with a capacity of 703 places. On-site visits by the GPI employees have highlighted that 50% of all existing cells according to the documentation do not work, the doors of the accommodation are sealed because they no longer meet the minimum requirements provided by the relevant international and European standards.</p> <p>Therefore, the new PDI optimized map is to be established based on several determinants: state of the buildings; location (at the surface, semi-basement, basement); the surface of the headquarters; accommodation capacity; geographic positioning; the demographic factor; analysis of the criminal situation; analysis of the detainees flow; the closest distance to the court of first instance and the Court of Appeal in whose jurisdiction the court is located; the closest distance to the criminal prosecution isolators from the penitentiary system; road infrastructure; correlation with the state policies relevant to the domain (reform of the justice sector, Prosecutor's office, penitentiary system, territorial-administrative organization, etc.).</p> <p>Thus, in order to achieve the proposed objective, 15 regional provisional detention isolators are planned to be set up during the concerned period, their selection being based on the above mentioned criteria.</p>
2.2.	Ensuring decent detention conditions	2.2.1. Establishment at the Police level of a specialized structure with tasks related to the coordination of the security, supervision and escort activities	Created and functional structure	Trimester IV, 2017	<p>The process of creation, with subsequent operationalization of the structure responsible for the temporary detention of persons in custody of the Police, is to begin with the initiation of the reorganization process of the GPI structure.</p> <p>At the present stage, the normative act project and the organigram of the institution were submitted to the Government, this exercise being finalized with their approval in 2018.</p>
		2.2.2. Developing and approving minimum mandatory rules on Police detention conditions, including for people with special needs	Detention standards approved	Trimester IV, 2017	<p>Reducing maltreatment, abuse and discrimination against the persons under the Police custody has always been one of the major concerns of the Ministry of Internal Affairs, and the institution has promptly responded to all the objections and recommendations submitted by the international institutions, the National Mechanism for Torture Prevention (MNPT), the People's Advocate Institution and representatives of civil society.</p> <p>Only in recent years, following the observations and recommendations submitted to the Ministry of the Interior, was completely stopped the activity of 8 IDPs: <i>Criuleni, Dubasari, Ialoveni, Straseni, Donduseni, National Investigation Inspectorate, Vulcanesti, Balti</i>. The activity of Balti PDI was recently suspended in 2015 on the basis of the technical expertise report in construction, which highlighted the fact that the building has a considerable degree of physical wear and its rehabilitation is impossible.</p> <p>In the context of implementation of the budgetary support for Police reform, between 2017-2020, at least 15 temporary detention isolators will be renovated, and other related activities aimed at improving the conditions for the presence of persons detained in police custody.</p>

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					<p>In this context, in order to establish a unitary set of rules applicable to the modernization process of temporary detention facilities, under the order of the head of the GPI no. 527 of 28.12.2017, have been approved the minimum Rules for detention facilities and vehicles for the transport of detainees held in the Police custody.</p> <p>Mandatory minimum rules for Police detention facilities (hereinafter Rules) are the set of minimum requirements applicable to the preparation of documentation for capital repairs, modernization, modification, transformation and extension of accommodation facilities for detainees held in the custody of the Police.</p> <p>These are to be applied only to PDIs subject to the capital repair process and not to the current situation of the PDI.</p>
		<p>2.2.3. Achievement of project documentation and estimate for the reconstruction and arrangement of provisional detention isolators within the Police</p>	<p>Project documentation accomplished</p>	<p>Trimester IV, 2017</p>	<p>Improving the conditions of detention in Police detention facilities has always been one of the major concerns of the institution, this primarily objective being reflected in several national and sectoral policy documents such as the Government Action Plan for 2016-2018, the Development Strategy of the Police for the years 2016 - 2020, the National Strategy for Public Order and Security for the years 2017 - 2020.</p> <p>This objective is included as a priority in the Policy Matrix on the implementation of budgetary support for Police reform, an integral part of the Financing Agreement signed between the CoE and the Government of the Republic of Moldova.</p> <p>According to the document, during the period 2017-2020, at least 15 provisional detention isolators will be renovated, as well as other related activities aimed at improving the conditions for the presence of persons held in the custody of the Police.</p> <p>This is also reflected in the Action Plan on reducing maltreatment, abuse and discrimination against the persons under the Police custody for the years 2017-2020 (<i>GD no. 748 of 20.09.2017</i>), which describes in detail the activities to be carried out during the reference period and the timetable for their implementation.</p> <p>Considering the importance of the issue, in the context of the approval of the Medium-Term Budgetary Framework for 2018-2020 (<i>GD no. 609 of 28.07.2017</i>), to improve the conditions of detention within the PDI of the Police, for the years 2018-2019, the government has committed to allocate 5.4 million MDL.</p> <p>In 2017, have been started ambitious preparatory activities for the improvement of the conditions of detention, being elaborated the project documentation and the cost estimate for the reconstruction of 10 PDIs (<i>Anenii Noi, Cahul, Causeni, Cimislia, Edinet, Hincesti, Orhei, Riscani, Singerei, Ungheni</i>), the reconstruction work going to be launched at the beginning of 2018.</p>

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3.1.	Developing escort and transport capabilities	3.1.1. Approval of mandatory minimum rules for specialized transport units	Minimum rules developed and approved	Trimester IV, 2017	<p>In order to improve the conditions for safely transportation of the detained persons, in the context of budgetary support implementation, until 2019, the acquisition of 25 transport units is planned for the Police subdivisions.</p>
		3.1.2. Acquisition of specialized transport units for the transport of persons in Police custody and their re-use to meet minimum requirements	Minimum 25 specialized units purchased; 100% of transport units complying with approved rules	2017–2019	<p>In this respect, by the GPI order no. 527 of 28.12.2017, at the Police level have been approved the minimum Rules of endowment and equipment of vehicles for transporting detainees held in the Police custody. Their approval aimed at establishing a unitary set of rules applicable in the process of modernizing the car park for the transport of the detained persons.</p>
		3.1.3. Implementation of modern monitoring and communication systems during the movement	100% of purchased units equipped with monitoring and communication devices	2017–2019	<p>The approved rules set all the minimum requirements applicable in the process of elaborating the tender documentation for the acquisition and / or re-use of transport units intended for the transportation of detainees.</p> <p>Thus, during the year 2017, the acquisition of 20 transport units for the transportation of detainees has been successful. Currently, 10 t.u. have been retooled, according to the approved rules, and another 10 are to be retooled from the beginning of 2018.</p> <p>At the same time, in 2018, it is planned to purchase 5 transport units destined for the transportation of the persons detained.</p> <p>In order to prevent torture, maltreatment and abuse by Police employees towards the escorted persons, and to provide a security climate for Police employees involved in escort missions, the transport units should be equipped with video surveillance equipment.</p>
4.1.	Implementation of information systems	4.1.1. Development and piloting at the Police level of the "e-Retaining" module with connection to the Automated Information System "Registry of persons detained, arrested and convicted"	Piloted system	Trimester II, 2018	<p>During the year 2017, in order to develop the automated information system aimed at keeping records of the detained persons, together with the representatives of the Legal Information Center of the Ministry of Justice, the entity responsible for the elaboration of this product, there were realized 3 working sessions. On behalf of the MIA have been attended both the GPI representatives and ITS of MIA.</p> <p>The information system is to be the only official source of information regarding the persons under the custody of the Police, or, at the present stage, this is done manually and affects the quality of the disaggregated data collected.</p> <p>Considering that the "E-retention" module, previously elaborated in the context of the implementation of the Action Plan for the implementation of the SRSJ for the years 2011-2016, approved by PD no. 6 of 16.02.2012, action 6.4.4. "Creation of a standardized and protected system against the record manipulation of retention, arrest and detention cases" is not functional, in June 2017, the functional requirements for "E-retention" have been developed, which, after prior consultation with the specialty service</p>

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					<p>within the MIA, was sent to the LIC of the MIA.</p> <p>Considering that at the present stage there is no agreed vision of the parties on the functional AIS, in December 2017, by the LIC of the MIA has been contracted an expert to carry out the feasibility study on this dimension, assessing the regulatory framework, the need and the databases with which it is to be interconnected, as well as other aspects necessary for its operation.</p>
4.6.	Monitoring detention facilities	4.6.1. Applying monitoring instruments for human rights compliance in the retention process	Monitoring reports made; recommendations implemented	2017–2020	<p>Throughout 2017, the Provisional Detention Isolators within the Police have undergone a monitoring process on the part of many institutions / organizations responsible for ensuring and respecting human rights in places of detention.</p> <p>Thus, in the reference period the PDI have been evaluated by the People's Advocate "Ombudsman", the National Torture Prevention Mechanism (MNPT), non-governmental organizations with human rights protection role.</p> <p>According to the monitoring reports placed on the website of the People's Advocate, during 2017, by the MNPT were made visits to 15 PDIs (Cimislia, Telenesti, Calarasi, Singerei, Ungheni, Briceni, Edinet, Basarabasca, Rezina, Causeni, Stefan- Voda, Hincesti, Cantemir, Cahul, Orhei), the conclusions and recommendations being submitted to the GPI subdivisions for the elimination of the shortcomings.</p> <p>At the same time, the Report on monitoring the observance of the rights of the persons retained within the Police Inspectorates in Northern Moldova was carried out by the University Legal Clinic during the reference period. This exercise was possible with the financial support of the Soros-Moldova Foundation within the project "Monitoring the observance of human rights in the retention process within three police inspectorates in the northern part of the Republic of Moldova", implemented in partnership with the General Police Inspectorate and the Ministry of Internal Affairs .</p>
5.1.	Developing the capabilities and abilities of people with security, supervision and escort competences	5.1.1. Revision of the continuing training plan for police officers	Revised continuous training plan	Trimester IV, 2017	<p>In order to ensure the quality of professional training of the employees, the adaptation of the training process to the institutional needs, by the profile service within the GPI has been evaluated the national, sectoral and intersectoral policy documents for which the Police is responsible. In this respect, were identified institutional development priorities and priority intervention areas, on the basis of which have been submitted proposals of adjusting the Training Plan for the training / specialization / retraining courses in the study year 2017 - 2018, conducted for the employees of the MIA subdivisions within the "Stefan cel Mare" Academy, as well as the Plan for carrying out the continuous professional training process at the place of work in 2017 - 2018.</p>

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		<p>5.1.2. Elaboration of the methodological guide for interactive training of retaining policemen and those who oversee the retention of persons retained under the Police custody based on standard operating procedures</p>	<p>Methodological Guide for interactive policemen training elaborated and approved</p>	<p>Trimester IV, 2017</p>	<p>This activity is an interdependent one of the action aimed at elaborating standard operating procedures in the field of retaining, holding and escorting persons held under the custody of the Police.</p> <p>In this respect, we inform that on May 6, 2017, has been approved the MIA Order no. 91 <i>"on the establishment of the Working Group for the elaboration of Standard Operating Procedures (SOP) for the regulation of the detention facility and the police arrest"</i>. According to the provisions of the issued act, the working group established by representatives within the MIA, GPI, the Soros Foundation-Moldova and Amnesty International Moldova, was to elaborate between April and October 2017 SOP on the issue regarding the Police retention / arrest. The procedures were to describe the work of the Police employees at the time of stopping, escorting, retaining and placing in Police custody.</p> <p>The projects of the procedures developed within the project are currently in the end of the approval phase and will be approved in close terms. As a result of this exercise, we will return to the subject of developing the methodology of interactive training of retaining police officers and those supervising the detention of persons retained under the Police custody based on standard operating procedures.</p>
		<p>5.1.3. Organization of interactive training sessions for police officers who perform criminal and contravention retentions</p>	<p>Minimum 2 training seminars for 2 days each; minimum 50 police officers trained per year</p>	<p>2017–2020</p>	<p>In order to develop the police professional capacities, within the professional and managerial development Department of "Stefan cel Mare" Academy of the MIA, during the year 2017, were organized and conducted 44 training / specialization courses, where were trained 877 employees of the Police GPI subdivisions, according to the table below.</p> <p>Especially for the employees who apply the retention, as a procedural measure of constraint in the criminal and / or contraventional process, 3 training sessions were carried out: 2 on the topic <i>"Criminal prosecution activity"</i>, attended by 45 police officers and one concerning the "Legal Protection of Human Rights", which was attended by 18 employees.</p> <p>At the same time, in the context of organizing and carrying out the continuous professional training process at the place of work in 2017, all the subdivisions of the GPI studied the subject with the generic <i>"Tracking, capturing / retaining of suspects in committing an illicit deed"</i>.</p>

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		<p>5.1.4. Organization of interactive training sessions of police officers engaged in escort and detention within the police inspectorates and provisional detention isolators through the respect for human rights and gender equality</p>	<p>Minimum 2 training seminars for 2 days each year; minimum 50 police officers trained per year</p>	<p>2017–2020</p>	<p>On the basis of the Partnership Agreement signed between the General Police Inspectorate and the Moldovan Human Rights Institute, during the year 2017, 8 specialized training sessions were carried out, of which benefited 162 people within the Police:</p> <ul style="list-style-type: none"> - 142 employees of the Police, on different managerial levels, performing both coordination missions and achievement of detention, guard and escort of the persons under the Police custody; - 20 people working in the Provisional Detention Isolators within the Police subdivisions. <p>The training was carried out by experts in the field of human rights, prevention and combating maltreatment within the Ministry of Justice, the General Prosecutor's Office and the NGOs in the field.</p>
		<p>5.1.6. Making study visits in homologous subdivisions from other countries to take good practice</p>	<p>At least one study visit per year number of participants</p>	<p>2017–2018</p>	<p>In the process of drafting the Standard Operation Procedures for the regulation of the institution of police retention and arrest, between 11-16 June 2017, the members of the Working Group for the elaboration of the Police Operational Standard Procedures, composed of representatives of the General Police Inspectorate of the MIA and of civil society, made a study visit to the Great Britain.</p> <p>The working visit to the Northamptonshire Police Headquarters was led by Gheorghe Cavaliuc, Deputy Head of the General Police Inspectorate of the MIA from Moldova.</p> <p>The Working Group took note of the Standard Operation Procedures through which are respected the human rights during street stop, search, retention / arrest procedures, and placing suspects under the Police custody. Members of the Moldovan delegation attended meetings with the Police chief from the Northampton city and civil society representatives, who monitor pre-trial detention centers.</p> <p>In order to take good practice on the dimension of preventive detention and the escort of detained persons, on June 19-23, 2017, 4 representatives from the GPI subdivisions made a study visit within the homologous subdivision in Romania. During this period, were visited 4 subdivisions within the IGPR : the Coordination Service for Preventive Retention and Arrest Centers of IGPR, headquartered in Bucharest municipality; Independent Preventive Arrest and Retention Service of the General Police Directorate of Bucharest municipality; The Preventive Retention and Arrest Center (CRAP) of the Cluj IPJ and the Preventive Retention and Arrest Center (CRAP) within the Iasi IPJ ;</p> <p>An effective exchange of information on the organization, coordination and operation of CRAP and IDP, as well as regulatory issues, was made</p>

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				<p>during the visit.</p> <p>At the same time, during the visit were examined the premises of detaining the persons under Police custody, the material conditions of detention, the specialized units for transportation of retained and arrested persons.</p> <p>The information gathered was exploited, as far as possible, in the process of drawing up the tender documentation for the development of the project documentation and the cost of the renovation and arrangement of the IDP.</p> <p>In the same context, during the period 11.12-14.12.2017, the project management team within the GPI made a study visit in the field of project management, organized within the Polish National Police in the city of Warsaw.</p> <p>According to the established Agenda, the GPI delegation visited the headquarters of the Police Commissariat of the district no. 6 in Warsaw, where a special attention was drawn to the provisional detention facility. During the visit the material conditions of the institution were analyzed, being offered the possibility to visit the entire accommodation sector (accommodation rooms, food block, sanitary groups, employees' offices for guarding and holding of persons placed under the Police custody, etc.) .</p> <p>To take over the experiences of ensuring the detention of persons, it was allowed to make photographic images of all premises of the Detention Center, which will be taken into consideration at the stage of elaboration of the awarding documentation regarding the purchase of reconstruction works of the IDP.</p> <p>At the same time, was discussed the Warsaw Police practice on some aspects regarding the procedure for retaining, holding, escorting, medical examination, feeding the detained persons, which at the stage of harmonizing the institutional normative framework is to be foreseen also at the level of the structures of the National Police.</p>
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