WHAT IS DOMESTIC VIOLENCE?

Domestic violence is unwanted aggressive, threatening, or sexual behavior used to control another person in a relationship. Domestic violence happens between spouses, divorced spouses, relatives, parents and children, and people who are dating. Domestic violence can take place at home, work, the market, or anywhere.

Physical violence and sexual aggression are not the only forms of domestic violence. Intimidation, threats, and forced sexual relations (even within marriage) can also be domestic violence. Some women declare that the most unbearable form of violence is psychological abuse and threats of violence. Some domestic abusers control the family’s money and will not allow victims to work so they remain financially dependent and unable to escape.

Domestic violence is common but often occurs in private. It affects people who you know, but especially women and children. Any person can become a victim of domestic violence.

AM I A DOMESTIC VIOLENCE VICTIM?

You are a Domestic Violence Victim if someone in your family or someone with whom you have or had a relationship with:

• hits you, slaps you, throws you down, restrains you;
• threatens you, yells at you, insults or demeans you;
• acts in a way that makes you or your children afraid;
• hurts your pets or breaks things that are special to you;
• acts in a way that makes you feel helpless and leaves you with the impression that nobody needs you;
• forces you to have sexual intercourse or other sexual relations;
• prevents you from visiting your friends or relatives.

You are a Domestic Violence Victim even if you do not feel afraid all the time or if your family member only sometimes does these things. Most aggressors sometimes act loving and helpful.

YOU SHOULD KNOW: Almost 20 percent of all murders committed in Moldova happen in the family. In 2002 there were 71 deliberate murders and 34 cases of severe injuries involving family members.

WHAT SHOULD I DO IF I THINK I AM IN DANGER?

IF YOU ARE THREATENED OR ATTACKED

• Try to stay away from the kitchen or other places where there are weapons, like knives.
• Try to stay away from bathrooms, closets or small spaces where you could be trapped.
• Try to get to a room with a door or window to escape.
• Try to get to a room with a phone to call for help; lock the abuser outside if you can.
• Call for help or run to a neighbor or friend for help.
• Contact the police as soon as possible after the attack.
• If a police officer comes, tell him what happened; insist on getting his name, credentials, and contact information.
• Get medical help immediately if you are hurt. Ask your doctor to record information about your injuries in your medical record.
REMEMBER: Repeated violent acts can become more dangerous.

IF YOU CONTACT THE POLICE

• Behave as calmly as possible.
• Write a complaint, insist that the police register your complaint and keep a copy of the complaint for yourself. **If the police refuse to receive your complaint, you have rights!** The police officer must receive and examine any complaint you file and must give you a document that confirms the fact that your complaint has been received and registered. If the police refuse to accept or examine your complaint, you should appeal the police officer’s refusal. You appeal by making a written request to the court asking it review the police officer’s refusal to take action; you must attach a copy of your initial complaint. You make this appeal to the investigative judge in the court located in the same district where the police office is located (always keep a copy for yourself). **You must file your appeal within 5 days of the police officer’s refusal to act.**
• Write down the names of the policemen who respond and investigate along with information about where they can be reached.
• Show the police any injuries you or your children have and any damage to your home, property or belongings.
• If the aggressor has been violent in the past, tell the police officers about other cases of violence.
• Tell the police about people who saw what happened. Make sure that you give the police their names, surnames and addresses.
• The police may send you to a “forensic” medical examination. This examination is to help get evidence about what happened that could be used later in court.
• If the police do not send you for an examination, go to a medical clinic because your health and the health of your children are important. Make sure that the doctor treats your injuries and makes a record of them in your medical record. (This is fundamental if you ever decide to file an administrative or criminal complaint).
• Try to keep all the evidences of abuse (ex. torn clothing, clothes with blood stains on it, broken objects, etc.)
• If possible, take pictures of your bruises and injuries and damage caused to the house.
• Keep an agenda or calendar to record all incidents of violence or threats against you or your children.

PROTECT YOURSELF AT HOME

• Learn where to get help; memorize phone numbers.
• Keep your phone in a room you can lock from the inside; if possible get a cell phone to keep with you.
• If the aggressor has moved out of the house, change your door locks and get locks on your windows.
• Plan an escape route out of your home.
• Make a plan before violence happens about a safe place where you can go after you escape your home.
• Ask your neighbors to call the police if they see or hear yelling at your house.
• Pack a bag with important things you would need if you had to leave quickly; put it in a safe place, or give it to a friend or relative you trust. Include money, keys and important things like court papers, passports, birth certificates, medical records, and medicines.

PROTECT YOUR CHILDREN

• Teach them not to get in the middle of a fight, even if they want to help.
• Teach them how to get to safety.
• Teach them who to call for help.
• Tell them to stay out of the kitchen if violence happens.
• Teach them to report violence to someone they trust.

PROTECT YOURSELF IN PUBLIC

• Change your regular travel habits.
• Ride with different people.
• Shop and bank in different places.
• Keep copies of your official custody papers and emergency numbers with you at all times.
• If you can, keep a cell phone with you.

WHAT CAN I DO IF I DO NOT WANT TO GO TO THE POLICE?
If you are not ready or too scared to go to the police, do as many of these things as you can on your own anyway. Keep the information you collect in a safe place. This will help protect you and your children. It will also help when you are ready to get help.

You and your children are in GREATER DANGER if

- Your partner threatens to kill you.
- Your partner threatens to commit suicide.
- Your partner is depressed, has psychological problems, drinks alcohol frequently or takes drugs.
- Your partner has a gun and threatens you with it.

Violence has a tendency to be transmitted from one generation to another.

WHO IS RESPONSIBLE FOR VIOLENT ACTS?

It is natural for people to have discussions and disagreements. This is how people reach decisions on difficult and personal issues. Sometimes discussions change into quarrels that are accompanied by threats, aggression, and violent acts. Sometimes, nothing you say or do will please your partner and your discussion will escalate into violence.

If somebody is beating, insulting, threatening, or depriving you of money, IT IS NOT YOUR FAULT. Your spouse or partner might try to excuse his behavior by saying he was incited, or drunk, but HE is the only one responsible for his actions.

DOMESTIC VIOLENCE IS NOT LEGAL!
Criminal law applies to ANYONE who commits acts of violence, even against their family members

HOW CAN I DEFEND MY RIGHTS?

1. You can file a complaint against your aggressor

   - If you file a complaint with the police, the police (or the prosecutor, if you are a minor) can:
     a) initiate administrative proceedings against the aggressor. When the administrative investigation is completed the administrative case file is submitted to the court. This can happen in cases of lesser injuries, ill-treatment, and actions causing physical pain. In these cases, the aggressor can be fined 15 - 25 conventional units or sanctioned with 30 days of detention.

     b) initiate criminal proceedings against the aggressor. When the criminal investigation is completed the criminal case file is submitted to the prosecutor who will bring it in court. The severity of the aggressor’s punishment will depend on your injuries.

        ► If severe injuries are caused, the aggressor can be punished by a sentence of 5-10 years
        ► If moderate injuries are caused, the aggressor can be punished by a sentence of 3 to 7 years

        In these cases, punishment will be harsher if the injured person is
        ● married to or a close relative of the aggressor, or a child
        ● the aggressor has been “repeatedly or systematically” violent toward the injured person (more than 2-3 times)

        ► If minor injuries are caused, the aggressor can receive a fine of 200-300 conventional units or detention for up to one year.
        ► if no injuries are caused, but the aggressor has deliberately mistreated or was violent toward another person, the aggressor can be fined 500-1000 conventional units or detained for up to one year

Attention! If the police refuse to accept and examine your complaint and to initiate administrative or criminal proceedings you can appeal the refusal to court.
2. You can receive financial compensation for your injuries

- Depending on your situation, the aggressor may be required to pay you for “material” damage (for broken furniture, days off from work, money spent on medical treatment for you or your children, etc.) and “moral” damage caused (for pain and suffering experienced by you or your children.)

- In order to receive compensation for damages
  - the aggressor must have been found guilty of harming you in a criminal or administrative action
  - you must ask a court to examine the matter in a civil action. The court can examine your request for damages either
    a) as part of the original criminal case. If your case is under investigation, you should make a written request for the prosecutor to recognize your status as injured party. If the case is already being examined by the court, you should make this written request to the court asking for it to order the aggressor to pay for your damages;
    or
    b) as a separate civil action. Within 3 years from the moment that the aggressor was found guilty by the court, you may file a civil action in writing, in the court that is located in the district where you live. In that action you should ask the court to order the aggressor to pay for your damages.

3. You can protect yourself and your children

If you are married, you can obtain a divorce at the Office of Civil Registration or in court. (If you have common minor children or you do not agree about the separation of property, you must file in court.) The aggressor could be deprived of parental rights.

For shelter, psychological, and legal assistance:

For legal assistance:
1. The University Legal Clinic from Bălți, 38 Pușkin str., block 5, tel. (231) 24479
2. The Comrat Legal Clinic, I60 Lenin str., office 8, tel. (298) 29480
3. The Tiraspol Legal Clinic, 21/4 Zapadnîi pereulok 21/4, office 47, tel. (233) 335 90
4. Public Association „Legal Clinic” Chișinău, State University of Moldova, 60 A. Mateevici str., tel.: 23-24-53

For psychological assistance:
1. The Center for Diagnosis and Rehabilitation “Armonie”, MD-2012, Chișinău, 4A Veronica Micle str., A, tel. 22-24-37
2. National Center to Prevent Child Abuse, (CNPAC): psychological assistance, legal assistance, Chișinău, 61/2 Calea Ieșilor str., tel. 75-88-06; 59-2748
3. The Center “Trust”, Bălți, 31 August 63 A str., tel. (231) 26357
4. Center for psychological assistance to the family, psychological assistance Chișinău, 31 August, 87 str., tel. 22-01-19
5. National Center for Studies and Information on Women’s Issues, MD 2004, Chișinău, bd. Ștefan cel Mare, 194A, tel.: 24-13-93; 23-70-89 (You should check if this organization provides psychological assistance).

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Know your rights!

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