



Analysis of state's responsiveness to child protection issues in Republic of Moldova

Expert-Grup think-tank

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About the EXPERT-GRUP

EXPERT-GRUP is an independent Moldovan think-tank which specializes in economic and social policy. We are dedicated to advancing the economic and democratic development of Moldova and to improving the country's international competitiveness. High-ranking analysis and advocacy for efficient, transparent and inclusive policy process are the practical tools that EXPERT-GRUP uses in pursuing its mission.

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Summary

Moldova is a relatively young state which has gained its independence in 1991 as result of the dismantlement of the USSR. Since there it has been experiencing one of the most difficult and complex transition. In 1991-1999 the Moldovan economy shrank about 70% and social sector almost collapsed. Since 2000 the economy has been rebounding led by strong consumption growth which is significantly supported by the migrants' remittances. While an important factor of poverty reduction and economic growth, the migration engendered also social consequences which will be more palpable in long-run. The high and rising number of children living in disintegrated families is one of the most dramatic results of migration.

Children are the social group which probably suffered the most in the course of Moldovan transition. The economic crisis in the first part of transition has influenced children in a number of ways: a) the decreasing real value of the wages of their parents, b) massive losses of jobs as result of enterprises restructuring, c) poor business environment precluding both higher households income and higher taxes in the public budgets, d) decreasing budgetary support for social programs and e) dismantlement of the former social services infrastructure associated with enterprises restructuring. Since 2000 the Moldovan economy has grown at a healthy rate of 6.2% on average. The growth exerted a positive impact on poverty indicators in the 2000-2003, however the link weakened afterwards. The explanation is that the geographically-lopsided economic growth is limited only to large urban areas and is very weak in rural areas. The social policy also did not suffer significant improvements: it is featured by a large number of small individual benefits and is poorly targeted. No surprise, the number of poor children is very large, counting for about 20% of the total poor and living mainly in countryside. The social landscape has changed significantly as result of profound economic and political transformations in Moldova. These changes have affected tremendously the Moldovan children. Most of these changes led to weakening family ties and changing social and economic behavior. These changes are the emotional stress associated with dismantlement of the "welfare state", the evolving role of woman in Moldovan family, the rapid increase of divorce rate, the panoply of social consequences related to migration and increased rate of alcoholism and drug dependency.

Introduction

The term “child protection” is used with various meanings by different institutions and in different countries. In Moldova the child protection tends to be perceived mainly as part of the general policy of social protection and manifests basically as paying child-related benefits. The authors of this report subscribe to a broader definition of the child protection meaning effective protection from monetary and non-monetary poverty and protection from violence, abuse and exploitation¹. Child protection means providing effective access of children to basic services such as education and health protection, disregarding their revenues, origin, race, ethnicity, gender and so on. Basically, ***child protection policies should provide for the universal right of any child to develop normally and not to be subject to any harm.***

This paper deals with a number of child protection issues in the Republic of Moldova. It tries to find and assess the main strengths and weaknesses of the child protection policies in the Republic of Moldova and to analyze the basic trends and needs in this area. Being explorative in character, the paper looks more at the content than to the dimension of child issues and policy needs. The paper is to a large extent a qualitative study based on the methods used in analysis of public policy.

The specific objectives of this paper are the following:

- Analyzing the impact of social and economic transformations on Moldovan children;
- Identifying the main issues affecting the children;
- Examining the legal framework of the child protection;
- Identifying the stakeholders in the child protection sector;
- Assessing their capacities and degree of involvement in child protection;
- Identifying policy trends and needs as regards the child protection;
- Formulating policy recommendations aiming at improving the responsiveness of the state and non-state stakeholders to child protection issues.

Not all relevant areas of the child protection have been equally covered in this paper. The degree of coverage varies depending on available information, openness and of awareness of public officials and NGO representatives.

While the governments play important roles in developing and implementing child protection policies, they are not the only players. Community-based organizations, national non-governmental organizations, think-tanks, local public administration and the families have to contribute more effectively to national and local policies of child protection.

This paper looks at how various stakeholders in the Republic of Moldova address the child protection issues. It is organized in 5 parts. First chapter assesses the impact of economic and social crises and reforms on child wellbeing and child protection framework. The second chapter identifies the main risks that Moldovan children face. The third chapter makes a strategic analysis of the child protection environment in

¹ UNICEF, 2004, a).

Moldova and looks how the central and local governments deal with the risks affecting children. The next one identifies the main stakeholders of the child protection policy. The last chapter clarifies the public perceptions on effectiveness of child protection policy. Policy recommendations are summarized in the proposed Strategy for child protection.

Methodologically, the papers bases on desk-research and about 25 interviews and 1 focus-group conducted with the most important stakeholders in the area of child protection to which we express our gratitude. The interviewed people are from the following institutions:

- Parliamentary Commission for Social Protection, Health and Family;
- Ministry of Health and Social Protection;
- Ministry of Education, Youth and Sport
- Center for Public Health and Management;
- District Direction for Education;
- Municipal and District Directions for protection of the child rights;
- District Directions for Social Assistance and Family;
- Primary school teachers;
- Mayors;
- Division for Minors and Public Moral of the Ministry of Interior.
- Lawyers;
- Representatives of NGOs;

Analysis of the public policy was done based on analysis of legislation and general development strategies (Economic Growth and Poverty Reduction Strategy, Millennium Development Goals and EU – Moldova Action Plan). The authors have also analyzed child-related statistics and have conducted a general evaluation of the legal and institutional framework.

Chapter 1. Impact of transition on Moldovan children

This chapter provides a brief analysis of the impact of transition on children in Moldova. The transition period splits in the early transition (1991-1999) associated with deep economic recession and the late transition (2000-2006) featured by a strong economic growth. Also this chapter identifies the most significant social changes that affected Moldovan children in the last fifteen years.

The multifaceted Moldovan transition

While relatively small in economic and geographic terms, Moldova has been experiencing a complex transition. Some authors consider that since 1991 Moldova has been experiencing four different types of transition: statehood, political, economic and socio-economic transitions². We believe that at least three other transitions should be added: cultural, geopolitical and demographic transitions. The negative residuals of the multiple transitions conspired with Moldova's structural weaknesses, political instability and exogenous shocks and resulted in a highly complex policy environment.

The early transition (1991-1999) was marked by political turmoil associated with unstable legal and institutional framework. Eight governments promoting quite different economic and social policies changed. "Western "advances" [were] replaced by wind "from East", liberal views – by conservative ones"³. The domestic business climate was little attractive. Social reforms advanced slowly and erratically. As the state was not able to address social problems the number of social protests loomed large.

Since 2000 the general economic situation improved to some extent. Also, in this period there was more political stability than before. But regardless economic growth and political stability the situation in social sphere in general and situation of children in particular did not improve noticeably. Besides, a number of social consequences of economic turmoil of the 1990s impacting the children have emerged more clearly in the economic growth period (migration, human trafficking, and child labor).

The transformational crises engendered a number of negative social phenomena. By 1998-1999 the poverty reached its apex. Because of falling budget revenues and sluggish reforms, the sectors of public services almost collapsed in the 1990s. The households had to rely increasingly on personal revenues and to make unofficial payments to compensate for the state's abandonment of the social sector. Due to limited domestic economic opportunities, the emigration has emerged as the most efficient survival strategy. In the 2000s the public sector seems to be resurfacing in quantitative terms, but less in qualitative. As suggested by a number of recent researches, unofficial payments for receiving social services remain ubiquitous and high⁴.

Due to policy failures and objective difficulties of the transition, the domestic social environment has been quite adverse. Little surprise, in such conditions the most

² See more in Weeks and others, 2005;

³ Gudym, 2001;

⁴ Transparency Moldova, 2006;

vulnerable members of the society suffered disproportionately much. Moldovan children are the social strata which suffered a great deal and the crises have impacted the children in multiple ways.

Economic crisis and poverty of Moldovan children

Between 1991 and 1999 Moldova suffered one of the most devastating and protracted economic downturns in modern history. By 1999 the industrial output has collapsed to only 34% of the 1990 and the agricultural output – to 50%⁵. In 1999 the GDP was only 33% of the level of 1989, and the real wage - about half⁶. The macroeconomic environment was highly inflationary and only in 1997 the Central Bank managed to achieve one-digit annual inflation rate for a short period of time.

The economic crisis of the 1991-1999 has influenced the children through several channels originating in families, state structures and enterprises (see Table 1):

- ◆ *Decreasing real wage.* The wage was the main source of income for most of the Moldovan families in the first part of the early transition. The real wage decreased between 1989 and 1999 and resulted in collapsing household budgets. The huge wage-arrears that Moldovan governments accumulated in mid- and late-1990s only aggravated the problem. In 1998 the total wage-arrears was about 10-15% of the wage bill.
- ◆ *Loss of jobs as result of labor shedding.* In Soviet times the full employment was achieved at the expense of economic efficiency. As result of industrial downsizing and restructuring the employment decreased, while unemployment increased. In 1999 the employment ratio was 56%, as compared with 81% in 1989. The unemployment rate rose from almost nil in 1989 to 12% in the last quarter of the 1998.
- ◆ *Poor alternative economic opportunities for parents.* In the early transition the business environment was particularly adverse. This impeded the multiplication of small economic entities and absorption of the labor shed by large enterprises. The problem of poor business opportunities was particularly acute in rural area. In 1999 about 60% of the income of a typical rural family was derived from agricultural activities and was mostly in kind. This composition of income limited the consumption of marketable goods and services and was a significant factor detracting children from school activities (particularly the lack of decent clothes and shoes).
- ◆ *Decreasing budgetary revenues for social aims.* The economic downturn resulted in collapsing budget revenues in real terms. This lowered public social expenditure and generated large arrears on social payments and wages. According to authors' estimates, in 1999 the real governmental expenditures dropped to 61% of the expenditures made in 1991. Besides, the governmental expenditures were very poorly targeted and subject to frequent changes determined mostly by electoral rather than social reasons. As children are not direct electors they have benefited little from the payments made under the

⁵ GRoM, 2004;

⁶ TransMonee database;

social protection policy in early nineties. The payments for health care and education also shrank drastically both as real value and share of GDP.

- ◆ *Restructuring of the enterprises.* Under the Soviet-style economy the state-owned industrial and agricultural enterprises in Moldova were responsible for maintaining social infrastructure. Moreover, the state-owned enterprises even contributed to governmental social protection policy via fringe benefits and other payments paid directly to their employees. Among these benefits there were a number of payments for health care, recreation in children-camps during summer holidays, treatment in resort areas, payments for kindergartens and others. According to a research, the total value of fringe benefits was about 20% of the total wage⁷. As enterprises get restructured, all fringe benefits were abolished and this resulted in reduction of the implicit income of the employees and of their families. Thus, along with their jobs and wages, the employees have lost also a number of social benefits that used to be provided to all labor force.

Table 1. Key social and economic indicators in early transition in Moldova

| | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 | Source |
|---|-------|-------|-------|-------|------|------|------|------|------|------|------|--|
| Real GDP (1989=100%) | 100.0 | 97.6 | 80.5 | 57.1 | 56.4 | 39.0 | 38.4 | 36.2 | 36.7 | 34.4 | 33.2 | EG, based on NBS |
| Real wage (1989=100%) | 100.0 | 113.7 | 105.2 | 61.6 | 61.8 | 50.0 | 50.7 | 53.7 | 56.4 | 59.6 | 52.1 | UNICEF, 2004, b) |
| Employment ratio (number of employed as per cent of population aged 15- 59) | 81.0 | 80.1 | 80.0 | 79.3 | 65.2 | 64.5 | 63.9 | 63.2 | 67.8 | 64.8 | 65.9 | UNICEF, 2004 b) |
| Government expenditure (1991=100%) | - | - | 100.0 | 140.7 | 79.3 | 97.1 | 76.6 | 70.4 | 79.8 | 68.3 | 61.0 | EG, based on NBS |
| Public expenditures for health, % of GDP | - | - | 3.9 | 3.1 | 4.5 | 4.5 | 5.8 | 6.7 | 6.0 | 4.3 | 2.9 | UNICEF, 2004 b) for 1991-1993, EG based on NBS for 1994-1999 |
| Public expenditures for education, % of GDP | - | - | - | 7.8 | 6.0 | 6.3 | 8.9 | 10.2 | 10.0 | 7.0 | 4.7 | UNICEF, 2004 b) for 1992-1993, EG based on NBS for 1994-1999 |
| Public expenditures for social protection, % of GDP | | | | | | 0.5 | 0.7 | 0.7 | 5.1 | 4.0 | 3.8 | EG based on NBS for 1994-1999 |
| Gini coefficient of earnings distribution inequality | 0.25 | - | - | 0.41 | 0.44 | 0.38 | 0.39 | 0.41 | - | 0.43 | 0.44 | UNICEF, 2004 b) |

Source: see the last column

The economic crisis resulted in a massive poverty in the country, which hit particularly hard the children. Unsuccessful transition has brought about a sense of economic insecurity which affected tremendously the Moldovan family. In 1998 about 73% of the population was living below national poverty line⁸. Along with poverty, the income inequality increased enormously. The Gini coefficient of the distribution of earnings worsened from 0.250 in 1989 to 0.441 in 1999 and was one of the highest among transition countries. Beyond negative economic effects, the high inequality has affected emotionally the Moldova families which used to live in an egalitarian society.

⁷ CISR, 1999.

⁸ PPMU, 2002, a)

Obviously, in any normal family the parents are expected to try to cushion the negative effects of the economic shocks on their children and most of Moldovan parents surely tried to do so. But the room for cushioning the negative external effects was quite narrow because Moldovan families are large, especially in the country-side and the revenue was small. Thus, by the end of transformation crisis the child poverty in Moldova was already widespread and a number of important indicators showing the child wellbeing have worsened (Table 2). In 1999 the children represented 20% of the cohort of Moldovan poor. The disparities between children were also high. Poverty was especially acute in rural area and affected children below 5 year of age. In 1999 as many as 32% of rural children below 5 year were living in poverty and 25% - in extreme poverty (not having means to meet basic food needs). Many of parents had to get their children involved in economic activity as labor force for the family to survive.

Between 1990 and 1999 the Government and the Parliament passed a number of decisions and laws addressing the children problem. One of the first decisions adopted in 1991 had as subject the nutrition of the children⁹. It stated that the situation with the children nutrition was difficult already in 1991. Because of the inadequate nutrition there were about 133 thousand children suffering of gastro-intestinal diseases (40% of the total number of diseases). Three or more decisions and laws regarding child protection were passed every year. However, in spite of these decisions the transformational crisis of the 1990s has shown the state's inability to meet the basic standards of child protection policy which resulted in a dramatic decline in children welfare.

Table 2. Indicators of children wellbeing in early transition

| | 1989 | 1990 | 1991 | 1992 | 1993 | 1994 | 1995 | 1996 | 1997 | 1998 | 1999 |
|--|------|------|------|------|------|------|------|------|------|------|------|
| Infant mortality rate, per 1000 live-births | 20.4 | 19.0 | 19.8 | 18.4 | 21.5 | 22.6 | 21.2 | 20.2 | 19.8 | 17.5 | 18.2 |
| Under-5 mortality rate (per 1,000 live births) | 27.1 | 25.1 | 25.0 | 24.5 | 27.6 | 28.8 | 27.4 | 26.5 | 25.6 | 22.9 | 23.9 |
| DPT immunization rate (per cent of children under 2 immunized against diphtheria, pertussis and tetanus) | 84.3 | 81.0 | 80.7 | 83.5 | 69.5 | 85.7 | 95.5 | 96.8 | 97.1 | 96.9 | 97.0 |
| General divorce rate (per 100 marriages) | 31.1 | 32.2 | 35.0 | 37.7 | 36.7 | 40.9 | 44.6 | 51.5 | 45.9 | 46.6 | 37.9 |
| Rate of children affected by parental divorce (per 1,000 population aged 0-17) | 7.4 | 8.1 | 9.0 | 10.0 | 9.6 | 8.7 | 9.4 | - | - | 8.4 | 7.6 |
| Pre-primary enrolments (net rates, per cent of population aged 3-6) | 61.2 | 61.6 | 58.8 | 47.0 | 45.4 | 42.0 | 39.4 | 39.0 | 38.3 | 37.4 | 32.7 |
| Registered juvenile crime rate (per 100,000 population aged 14-17) | | | | 746 | 671 | 746 | 702 | 651 | 807 | 822 | 928 |

Source: UNICEF, 2004;

As shown in Table 2 the impact of transitional crisis on children wellbeing manifested in multiple ways, not only as monetary poverty. The infant and under-5 mortality rates reached highs of 22.6 and 28.8 cases per 1000 live-birth in 1994. Reduction of health-sector funding brought about an escalation of deceases. Social and economic turmoil exerted a destructive rather than consolidating impact on family and the general divorce

⁹ Parliament of Republic of Moldova, Decision no.536 of 25.03.1991 "Regarding the urgent measures for improving the children nutrition in the republic".

rate increased rapidly from 31.1 per 100 marriages in 1989 to 51.5 per 100 marriages in 1996. At the same time the rate of children affected by parental divorce fared rather high. The rate of enrollment in pre-primary education has fallen twice. In 1990s the Moldovan society has witnessed also a dramatic increase in juvenile crime rate which may show the lack of due attention to children from the part of family, school and local public administration.

Impact of recent economic growth on children wellbeing

The transitional transformations of the 1990s were accompanied by severe economic decline and exerted adverse impact on the children welfare. However, starting with 2000, Moldova's economy has witnessed strong and continuous growth at a healthy rate of 6.1% on average. The GDP expected in 2006 equals 147% of the 1999 level, while the real wage increased twice (table 3).

In 2000-2005 the growth was strongly supported by sound macroeconomic policies and expansion of external and internal demand. The revenues remitted by Moldovan workers emigrated abroad emerged as one of the main driving force behind the recent economic growth. Furthermore, the growth allowed for a significant decline of poverty and inequality in the country as both real wages and social expenditure grew. Real wages, government transfers and remittances are considered main engines behind poverty reduction in Moldova in 2001-2004. Reforms in health and education sectors accompanied by stronger social public expenditure eased a tentative recovery in population access to basic social services.

Table 3. Key social and economic indicators in the period of economic growth

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | 2006 (expected) | Source |
|--|-------|-------|-------|-------|-------|-------|-------|--------------------|------------------|
| Real GDP (1999=100%) | 100.0 | 102.1 | 108.3 | 116.8 | 124.1 | 133.2 | 142.7 | 146.9 | EG, based on NBS |
| Real wage (1999=100%) | 100 | 102.2 | 124.3 | 150.2 | 173.4 | 190.9 | 203.9 | 234.5 | EG, based on NBS |
| Employment ratio (number of employed as per cent of population aged 15-59) | 65.9 | 65.9 | 64.5 | 64.0 | 57.0 | 54.5 | 53.0e | 53.0 | UNICEF, 2006 |
| Government expenditure (1999=100%) | 100 | 99.6 | 81.8 | 94.9 | 98.1 | 110.9 | 129.7 | 135.0 | EG, based on NBS |
| Public expenditures for health, % of GDP | 2.9 | 2.9 | 2.8 | 3.5 | 3.4 | 2.7 | 4.3* | 4.6* | EG, based on NBS |
| Public expenditures for education, % of GDP | 4.7 | 4.5 | 4.8 | 5.5 | 5.4 | 5.4 | 7.3* | 6.6* | EG, based on NBS |
| Public expenditures for social protection, % of GDP | 3.8 | 3.8 | 2.6 | 2.9 | 2.7 | 2.8 | 4.3* | 4.6* | EG, based on NBS |
| Gini coefficient of earnings distribution inequality | 0.44 | 0.39 | 0.39 | 0.43 | 0.37 | 0.34 | - | - | UNICEF, 2006 |

Source: see the last column;

*Note: * - expenditures from the total public budget;*

Apparently, such a strong economic growth paves the way for significant decline of child poverty through the following channels:

- ◆ Overall increase in personal incomes of the population as the economy expanded. By 2004 the GDP per capita recovered to pre-1993 levels.
- ◆ Real wages grew throughout 2000-2005. Although migrant workers' remittances have emerged as an important source of income, wages still play major role in welfare of many families. Real wages annually expanded on average at a rate exceeding 10%. The phenomenon of wage arrears was almost fought in the

private sector; however they still remain high in the public sector (about 5-6 % of the wage bill as of November 2006).

- ❖ The volume of remittances sent by Moldovan migrant workers grew throughout the period, fueling domestic demand and lifting many families from poverty.
- ❖ Increasing budgetary revenues and social public expenditure. Since 2000 budget revenues expanded strongly and since 2003 budget deficits became a history. These developments helped recover social expenditure, share of government transfers and pensions in composition of income increasing continuously.

Under these circumstances, one may expect children welfare to significantly improve through increases both in parents incomes and state revenues, part of which could be employed to boost social spending for children. Indeed, a number of child welfare indicators improved. For instance, the infant and under-5 mortality rates have decreased in 1999-2004 (but in 2005 have slightly increased). The pre-primary education enrollment has also improved.

But looking beyond these numbers the picture seems to be much less rosy (table 4). The DTP immunization rate is yet quite low. As the number of divorces increased, a significant proportion of the children are affected by the families' disintegration. The enrollment in primary education has worsened, particularly in rural area. According to the latest poverty study by the World Bank, decline in the poverty rate started to slow by 2004.¹⁰ As for the juvenile crime, the indicator fares quite high and does not show any steady decline.

Preliminary data for 2005 shows even a small increase in the poverty rate, specifically in rural areas and small towns. The child poverty rate increased from 29.8% in 2004 to 34.5% in 2005. In other words, economic growth is almost not helping fight poverty anymore. Why then impact of the economic growth tends to become much less important over time?

Table 4. Children wellbeing indicators in late transition in Moldova

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 | Source |
|--|------|-------|------|-------|------|------|------|-------------------------------------|
| Infant mortality rate, per 1000 live-births | 18.2 | 18.3 | 16.3 | 14.7 | 14.4 | 12.2 | 12.4 | UNICEF, 2006, for 2005- NBS |
| Under-5 mortality rate (per 1,000 live births) | 23.9 | 23.3 | 20.3 | 18.2 | 17.8 | 15.3 | 15.7 | UNICEF, 2006, for 2005- RNDU, 2006 |
| DPT immunization rate (per cent of children under 2 immunized against diphtheria, pertussis and tetanus) | 97.0 | 94.5 | 95.6 | 98.1 | 98.3 | 97.2 | - | UNICEF, 2006 |
| General divorce rate (per 100 marriages) | 37.9 | 44.8 | 51.3 | 58.6 | 58.8 | 59.3 | 53.3 | UNICEF, 2006, for 2005 - RNDU, 2006 |
| Rate of children affected by parental divorce (per 1,000 population aged 0-17) | 7.6 | 7.8 | 8.3 | 7.6 | 8.2 | 7.2 | - | UNICEF, 2006 |
| Pre-primary enrolments (net rate, per cent of population aged 3-6) | 32.7 | 38.5 | 42.4 | 54.0 | 58.7 | 63.7 | 68.6 | NHDR, 2006 |
| Basic education enrolment (net rate, per cent of population aged 7-15) | - | 93.5 | 92.4 | 92.4 | 92.4 | 91.0 | 87.8 | NHDR, 2006 |
| Registered juvenile crime rate (per 100,000 population aged 14-17) | 928 | 1,007 | 912 | 1,014 | 864 | 991 | | UNICEF, 2006 |
| Child poverty rate, % | | | | 46,3 | 32,6 | 29,8 | 34,5 | EG, 2006 |
| General poverty rate, % | | | | 40,4 | 29,0 | 26,5 | 29,1 | EG, 2006 |

Source: see the last column;

¹⁰ WB, 2006;

First of all, modernization of the economy has been slow. Some changes in structure did take place and the tertiary sector increased its contribution to the overall growth at the expense of agriculture and industry (in particular, transport, telecommunications, real estate). Nonetheless, agriculture whose contribution to the growth was most volatile and in continuous decline still employs a disproportionately large share of the labor force (40.7% in 2005). That means that incomes of a quite big proportion of population employed in agriculture grew much slower than those of employed in other sectors. This, in turn, may well imperil prospects for child poverty reduction in Moldova as 2/3 of the children live in rural area.

Thus, the economic growth has been lopsided geographically. It turned out to be mainly confined to major cities, leaving most of small towns and country side in the doldrums.

No surprise, most of the poor reside in rural areas and small towns, 42.5% and 48.5% of the poverty rate, respectively. At the same time majority of the children live in rural areas and small towns facing increasing poverty-driven risks. While, poverty rate continued to decline in 2004-05 in large cities, this was not the case of rural areas where poverty rate started to grow again in 2004. The aforementioned World Bank study on poverty finds fall in farm incomes as main culprit for reverse of decline in rural poverty. So far, the current economic evolutions give no hope for change in this respect. This means that rural poverty trends will reinforce themselves making the task of tackling it much more difficult. No wonder, the enrollment in education of the rural children is lower than of urban ones.

Normally, such a situation in agricultural sector would lead to reallocation of labor from less efficient sectors of economy to more efficient ones, followed by gains in labor productivity and real wages. In fact, as data show share of labor force employed in agriculture dropped by 10% in 2000-2005. However, here comes the second snag: as economic growth has failed to translate into sustainable job creation in other sectors, labor shed in agriculture and other shrinking sectors had no other option but to leave the country.

Secondly, the economic growth is heavily dependent on the remittances of Moldovan workers. According to official estimates, remittances contributed 31% of GDP growth in 2005. Furthermore, remittances played crucial role in raising incomes and poverty reduction in recent years in Moldova. However, this can hardly be considered a sustainable path for growth as remittances flow may be easily reversed in the future. With no structural changes, leading to enhanced international competitiveness and shifting to export-led growth the current economic expansion is poised to flatten at best.

Moreover, some important trends emerge regarding the direction of migrant workers' remittances. Data show that from recent increase in volume of the remittances flows benefited mostly the wealthier parts of population.¹¹ That means that impact of the remittances on the poverty reduction decreases even if the current volume of flows will be maintained.

Finally, another engine of poverty reduction – government transfers are deemed to have increasingly limited impact over poverty. Two factors are here at play.

Firstly, social assistance transfers are fragmented: In Moldova there are 15 social assistance benefits with a range of eligibility criteria and processing procedures which make the system highly inert and inefficient.

¹¹ WB, 2006;

Secondly, most benefits, including child benefits, are targeted not by income but by category, meaning that assistance is directed to children from well- and worse-off families alike. Therefore, important part of this assistance is wasted, failing to improve significantly the welfare of the children in need.

Changing social landscape

The social landscape has changed significantly as result of profound economic and political transformations in Moldova. These changes have affected tremendously the Moldovan children. Most of these changes took form of weakening family ties and changing social and economic behavior. It is clear that such trends have affected significantly the children welfare. This section analyses the most important social changes affecting children in Moldova which are not addressed adequately by the Government.

From welfare to austerity

The social impact of the transitional reforms is overwhelming. For Moldovan families it was very difficult to get accustomed to the new “austerity state” after they have enjoyed living under a “welfare state” in the Soviet past. The Soviet family assistance system was generous indeed, including such benefits as payments for sick leave and maternal leave, child-birth and child-rearing benefits, discounts for kindergartens, free access for children in summer camps and sanatoria, significant payments for disability and others. Children and youth used to enjoy multiple opportunities of extra-curricular activities. Teachers and medical doctors, especially in country-side, used to receive a number of subsidized goods and services (such as coal, electricity, cars etc.). These benefits were paid by central and local governments and by enterprises. But with advancement of economic, social and institutional reforms all these benefits were gone.

As our interviewees have shown, the social costs related to transition from welfare state to austerity state are very high. One of these costs is the changing reproduction behavior. The young families do not want anymore to have many children. In 1997 there were about 45.6 thousand children born, while in 2002 – 35.7 thousand. The indicator started to increase again only in 2003. As result of changing socio-economic regime an increasing number of families found out that they were unable to care for their children. In 1993-2004 the rate of institutionalized children increased dramatically from 547.8 to 854.6 per 100.000 population aged 0-17¹².

Evolving gender roles

Traditionally in Moldovan families the men were the family breadwinners, while the mothers cared for children and household. But with advancement of economic reforms the Moldovan men started to enjoy salaries much lower than in the past. As difficulties of transition multiplied, women have had to take more responsibility for the family prosperity and to become economically more active, even though not necessarily in the official sphere. An indicator of increased women responsibility is the fact that about 35% of Moldovan migrants are women, one of the highest indicators in Europe¹³.

The speed of changing patterns of family breadwinning has affected the emotional ties, not necessarily in a positive direction. Some researches assert that the tensions arising

¹² UNICEF, 2006.

¹³ CBS-AXA, 2005.

from evolving gender roles conspired with the permanent stress of parents in finding a solution to earn money and have contributed to family stress, violence and even disintegration¹⁴.

Family's disintegration

In 1997 the rate of divorce was about 45 cases per 100 marriages and it increased almost constantly until 61 in 2005. In rural area the rate of divorce increased particularly fast, from 7.3 in 1997 to 29.0 in 2005. A higher number of children in Moldova have suffered from divorce of their parents. According to statistical data, almost one third of the divorcing spouses have children.

There are many studies claiming that the migration and other social distress associated with reforms have directly contributed to the fast rising rate of divorce. The migrants themselves believe that migration affects negatively the family strength¹⁵. According to some estimates, the migrants with families account for 62% of the total migrants¹⁶. The physical and emotional separation of the spouses leads to divorces. Indeed, after 1999 in Moldova there is clear correlation between the outflows of migrants and rate of divorce.

Effects of migration

Officially there are about 394 thousand Moldovan citizens working abroad¹⁷. Other estimates on the migration potential from Moldova rise as high as 550-600 thousand citizens¹⁸. Effects of migration on children are very significant. As described above, the migration is one of the factors determining family disintegration.

Besides being a factor determining the formal divorce of spouses the migration contributed to children emotional distress in another way. As result of migration a very large number of children live in families where one or both parents are missing. According to the HBS 2005 as many as 16% of total children aged 0-18 are living in families where one or both of the parents were missing because of migration. Many children left behind by their parents are living emotionally and morally poor life after their parents left.

Migration influences negatively the relationship between parents and children and creates a sense of constant economic dependence among children and youth. Migration adversely impacts on community and family fabric, leaving many children with no social support of last resort.

Even though the migrants children are on average less poor than others, this is not necessarily always the case. Usually, the children of just left migrants are deprived of

¹⁴ De Soto and Dudwick, 1997.

¹⁵ Ghencea and Gudumac, 2004.

¹⁶ CBS AXA, "Moldova Remittances Study", Client/Coordinator: International Organization for Migration (IOM), International Monetary Fund (IMF), European Commission Food Security Program, December 2004

¹⁷ NBS /National Bureau of Statistics/ „Labour force in Republic of Moldova – employment and unemployment. Year 2005”, informative note no. 09-01/47 of March 30m 2006, accessible at <http://www.statistica.md>, 2006.

¹⁸ CBS AXA, "Moldova Remittances Study", Client/Coordinator: International Organization for Migration (IOM), International Monetary Fund (IMF), European Commission Food Security Program, December 2004

means. These children form a particular risk group for trafficking being more susceptible to traffickers' enticements of big yearnings. Frequently the children of migrants abandon the school, encounter difficulties in communication and socialization and are prone to various delinquencies.

Migration also implies exodus of qualified personnel from education and health care institutions, thus influencing negatively education and health outcomes for children.

Alcoholism and drug-dependency

Such social diseases as alcoholism and drug-dependency are considered good indicators of social stress associated with fundamental changes and denote the responsibility of the people regarding their family. Obviously the alcohol and drugs taken by parents have negative effects on children and frequently the children themselves end up by becoming alcoholic or drug-dependent. Commonly, the alcoholism and drug-dependency account for the poor material, emotional and moral situation of the affected families. As consequence, children from such families often abandon the school or even the families and take the begging and vagrancy way. As a rule, these children are more exposed to the risk of being trafficked or involved in criminal activity.

Surprisingly, in Moldova the number of persons with alcohol-related diagnosis (set for the first time) has decreased from 127 cases per 100 thousand inhabitants in 1990 to 77 in 1999 but afterwards it increased to 85 cases in 2005. As for the drug-dependency, the annual number of drug-dependants (with the diagnosis set for the first time) has increased almost constantly from 1.9 cases in 1990 to 36 cases in 2003 and 23 in 2004. However, in both cases the extent of phenomena as well as their impact on children may be significantly underestimated by official figures.

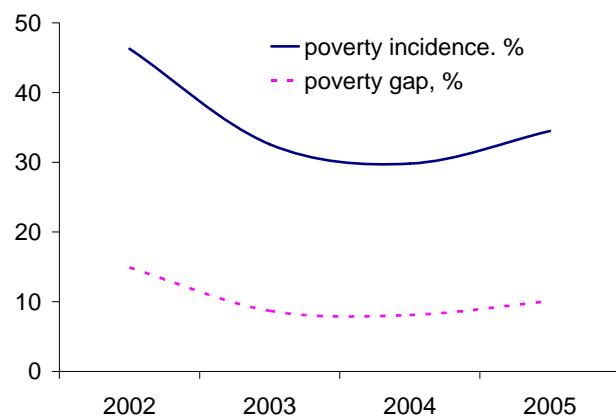
Chapter 2. Main issues affecting children in Moldova

Based on previous chapter, the second chapter analyses the most significant issues that affect children wellbeing nowadays in Moldova. These issues are child poverty, the poor (even though improving) child and maternal health, the problems of the education, domestic and social violence against children, the child trafficking and child labor, the juvenile delinquency and social marginalization of the children living in residential institutions.

Child poverty

Child poverty is not studied adequately in Moldova. The Household Budget Survey is not representative for the children population of the country. However, some clues on child poverty can be gained from this statistical tool. While generally decreasing in the last four years, the child poverty in Moldova is still high. Moreover, in 2005 the positive changes reversed. In 2005 the incidence of absolute and food poverty among children (34.5% and 20% respectively) was apparently higher than among the general population (29.1% and 16.1% respectively).

Chart 1 Child poverty indicators



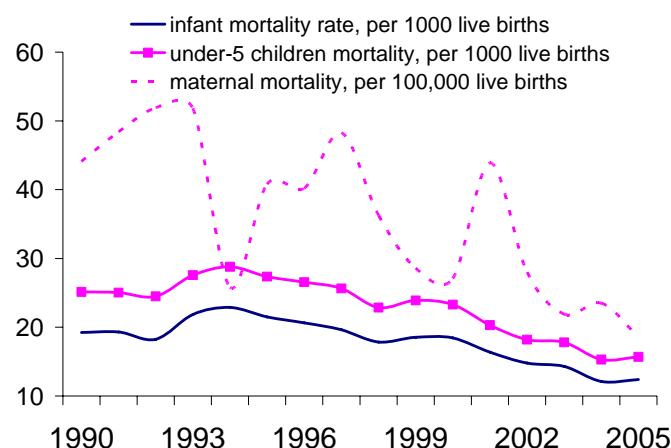
Source: EG, 2006

Currently there is a clear differentiation of the child poverty based on a number of criteria. Basically, the child poverty in Moldova seems to be determined by 3 underlying factors: 1) lack of jobs for parents, especially in rural area, 2) poor targeting of social protection policy and 3) poor intra-household distribution of revenue. By residence area, the highest risk of child poverty is in the country-side where 41% of the children are poor; in small towns the children poverty incidence is 36.2%, whereas in the two large cities (Chisinau and Balti) – 7.7%. The larger the family, the higher is the poverty risk. Also, the infants face a higher risk of poverty than children of other ages. The least exposed to poverty are children in families with advanced educational background. Children growing in families with migrants tend to be less poor in monetary terms than their peers in non-migrant families.

Child and maternal health

The basic child and maternal health indicators display a long-term improving trend, even though less steady in case of maternal mortality. In the first part of the transition the decline in child mortality rate may have been a result of the declining fertility rate. In the second part of the period, both economic growth that enabled an increasing funding of the sector and the sectorial reforms that improved the health system performances may have contributed to positive change. The prenatal assistance improved gradually over 2000-2005, there have implemented programs of immunization and introduced protocols of maternal and child assistance.

Chart 2 Child and maternal health indicators



Source: UNDP, 2006

Despite significant decline, the current level of child and maternal mortality is high and overall Moldovan performance fares quite poorly in comparison with CEE¹⁹, not mentioning the EU-15. For instance, in the CEE countries in 2004 the rate of infant mortality was 8.6 per 1000 live-births, whereas in Moldova – 12.2. The CEE maternal mortality rate was 13.6 per 100000 live-births, whereas in Moldova – 23.5; the CEE under-5 mortality rate was 10.6 per 100 live-births, whereas in Moldova – 15.3.

Child and maternal mortality rates are basic indicators of the overall development of a given country. The higher child mortality in Moldova tells about the poorer performance of health sector and poorer quality of life as compared to CEE countries. In case of the maternal mortality, it is to a large extent determined by the fact that about $\frac{1}{4}$ of deaths are taking place outside the hospital, because the pregnant women and their relatives do not know how to identify the problems that may affect the women life.

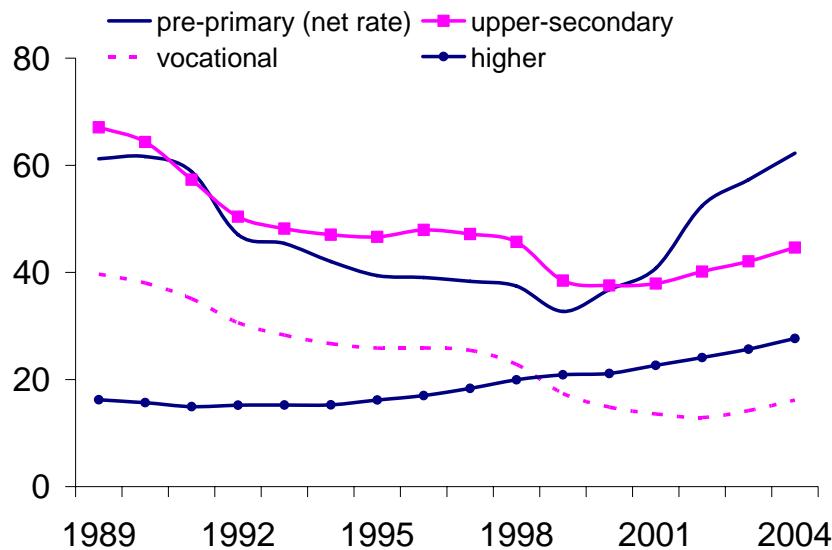
Education

Education is one of the most expensive item of the public budgets and its funding has been increasing lately. However, the performance indicators of the education system are still very mixed. The enrollment have increased at the bottom and upper level of the system (pre-primary and university), whereas in intermediary levels the changes are not

¹⁹ The CEE countries include: Czech Republic, Hungary, Poland, Slovakia, Slovenia, Estonia, Latvia, Lithuania, Bulgaria, Romania, Albania, Bosnia-Herzegovina, Croatia, FYR Macedonia, Serbia and Montenegro, Belarus, Moldova, Russia and Ukraine.

as positive. After a significant decline in 1990-1999 the enrollment in primary education started rising strongly in 2000 and currently is slightly above the CEE average. This trend reflects increasing public and private funding of the kindergartens and improvement of the infrastructure and nutrition. However, the access to pre-primary education is much lower in rural area than in urban one and this is the layer where efforts should be deployed in order to increase the enrollment.

Chart 3 Gross rates of education enrollment



Source: UNICEF, 2006;

The decreasing enrollment in upper-secondary education is mostly explained by economic difficulties that families are facing. Another reason for a low-rate enrollment in upper-secondary education, especially in rural area, consists in lowering technical and material conditions of rural schools (lack of adequate heating, modern textbooks) and in continuous leaving of teachers. Vocational education is also a “falling star” because of the outdated curricula and training equipment not providing professional skills that employers are looking for. For this reason, a large number of children aged 15-16 are living annually the education system without any professional training. Most of the time they find an occupation in agricultural or households activities (girls) or are going to other countries (mostly men and mostly in low-paid informal jobs in construction sectors in Russia, Ukraine and Romania).

The steady increase in university enrollment is linked with the prestige of having high education (particularly in such fields as economics, law, international relations), but the link of the academic curricula with the realities of domestic and international labor market is very weak. As the poorest children are living the education system after completing their primary education, it is clear that the higher education is accessible only to the relatively well-off children.

Home and social violence against children

The domestic violence against children seems to be a phenomenon deeply enrooted in family and social behavior in Moldova. Children are frequently exposed to physical violence from their parents. Beating as punishment is used by about 40% of parents of

the children between 0 and 7 years. According to a study each 6th child has declared to be a victim of physical violence applied by parents²⁰. The causes of violence are diverse: penalty for disobedience, punishment for non-fulfillment of tasks, uncontrolled behavior of emotionally tired or alcoholic parents and others.

According to some estimates, more than 67% of the children are exposed to at least one form of abuse, including 53% to physical and 33% to emotional abuse²¹. The *Evaluation Study concerning Child Abuse in the Republic of Moldova* shows that there are also many children victims of sexual violence, both among boys and girls, not only outside but inside family as well²². Frequently this occurs in families consisting of only one parent, the second one working abroad on long-term or even being remarried there.

The social (outside the family) violence against children is also high. According to the Ministry of Interior data, during the first four months of the 2006 year, there were open 179 cases on different offences and crimes committed against children, including murders, rapes, robberies and harms of different degree.²³ Other institutions where children frequently became subjects to physical and verbal abuse are kindergartens, schools and residential institutions. Nevertheless, there is no statistical data regarding the incidence of these forms of abuse in the institutions of education system.

Child trafficking

At the same time with the phenomenon of human trafficking in Moldova has developed the child trafficking. Although still does not exist a precise information about the magnitude of child trafficking and a strong mechanism recording the incidence of trafficked children, this information can be inferred from the reports and studies developed by IOM and various local NGOs.

Thus, according to a 2005 Country Report on victims of trafficking for the Republic of Moldova, elaborated by IOM, the children account for 10 to 15% of the victims of labor and sexual exploitation.²⁴ The children are both internally and externally trafficked. Children were mostly present among victims trafficked for begging and delinquency – accounting for 50% in 2002, 35.7 % in 2003 and 39.1 % in 2004. However, the children, especially girls, are trafficked for sexual exploitation as well. The same IOM report shows that during 2002-2005 the percentage of trafficked children for sexual exploitation constantly grew from 6.7% in 2002 to 8.1% in 2003, reaching 10.3% in 2004 and keeping the same incidence of 10% in 2005. Similarly, the number of children trafficked for labor purpose has grown throughout the 2000-2005 years from none in 2000 to 15.8 % in 2003 and 15 % in 2004.

Although all children on the grounds of their naivety, low education level, lack of experience and negotiation skills represent a vulnerable target group for traffickers there

²⁰ "Taking care and early Developing of children in Moldova" UNICEF Moldova, Chișinău, 2004

²¹ The Process of Strategic Planning for NGOs from Social Domain, June-July 2004, www.credo.md

²² Evaluation Study concerning Child Abuse in the Republic of Moldova, The National Center of Child Abuse Prevention;

²³ Ministry of Interior, http://www.mai.md/ordine_publica/discurs/

²⁴ Surtees Rebecca, "Second Annual Report on Victims of Human Trafficking in South-Eastern Europe, 2005, Country Report: Republic of Moldova", IOM, 2005.

is a risk group of children particularly vulnerable to trafficking. These are children leaving in poor regions (rural or district centers) originated either from residential institutions or from a socially vulnerable, dysfunctional or one-parent family, families where child is abused or is in the custody of relatives, acquaintances, neighbours (parents being abroad), who have a low level of education and who want to earn money. In their opinion, the travel abroad represents the easiest way to make money.

During the trafficking the children are subject of constant physical and psychological abuse. The mistreatment, overwork, compulsory drugs and alcohol consumption gravely affect the health of trafficked children. All victims have their personality deeply affected. The major part of trafficked children return home with low self-respect and guilty conscience for the activity provide during the trafficking. It worsens the assimilation of values and skills, mutilating the perception about the life so much desired by humanity objectives concerning child development.

Child labor

In Moldovan families, especially in the country side, children are frequently subject to hard physical work which is beyond their age. But the phenomenon is widespread also in urban area. About one quarter of the total Moldovan children aged 5-14 years are involved in labor activities²⁵. The Moldovan tradition legitimates children work as a model of education. In addition, children are used as additional labor force to increase the family income in economically difficult times. Frequently children are forced to abandon schools in order to contribute to agricultural works and frequently their labor activities are costly for their health.

Juvenile delinquency

Prevention of juvenile delinquency is essential for the moral health of the growing generation. As official figures show, the level of juvenile delinquency in Moldova is quite high and is constantly increasing (Table 5).

Table 5. Total number of offenders and rate of juveniles in the total number of offenders

| | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 |
|----------------------------------|-------|-------|-------|-------|-------|-------|
| <i>Total number of offenders</i> | 17701 | 20144 | 16695 | 18789 | 16598 | 18071 |
| <i>Juveniles, (%)</i> | 13.8 | 15.1 | 15,7 | 15,6 | 15,7 | 17,6 |

Source: Moldova in figures, National Bureau of Statistic of the Republic of Moldova, 2005

The main offence that minors commit is theft (38% of the total number of offences). The official statistic also reflect hooliganism with a share of 20% in total number of offences committed, drug-related cases (17%), physical assault (9%), robberies (7%), rapes (6%) and murders (3%) as frequent offences resulting from juvenile criminal activities. These data confirm that the level of criminality among juveniles is still quite high and the actions and measures undertaken by law enforcing agencies do not meet the current needs.

²⁵ UNICEF, Moldova: basic statistics.

However, the number of detained minors has decreased from 92 in 2001 to 30 in 2005. Such reduction was achieved thanks to amendments to the penal code which is currently considered more in line with children rights.

The main causes of high incidence of delinquent behavior among children are the violence and cruelty witnessed by children in family, school or on the street; indifference of relevant social actors towards child problems; free access of minors to the purchase of alcoholic drinks; decreasing social role of the family and school institutions; lack of professionalism, human resources and means of competent bodies in solving the children's problems.

Social marginalization

As many researches suggest the children in residential institutions and children in detention remain the most marginalized category among Moldovan children. Many of them risk to become victims of human trafficking or to become delinquents in the future.

In Moldova there are 68 residential institutions, including 63 which are subordinated to the Ministry of Education, Youth and Sport and 5 – to the former Ministry of Health and Social Protection²⁶. There were 12368 children living in residential institutions in 2005. What is the most striking is the fact that 85% of them have parents alive. About half of the children are placed in residential institutions because of unacceptable living conditions in their homes, deprivation of parental rights of their parents who frequently are alcoholic, detained or psychologically unable to support and to educate their children.²⁷ Experts consider that more than half of these children could grow in their own families if the parents were more responsible.

Children in detention are a specific category of socially marginalized children. In Moldova there are no courts specialized in examining cases involving juvenile offenders. As a result often there are serious violations of children's rights in places of detention. The Institute for Penal Reform of Moldova has discovered many cases of violation of juveniles' rights, while periodically visiting the detention places of juveniles all over the country²⁸. Most frequently the abuses are related to severe punishments applied to juveniles, long detention terms during case examination, low quality of legal assistance etc.

²⁶ After the expected split of the Ministry of Health and Social Protection the Ministry of Health will likely get 3 residential institutions while the Ministry of Family, Child and Social protection will get 2 residential institutions.

²⁷ Ministry of Education, Youth and Sport of the Republic of Moldova, 2005

²⁸ Materials of the Forum "Juvenile Justice in Eastern and South-Eastern Europe", Chisinau, 2006, Institute for Penal Reforms

Chapter 3. Child protection: policy and legislative framework

This chapter deals chiefly with legislative and policy framework for child protection in Moldova. It will examine how the legislative framework addresses the challenges identified in the area of child protection. Finally, it will try to show how the child protection is reflected in the major strategic documents and plans for national development.

Legislative framework of child protection

A series of laws and strategies comprise the legislative framework that outlines state's aims at ensuring child and family protection.

Concept and Strategy on Family and Child Protection are two main documents that outline state's vision and framework for future activities in this area.

*Concept on Family and Child Protection*²⁹ aims to improve life quality of children and families, especially of those vulnerable. The concept also puts forward several important objectives in order to overcome the deficiencies in social protection. These objectives are: sustainable models of community-based social services, establishment of national system for monitoring and assessing state of the child and family, ensuring social integration of the children with special needs, enhancement of the family and community capacity in preventing social risks.

The subsequent *Strategy on the Family and Child Protection*³⁰ makes a step further in this direction and puts an important emphasis on provision of access for children and families to the quality social services. No less important, it envisages harmonization of legislative framework and enhancement of institutional capabilities in order to achieve the set goals.

Unfortunately, as it often happens in the Republic of Moldova, practical steps in direction of the Strategy implementation are late. Also, because in Moldova there is no tradition of monitoring the policy social impact, it is very difficult to evaluate the results of the Strategy.

There is also a series of laws that regulate the state activities in the area of child and family protection. Again, because of the fragmented institutional responsibilities and lack of necessary statistical date, it is quite difficult to assess the effect of these laws on child welfare. Here are the most important excerpts from them:

Law on Social Assistance (no.547, 25.12.2003).

The law aims to define principles and objectives of social assistance, to establish feasibility criteria for the persons wishing to apply for social assistance, to outline services included in social assistance 'package', categories of beneficiaries, as well as requirements for the personnel of the social assistance system. The Law covers the following categories of beneficiaries: children whose health, development and integrity are at risk in the environment they dwell in; children from families that do not fulfill

²⁹ Government decision no.51, January 23, 2002.

³⁰ Government decision no.727, June 23, 2003.

their legal obligations on child care and education; low-income families; children under-18 with disabilities; families with many children; families with children and one parent.

Law on special social assistance to certain categories of population (no.933, 14.04.2000).

The law regulates provision of nominative compensations to several categories of socially vulnerable population, amongst which: children with disabilities under-16; families with 4 and more children under-18.

Law on allowances due to temporary working incapacity and other forms of social insurance (no.289, 22.07.2004).

The Law establishes the right for several types of social assurance for prevention, alleviation and elimination of social risks and for financial support of the entitled persons. The law also envisions allowances paid on maternity, child-birth, children under-3, for sick children. The size and types of the allowances paid according to this law is presented in the table 6.

Table 6. Size and types of allowances received by households with children

| Type of Allowance | Size of allowance per child, MDL | | | | | | | |
|---|----------------------------------|------|------|------|------|------|------|------|
| | 1998 | 1999 | 2000 | 2001 | 2002 | 2003 | 2004 | 2005 |
| One-time allowance on the birth of the first child: | | | | | | | | |
| for insured individuals | 144 | 144 | 144 | 245 | 370 | 420 | 420 | 500 |
| for uninsured individuals | 144 | 144 | 144 | 245 | 245 | 300 | 380 | 500 |
| One-time allowance on the birth if each following child: | | | | | | | | |
| for insured individuals | 108 | 108 | 108 | 165 | 250 | 280 | 280 | 500 |
| for uninsured individuals | 108 | 108 | 108 | 165 | 165 | 200 | 250 | 500 |
| One-time allowance on child care until the child reaches 1.5: | | | | | | | | |
| for insured individuals | 32 | 32 | 32 | 50 | 75 | 100 | 100 | 149 |
| for uninsured individuals | 32 | 32 | 32 | 50 | 50 | 75 | 75 | 100 |
| One-time allowance on children between 1.5 and 16 | 16 | 16 | 16 | 25 | 25 | 25 | 50 | |

Source: National Bureau of Statistics

National strategies tackling child protection issues

Besides the aforementioned laws and fundamental *Child and family protection concept* and the corresponding *Strategy*, there is a series of either sector or national development strategies tackling tangentially or more directly issues of child protection.

Firstly, we focus on the sector strategies – the “Education for All” strategy and National Health Policy. After then we turn to the overarching national development strategies: Economic Growth and Poverty Reduction Strategy Paper (EGPRSP) and EU – Moldova Plan of Actions.

The National Strategy “Education for all” (2004-2015)

The Strategy (endorsed by the Government on April 4, 2003)³¹ aims to ensure access to high quality early and basic education to all children, especially, children in very difficult circumstances: orphans, children lacking parental care, children with physical or mental

³¹ Available at <http://efa.un.md>

disabilities, street children, children from socially vulnerable families, refugee children, children in conflict with the law, neglected and abused children, etc.

There are three chief areas of action envisaged by the EFA Program:

- ◆ Quality early childhood care and education;
- ◆ Access to quality formal basic education, with focus on children in very difficult circumstances;
- ◆ Appropriate non-formal education and learning opportunities.

In these three major areas the EFA Strategy outlines the following six goals³²:

- ◆ To increase the coverage with early childhood programs up to 75 percent for 3-5 year children, and up to 100 percent for 6-7 year children by the year 2007 while reducing during in the same period the disparities between the rural and urban areas to less than 5 percent as well as between children from disadvantaged groups and general population.
- ◆ To achieve the universal access to and increase the quality of basic education, by ensuring that recognized and measurable outcomes are achieved by all, especially in literacy, numeracy and essential life skills, including health education, vocational training, etc. by the year 2015.
- ◆ To ensure that by 2007 all children, especially children in difficult circumstances and those belonging to ethnic minorities, have access to and are able to complete education that is free, compulsory and of good quality.
- ◆ To promote a comprehensive inclusive education which addresses the needs of the pupils with special education needs and provides support and guidance to schools, particularly with regard to pupils with emotional and behavioral difficulties.
- ◆ To increase or at least to maintain the current level of adult literacy (95 percent) by 2007 and to provide access to all families to family education programs that would allow them to develop better parental skills and communication with their children, leading to the fulfillment of children's rights.
- ◆ To ensure the development of skilled human resources for a democratic social and economic life through the provision of appropriate learning opportunities, especially for youth and adult in difficult circumstances.

Some reports state that the targets the government has set are quite ambitious while financial and human resources are limited. A better prioritization of the spending areas and a more effective focus on intra-sector priorities as well as mobilization of additional financial resources will be crucial for achieving the targets set for the next years.

National Health Policy (2006-2015)

This document aims to ensure optimal conditions for fulfillment of the lifelong health potential of every person and accomplishment of adequate life standards. Among the specific objectives, the present policy takes into consideration the following aims regarding the protection of the children and the family:

³² Ibidem.

- ➔ To provide financial mechanisms and to ensure delivery of universal medical assistance to mothers and children;
- ➔ To ensure equal and free access to an established set of quality health care services during pregnancy, birth and early childhood period;
- ➔ To improve pregnancy care and to reduce medical risks during birth and early childhood;
- ➔ To promote the most advanced practices of child care in the family;
- ➔ To ensure universal access to basic child health care services;
- ➔ To establish working network of medical, social and psychological support for teenagers and youth;
- ➔ To ensure adequate conditions for treatment, rehabilitation, adaptation, inclusion and social integration for teenagers and youth affected by chronic illness or disabilities.

Economic Growth and Poverty Reduction Strategy

Within the Economic Growth and Poverty Reduction Strategy there are long-term and middle-term objectives, and all the objectives aim at the development of wellbeing of the individuals from Moldova. With respect to the children problems and child protection the Economic Growth and Poverty Reduction Strategy has as one of the essential aims to: *decrease the mortality rate of children aged 5 and below, to decrease two times the maternal mortality rate by year 2015, and to achieve enrollment of all children in the gymnasium cycle education.*

The EGPRSP notes that its medium and long-term priorities and objectives are linked with the Millennium Development Goals³³:

1. Ensure equal opportunities for all children to study in gymnasiums with the goal to increase the ratio of net enrolment in gymnasium education from 88.0% in 2002, to 88.9% in 2006, 93.8% in 2010 and 100% in 2015.
2. Reduce child mortality rate over the period 1990-2015 with the three concrete tasks:
 - ➔ To reduce the under-5 mortality rate from 18.3 (per 1000 children) in 2002 to 15.0 in 2006, 11.9 in 2010 and to 8.4 in 2015;
 - ➔ To reduce the infant mortality rate from 14.7 (per 1000 new-born) in 2002 to 12.1 in 2006, 9.6 in 2010 and 6.3 in 2015;
 - ➔ To increase the proportion of children under 2 years who are vaccinated against measles from 99.2% in 2002 to 100% beginning with 2006.
3. Reduce the maternal mortality rate by $\frac{3}{4}$ over the period 1990 – 2015 with two tasks:
 - ➔ Reduce the maternal mortality rate from 28.0 (per 100.000 births) in 2002 to 23.0 in 2006, 21.0 in 2010 and to 13.3 in 2015;
 - ➔ Ensure that all births are assisted by qualified medical personnel beginning with 2006 (the relevant ratio is currently 99%).

³³ EGPRSP, V.

In what follows, we look at the EGPRSP objectives related to the child protection in more details. Three main areas of the EGPRSP need to be emphasized:

1. Education

Basic goal is to ensure access to quality education and to ensure the efficient and sustainable functioning of the education system in a way, which facilitates its role in developing human resources and the economy.

In the long-term the goal is to be achieved through increases in “physical” access to the education, especially by the children from poor families, and in quality of the services through systemic improvements in financial and human capital management of the system. Other important tools are the “opening” of the national education system to the international requirements and standards as well as gradual increase of the private sector and civil society.

2. Health Care

Main relevant objectives are: to improve access to the basic medical services by the population, especially by the poor and to improve the quality of these services. Another important measures aim at better prevention and treatment of the socially conditioned diseases.

3. Social Assistance

This chapter has quite important provisions relevant to child protection:

- ◆ improve the efficiency of the social benefit system by targeting them at the poorest, and focusing on the social groups at risk;
- ◆ develop the system of social services by diversifying and improving their quality and facilitating a more active involvement of civil society;
- ◆ develop and implement some specific programs, such as: protection of family and child and the protection of people with disabilities.

In the long-term, the EGPRSP envisions a series of quite important steps aimed at improvement of the social assistance system, such as:

- ◆ to increase impact of the social assistance programs through better targeting and monitoring;
- ◆ establish a unified information data base of social assistance recipients;
- ◆ creating of a separate social assistance budget;
- ◆ to improve legal framework and coordination in the field of social assistance;
- ◆ to diversify and improve quality of the services provided;
- ◆ to act on deinstitutionalization of the children via community and family integration.

EU-Moldova Action Plan

Another important framework document, the EU-Moldova Action Plan, also contains some important measures to be taken in order to improve child protection situation.

These measures mostly refer to three major areas: human rights and improving welfare. Let us look at these measures in more detail:

1. Human rights and fundamental freedoms

This paragraph refers mainly to ensuring respect of children's rights through:

- ➔ Implementation of the Declaration and Plan of Action agreed at the UN Special Session on Children in May 2002, including the implementation of a national action plan;
- ➔ Implementation of the relevant section in National Human Rights Action Plan (NHRAP) for 2004-2008;

2. Economic and social reform and development. Improve Welfare

This paragraph aims mainly on reducing child poverty and ensuring increase in primary school enrolment through rekindling public expenditure. The following measures are envisaged by the chapter:

- ➔ Implementation of the relevant conditionalities on Poverty Alleviation and on Social safety net agreed within the framework of the EU Food Security Program;
- ➔ Development of the community based child protection measures in particular in the countryside in collaboration with local governments;
- ➔ Rationalization of child benefits and enhancement of assistance effectiveness to families in need;
- ➔ Remove factors limiting access to education for poor families' children and improve their access to primary and secondary education, in particular in the country side.

Governmental strategies missing child issues ...

As we can see the latest national development strategies recognize the importance of such child protection issues outlined in the beginning of the chapter as education and health. Thus, issues related to the child and maternal health are expressly tackled by the EGPRSP and its objectives residing in MDGs. The child poverty is indirectly addressed within the EGPRSP as the reduction of general poverty should obviously associate with a reduction in children poverty. Also the national development strategies envisage the restructuring of the social protection policy with the aim of gradual change of the social categories principle with the means testing principle. The EGPRSP specifically focuses on improvement of the ways the social assistance both as services and allowances is provided to the beneficiaries. The EU-Moldova Action Plan focuses separately on the need to reshape the way public expenditure is spent on child allowances. These are measures that would help enhance effectiveness of social assistance and improve wellbeing of children in Moldova.

However the stringent issues stemming from the migration phenomenon, home and social violence against children, child trafficking and child labour, the juvenile justice and social marginalization are not addressed properly in the national strategies or the strategies are not effective.

Accomplishments to date in implementing the envisaged measures are quite modest and the impact of economic growth over child wellbeing is rather limited, as the first chapter

has so patently shown. Moreover, judging by official public speeches Moldovan authorities are fully aware of the limits these strategies have had over child protection³⁴. This can only mean that child protection policy has not become so far a priority for the government. As social policy remains to a large extent an ‘electoral’ tool, the government sees other constituencies much more important from electoral point of view whose social needs should be heeded.

Migration is the most salient case of lack of attitude. Lack of any coherent policy approach towards migration phenomenon determines absence of any measure directed at controlling migration spill-over effects over the child protection issues. As migration phenomenon means something more complex than remittances sent back home by Moldovan working abroad, the Government is required both of more innovative policy steps in order to mollify the most obvious adverse effects this phenomenon has over the children.

Therefore, more consistent efforts on implementation of actual strategies as well as elaboration of a coherent policy approach towards migration effects will be needed for significant improvements with regards to child protection issues.

³⁴ See for example, speech by President Voronin at the National Conference “Social Dimension of the Child Protection System in Moldova” at <http://www.presedinte.md/press.php?p=1&s=4038&lang=rom>.

Chapter 4. Institutional framework of children protection

Main institutional actors

The child protection policy in Moldova is developed and implemented by both governmental and non-governmental sectors.

The *governmental (state) sector* represents a fragmented institutional system that can be divided into several levels:

- *National*, represented by several parliamentarian commissions: Commission for Social Protection, Health and Family, Commission for Culture, Science, Education, Youth, Sport and Mass-media and Commission for Human Rights.
- *Central*, represented by several ministries – Ministry of Health and Social Protection, Ministry of Education, Youth and Sport, Ministry of Interior.
- *Regional and municipal* represented by institutions of Local Public Administration and regional and municipal unities of ministries, such as General Directions for Education, Directions for Social Assistance and Family Protection, Regional Police Departments for minors.
- *Local*, represented by Local Public Administration bodies.

Other important actors in child protection system are the civil society sector and international organizations/donors.

State Sector

Parliament Commissions

According to the Parliament Decision no.17 of 08.04.2005 regarding the activity framework of permanent parliamentarian commissions, there are three commissions which cover different segments in the field of child protection policy. The main responsibilities of these commissions consist in analyzing, amending and expressing approvals on legislative projects related to their field of activity. Especially, the Commission for Social Protection, Health and Family deals with social protection, social assurance and assistance, and issues concerning family, mother and child. The Commission for Human Rights deals with human rights issues, which includes also the children's rights, while the Commission for Culture, Science, Education, Youth, Sport and Mass-media is responsible for education. The role of the parliamentary commissions in general child protection policy is quite marginal and passive.

Ministries

The fragmentation of main responsibilities in the child protection policy is characteristic not only for the legislature, but for executive authorities. Currently, there are three ministries which share the responsibilities for elaborating and implementing the child protection policy. Of course, one can suggest the Ministry of Finance as being the most important decision making body because within its Middle Term Expenditures Framework sets the maximum amounts of financial resources that can be spent for various sectors, including for child protection. Whether or not the Ministry of Finance has an understanding of the importance of child protection remains an open question. For the time being in the Ministry of Finance there is no any functional unit dealing with

the analysis of the policy social impact. However, in this paper only the three ministries responsible for implementation of child protection are analyzed.

The *Ministry of Health and Social Protection* is the main body that draws up the social protection and assistance policies, coordinates their implementation and appraises the performance of social protection system.

According to the Government Decision no. 1036³⁵ on the regulation of the Ministry of Health and Social Protection, the Ministry has to fulfil the following functions in the child protection field:

- to elaborate together with other central administrative authorities and carry out strategies, legislative acts and action plans concerning the social protection of family and child;
- to develop the mechanisms for social protection of families with children;
- to coordinate together with central administrative and local public authorities, local and international NGOs the implementation of social programs for family and child and to monitor their outcomes;
- to develop the social rights of groups and people in difficulty;
- to elaborate and enforce quality standards for social services;
- to coordinate the activity of 2 boarding houses for mentally retarded children and 2 placements houses ("homes for the child") which accommodate abandoned children or children with various diseases aged 0 - 7 years.

For an efficient realization of these functions, the ministry coordinates local specialized *Directions for Social Assistance and Family Protection*. These institutions (either municipal or district) are responsible for identifying specific local problems, setting up local priorities and direct available resources to the designed priorities.

In the framework of the child protection system, the state renders different types of social assistance to distinctive categories of beneficiaries:

- cash benefits and compensations (financial means come from the National House of Social Insurance)

The beneficiaries are: disabled children under 16, the disabled from the childhood, families which lost their breadwinner(s), families caring children under 1.5 years (for uninsured person) and under 3 years for insured person, families with many children.

- one- time material assistance (financial means come from state and local budgets, extrabudgetary Republican Fund of Social Support of Population and its local branch offices, donations, grants, humanitarian aid etc.)

The beneficiaries are: families with many children, families with disabled children, families in difficulty etc. The material assistance based on state means is rendered correspondingly with special needs of the beneficiaries which are assessed by social assistants, while the material assistance coming from the humanitarian aid, donations or grants is provided by State Commission on Distribution of Humanitarian Assistance to both persons in difficulty without testing their income and state institutions –providers of social services (boarding schools, rehabilitation centres, hospitals etc.)

- special social services and targeted compensations

³⁵ Government Decision no.1037 of 04.10.2005.

They are rendered to the most socially vulnerable categories of population: families with disabled children under 16, the disabled from the childhood, families which lost their bread-winner(s).³⁶ This type of assistance is focused to cover the expenses for public utilities payment.

Weak points of the social assistance system:

- *lack of any precise assessment of the beneficiaries' incomes and needs*

There are cases when several categories of beneficiaries are rendered simultaneously with several types of social assistance, while other categories receive only one per year. On the other side, families with seriously sick children (cancer, AIDS etc.) could benefit more often by humanitarian assistance than one per year.

- *exclusion from social assistance system of new emerged categories of population (children) in difficulty*

The current social system adjusts slowly to the continuously changing social realities. In particular, from the beneficiaries of social assistance are excluded the trafficked children, the children of migrants left without financial means.

- *lack of a special budget for social assistance*

There is a unified budget of social assistance and social insurance. Many of benefits granted as social assistance are paid from the National House of Social Insurance.

- *insufficient financing*

The social assistance benefits are quite small and do not substantially improve the economic situation of the beneficiaries.

Lately a decision on split of the Ministry has been adopted but not yet implemented. There will be two separate ministries dealing with distinct and to some extent distant issues: the Ministry of Health and the Ministry of Family and Social Protection. The authors believe that this decision is right. This is a natural solution to the problems emerged after the sudden merger of the Ministry of Health with the Ministry of Labour and Social Protection in 2005. After that merger the social protection policy was almost neglected by the new ministry and the child protection issues were not addressed.

Ministry of Education, Youth and Sport represents the central executive authority in charge of the educational system, including the education of abandoned and disabled children. The contribution of Ministry of Education in child protection policy is restricted to few functions³⁷:

- to elaborate and promote the state policy on education;
- to cooperate in elaboration and development of state policy regarding the children's issues;
- to coordinate the activity of all subordinated institutions, including the tutelage and custody activity of orphanages (boarding houses), boarding schools, specialized boarding schools and sanatoria-schools for abandoned and disabled children (2 orphanages for children under 6 years, 19 boarding schools for

³⁶ Law of the Republic of Moldova on Special Social Protection of some Categories of the Population, no. 933-XIV of April 14, 2000.

³⁷ Government Decision no.555 of 09.06.2005, regarding the approval of the Ministry of Education, Youth and Sport's structure.

orphans above 6 years, 39 specialized boarding schools for children with various deficiencies and 3 sanatoria-schools);

District and Municipal Directions for Education carry out the ministry's functions at the local level. Moreover, these units ensure together with local public administration the social protection of didactic personnel and pupils and mandatory school enrolment of children less than 16 years.³⁸

According to the National Strategy on child and family protection and other normative acts, the contribution of the *Ministry of Interior* to the child protection policy resides in its activity of fighting and preventing the criminality among the minors.³⁹ In particular, the ministry by means of its Division for Minors and Public Moral is involved in the improvement of legislative framework regarding the juvenile delinquency, development of the system of fighting and preventing the juvenile delinquency by launching the preventive actions on minors with deviant behaviour and disordered families. The responsibilities of Ministry of Interior at district and local levels are realized by Regional Police Department for minors (structure of Regional Police Office) and by local inspectors at community level.

Local Public Administration (LPA)

An important role in realization of the child protection policy belongs to *Local Public Administration*. As stipulates the Law on Local Public Administration⁴⁰, the LPA is charged with following competences:

- social assistance;
- ensurance of a good functioning of all educational institutions;
- protection of young families;
- mother and child protection;
- children's rights protection.

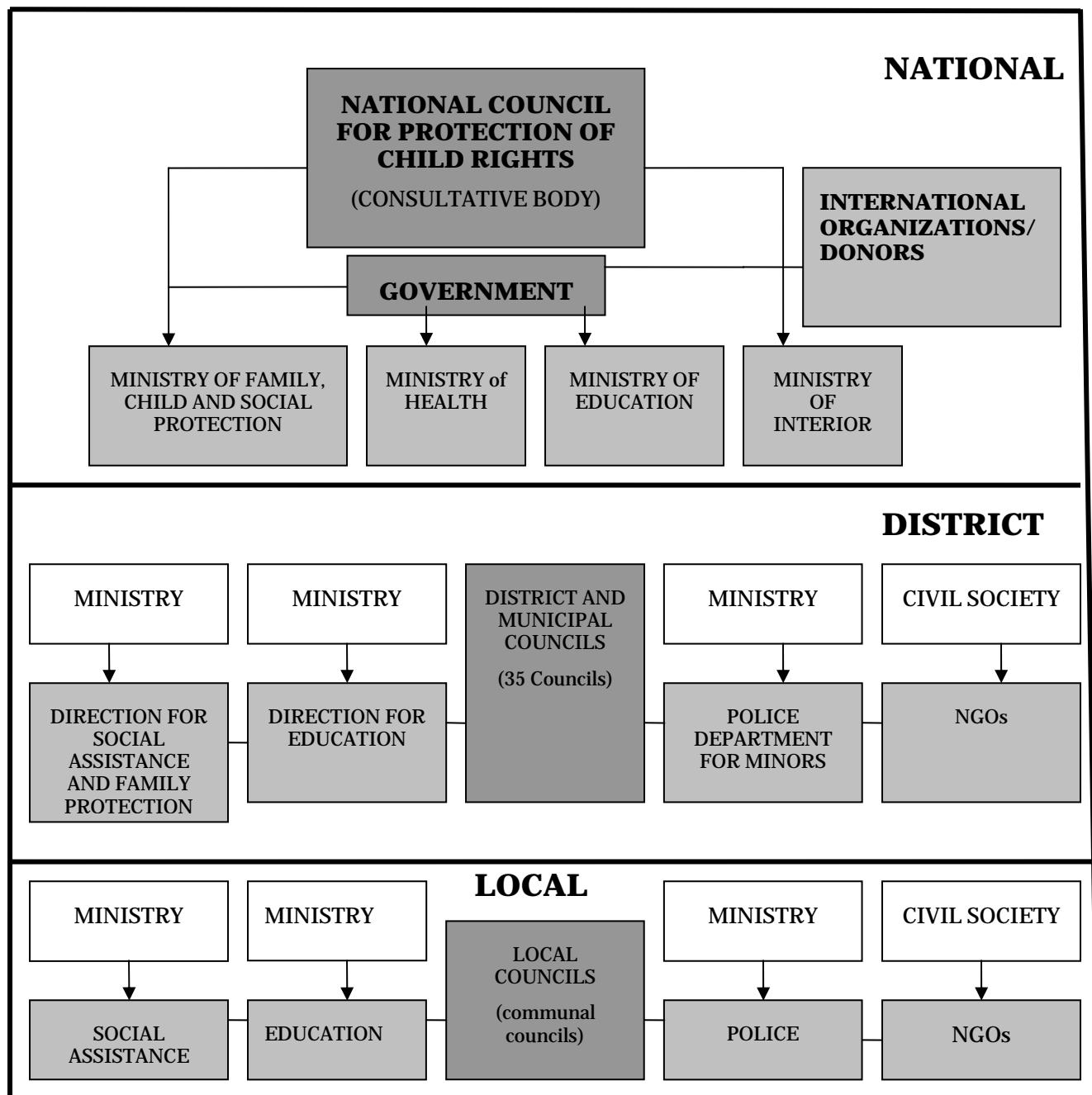
Subsequently, since the LPA is the "closest" state institution to the community needs, it has the main responsibility for social services supply and identification of social issues. Particularly, regarding children, it has to identify the families and children in difficulty, assess their situation and solve their problems either independently through different subsidies or by the assistance of specialized structures. At the community level, these functions could be fulfilled by *social assistants and social workers*, who provide immediate social services to children and families in difficulty. However, the Law on Social Assistance does not have a mandatory clause on employment of asocial assistances by local mayoralties. Usually, the mayoralties' decision to employ professional social assistants is restricted by scarce financial resources.

³⁸ The Law on Education (Parliament Decision no. 547 of 21.07.95)

³⁹ Government Decision no. 566 of 15.05.03, „Concerning the special measures for fighting and preventing the criminality among the minors”; Government Decision no. 727 of 16.06.03, „Concerning the approval of National Strategy on Child and Family Protection”; Government Decision no.1219 of 09.11.01 on fighting the human trafficking; Government Decision no.233 of 28.03.01 on fighting vagrancy, begging and “street children” phenomenon;

⁴⁰ The Law of Republic of Moldova on Local Public Administration, no. 186-XIV of 6.11.1998, art. 13.

Chart 4 Institutional structure of child protection in Moldova



Main problems of the institutional infrastructure

- fragmentation and sometimes the overlapping of functions regarding child protection policy,
- more structures, less responsibility
- red tape and ineffective collaboration among state structures
- undeveloped partnership among state structures and civil society
- reduced decisional power at local level

- lack of financial resources for LPA and reduced personnel to deal with social issues;

High fragmentation of responsibilities within the child protection field, as well as poor cooperation between the state structures makes the current institutional framework quite inefficient to deal with child protection issues. An attempt to induce some clarity in this system was made in 1999 when the Government founded an inter-ministerial body – National Council for Protection of Child Rights, which had to coordinate the activity of all governmental structures dealing with child issues and develop a coherent strategy for child protection policy. However, since this institution has rather a consultative than decisional character, its existence does not change too much the current blurred situation.

Civil Society Sector

Non - Governmental Organizations

Civil society is one of the main actors in provision of social services and implementation of social policies. Besides, the civil society fulfils several functions in the child protection policy:

- Consultative - the participation at the elaboration of normative acts, programs and policy in general;
- Assistance – assistance of families and children in need with quality specialized and diversified services;
- Observation, assessment and monitoring of the child protection policy.

The emergence of non-governmental organizations concerned by child issues has resulted in important changes in the child protection policy during the last years. For instance, the involvement of non-governmental organizations in child protection has led to the diversification of services and institutions caring the children. This diversification led to a more accurate identification of different social issues and needs, which resulted in creation of services' administration for each group of children: orphans, abandoned children, disabled children, poor children, trafficked children, children with emigrated parents etc. The distinctive services oriented to the concrete beneficiary child have converted the previous equality principle in the child assistance to the individual assistance.

Currently, the services supplied by civil society, especially for children in difficulty are appreciated as being of higher quality than those offered by state institutions.

Problems

- reduced area of coverage by NGOs services

The NGOs services cover only a small contingent of children from the beneficiary group. This is determined by fixed projects' financial resource. It is created a situation when a part of the children belonging to the same potential beneficiary group, gets a consistent assistance, while the other part do not, which is perceived as casual discrimination.

- polarization of infrastructure services, mainly concentrated in municipalities

The children from villages have a reduced access to infrastructure services. The NGOs are mostly located in urban areas and their activity in concrete villages has only a temporary character.

International Organizations/donors

As a rule international organisations are the unique sponsors for projects and programs implemented in the Republic of Moldova. This actually shows that the children are of low-priority for the national government in Moldova. The involvement of the international organisations in the implementation of child protection policy "supplements", to say euphemistically, the state's minimal efforts in addressing the child protection issues.

UNICEF is one of the major international organizations/donors acting in the child protection field in Moldova. Its programs cover different problematic areas of child protection policy. According to the Country Program for 2007-2011⁴¹, developed by Moldovan Government and UNICEF Moldova on the basis of United Nation Development Assistance Framework (UNDAF), in next four years UNICEF will focus its activity on strengthening the Government capacity to evaluate, implement and realize the investments towards social sectors (by means of EU, World Bank and other donors) in following domains:

- Child protection against violence, abuses and family exclusion;
- HIV/AIDS and vulnerability of teenagers;
- Guaranteeing of equitable access to the qualitative services during early childhood and for marginalized children;
- Social policies per ensemble and Children's Rights.

The table below represents the amount of money which are planned to be used by UNICEF for above-mentioned domains of activity. The division of finances is realized correspondingly to the gravity of existent problems. Namely, lack of adequate social protection has the major negative impact on the normal development of children in the Republic of Moldova.

Table 6 Funds related to UNICEF specific social sectors by Country Programme for 2007-2011

| <i>Program</i> | <i>Thousands of dollars (1000 USD)</i> | | |
|---|--|----------------------------|--------------|
| | <i>General Funds</i> | <i>Supplementary Funds</i> | <i>Total</i> |
| <i>Child Protection</i> | 1000 | 7300 | 8300 |
| <i>HIV/AIDS and vulnerability of teenagers</i> | 600 | 3750 | 4350 |
| <i>Equitable access to the qualitative services</i> | 700 | 3700 | 4400 |
| <i>Social policies and Children's</i> | 695 | 500 | 1195 |

⁴¹ Country Programme for 2007-2011, UNICEF Moldova
www.un.md/com_con_prg_pr/cpd/doc/UNICEF%20Draft%20CPD_April%202006_ROM.pdf

| | | | |
|------------------------------|------|-------|-------|
| <i>Rights</i> | | | |
| <i>Inter-sectorial Costs</i> | 600 | 0 | 600 |
| <i>Total</i> | 3395 | 15250 | 18845 |

Source: Country Program for 2007-2011, UNICEF Moldova

Basic funds are supposed to be channelled to provide logistical and technical support for the Government, while the major actions will be financed by supplementary funds provided by European Union, World Bank, World Health Organization (WHO), United Nations Education, Science and Culture Organization (UNESCO) etc.

Besides UNICEF there are other international organizations which cover different social problems regarding children and families:

- HIV/AIDS and youth, and the prevention from Mother to Child Infection (PMTCT) joining United Nations Population Fund (UNFPA), United Nations Development Program (UNDP), WHO;;
- Fighting and preventing the trafficking in children, including by poverty reduction - International Organization for Migration (IOM) and UNDP;
- Boarding-school system's reorganization – UNICEF in cooperation with European Union, Department for International Development (DFID), USAID and SIDA;

The international organizations try to avoid seeing their roles confined to money disbursement, but also to get well-shaped coordinating roles. That it is desired to allow their broader participation in tackling various social issues. Such “avenues” have to be approved by the Government and stipulated in legislative and normative framework. For instance, state seems to change its attitude towards international organizations and donors in order to ensure successful accomplishment of objectives reflected in United National Millennium Development Goals (MDGs)⁴², Economic Growth and Poverty Reducing Strategy, National Strategy for Child and Family Protection⁴³ etc.

⁴² Millennium Development Goals, Targets and Indicators for the Republic of Moldova
http://www.un.md/mdg/mdg_in_moldova/index.html

⁴³ National Strategy for Child and Family Protection, no. 727 of 16.06.2003

Chapter 5. Public perceptions on roles of child policy stakeholders

This chapter analyses the public perceptions on the roles that various stakeholders have to play in formulating and implementing child protection policies. Based on in-depth interviews with the representatives of different institutions related to child protection policy, authours identified 5 distinct actors, which are seen by the public as paying an important role in child protection: state (meant as the Parliament, ministries and their rayonnal directions), local public administration, family institution, civil society and private sector.

State

According to the interviewers, the main function of 'state' is to create the legislative and normative framework appropriate for current situation in the child protection field. In particular, the 'state' should:

- “... firstly change the laws”
- “... cover the necessities of all categories of children... (by) changing the equality principle of children needs by a mechanism differentiating the children and families in difficulty”
- adjust the minimum guaranteed by states to the children' needs”
- “... support families, including families with many children, but not create child care institutions”
- “protect the child rights... impose by law the parents to fulfil their parental obligations”
- „assure a rigurous control of the quality (healthiness) of children clothes, footwear, food”

In addition, the interviewers consider that the state is also responsible for training of professional human resources (teachers, social assistants, inspector for minors etc.) and maintaining them financially within the child protection system. Almost all respondents confirm that the state lags the reforms in this domain:

- “the state trying to save many from salaries for specialists in fact loses in something else. It is made an economy of specialists and then the state finds problems in other places ”
- “the state is less involved in education sector”
- “... (there is) a lack of financial motivation from young didactical personnel”

Local Public Administration

The interviewers have unanimously concluded that the Local Public Administration (LPA) has to play the central role in the child protection system. This conclusion is based on several reasons:

- The LPA is responsible for local implementation of state policies, including the child protection policy

"The LPA must realize the state policies with the assistance of central authorities, (must) keep a strict evidence of the community's children in order to involve every child in the necessary social services, which could improve the general situation of the child. It (LPA) must have the main role in coordinating the actions of all social actors."

- The LPA has the possibility to identify and monitor each child and family in difficulty directly at local level and make a distinction between the gravity of children's situation in the community, based on their distinctive needs and social-material conditions.

"the situation is better known at the local level and when the problems appear at the district level ... we return to the child's native place, because we can not make anything without it. As it should be, many problems must not reach the district, but to be solved at the local level"

- the LPA has the role to administrate the resources at the local level and solve directly the child in difficulty problems
 - *".. according to the law the LPA has to assure the orphans with shelter, at least temporary"*
 - *"The LPA must be responsible for all the children from the locality, but in the case it can't come through , it (the LPA) should pay some special centers to offer the children all required social services"...*

The interviewers have also noticed the problems faced by LPA and the deficiencies in LPA activity in child protection field. Particularly, all respondents recognize that the main problem which influences the LPA activity in the child protection is the lack of financial resources. The scarce finances lead to numerous deficiencies in the LPA activity:

- absence of social assistants in local councils.

The provision of the Law on Social Assistance about the existence within the mayoralty's personnel of a social assistant unit is not mandatory. Usually, the mayoralty decides to direct the money for employment of a social assistant to other community needs.

"one of the gaps of current social protection system is the absence of a social assistant unit in LPA"

- absence of family doctors, police inspectors, professional didactical personnel in communities

"the LPA has to create attractive conditions for family doctors and young teachers. Everything depends on the APL. If the mayor is a good householder, he succeed to attract a family doctor"

- The discordance between the social services and social allowances with the real needs of the child and family in difficulty

- *"In some cases the LPA solves the problem of a child without parental care, by establishing the child in a residential institution, even if the child doesn't suit to the eligible criteria. The LPA doesn't want to spend money for solving the problem in the child advantage; these actions require additional money from the local budget, time and concrete actions. The placement of children in residential houses doesn't require additional money and allows a rapid solution of the problem"*

- “*Every mayor, which I speak about the support of family type child care houses tells me ‘leave me in peace, don’t put the children (issues) on my shoulders, send them to the boarding houses’.*”

Family

The main idea of former child protection system was that the state rather than the family would take responsibility for children in difficulty. The system was based on a network of residential institutions where the abandoned children were placed and cared by the state. The economic recession of the 90s weaken the state economic capacity to maintain the state-centered child protection system at high level. Along with efforts to improve the living conditions of institutionalized children, the state launched an initiative to change the priority in the child protection system from “residential” to “family type” child care institutions. The main idea of this initiative is that the family is the best place for a child to be brought up and protected.

The respondents also pronounced on the role of the family as the primary institution for child protection and assurance of his needs. Particularly, there were expressed the following opinions on the family position and role in the child protection system:

- the family has to be a part of child protection system
- the family has to be approached similarly to other institutions of the child protection system.
- the family has judicial rights for children, but the responsibilities too. The state should control the parents and introduce punitive measures for parents which do not perform their parental obligations
 - *“one of the problems could be the judicial punishment of the parents who transgress the child rights. It should be a law for parent to execute the responsibilities unto children, but the child to be responsible unto the parent when he will be at retiring age. We have the situation when the parents don’t take care of children and vice versa.”*
 - *“...the legislation doesn’t punish those parents who don’t execute the parental obligations or shows irresponsibility unto the children.”*

The respondents agreed that unperformed parents’ responsibilities lay grounds for many of current child issues in the Republic of Moldova: the lack of adequate supervision of the migrants’ children, institutionalization of the children whose parents are alcoholics or with deviant behaviours, the children’s abandonment, children’s labor force exploitation in their health and education disadvantage, children trafficking, the juvenile delinquency etc.

Civil society

During last years the civil society has intensified its activity in child protection fields by launching and implementing numerous projects aimed to cover the needs of distinctive child issues: trafficked children, children in difficult, abandoned children etc. However, the respondents did only affirm that the civil society has only an additional role in child protection policy and there is a necessity of a more active involvement of civil society in child protection.

- *“Generally, the civil society should involve itself more actively in solving the community (children) problems”*
- *“the NGOs could support central and local authorities in launching different social initiatives or to elaborate and implement projects relating children. They*

(NGOs) should participate at actions undertaken by central and local authorities, their role is additional”

Particularly, it is accepted that civil society should help the LPA in providing social services and at the same time to perform the consultative, assessment and monitoring functions in relation to state social policies.

“The NGOs can administrate the necessary services for children and monitor the social services, the social policies launched by the state, coming with proposals and recommendations for ameliorating and optimizing the state activity in the social field, correspondingly to child’s needs, which always change.”

Private sector

The involvement of the private sector in child protection is limited; although the private sector has a great potential to become an active actor of the child protection system.

The interviewers see the following reasons of such scarce participation:

- Egoistical mentality and consideration that only the state is in charge of child's issues.
 - *“The business sector should pay the taxes. That is the direct contribution for child’s protection.”*
 - *“Business sector is not affected directly by child’s problem; therefore it doesn’t have a personal interest to be involved in child’s protection policy”*
- Lack of normative framework regulating the philanthropic and sponsorship activity.
 - *“... must be created all conditions for simplifying the process of giving donations, financial aids for children; the state should have a coherent politics in enhancing and supporting the business participation in charity actions.”*
 - *“they (economic agents) are not stimulated by the state”*

In addition the interviewers mentioned that there is a positive correlation between the degree of LPA involvement in child protection actions and the philanthropic activity of the local private sector. A really concerned for child issues LPA manages to involve actively in social services the local private sector, while in communities with low LPA interest in child protection, the local private sector is also indifferent.

Cooperation between the stakeholders

The cooperation between the institutionalized actors involved in child protection carries out along following directions:

1. horizontally – among the actors at the same level (national, district and local)
2. vertically – among the actors at different levels
3. among international and national actors

Nowadays there is a complex normative framework regulating the collaboration among the institutions involved in child protection. However, the respondents recognized that the cooperation among institutions is inefficient and in many cases the deficient collaboration disadvantages the social initiatives launched by the state.

The respondents considered that there are several reasons for such inefficient collaboration:

- absence of adequate normative framework designing clearly the responsibilities of each institutions involved in child protection.

"in the child (protection) field there are five "midwives": the Direction of Education, the Social Assistance, the Prosecutor's Office, the Court and the police. There are five "midwives" who have the responsibility to provide the child with social services, to educate and guarantee his health. But none of these five are doing anything. Why? The Social Assistance doesn't have the possibility to make something because he is a child and it doesn't have a direct access to him, we help with a word and nothing more... The Direction of Education takes care of the child's education. The remaining child's problems are not its business. It thinks of education. If he (the child) does not suit the normal school, it (Direction of Education) sends him to a boarding school and "stay there". The police don't see in the child a person who has to be protected and provided with a judicial education the problems he could have if infringes the law."

- overlapping of the responsibilities

"Every problem that we try to solve, we can't do it without the Direction of Education. But, if it wants to solve it, (the problem) will be solved, if it doesn't want ...But when we address to it, we get nothing that reproaches "what are you walking here and waste our work time". But we go with a child's problem."

- poor communication among institutions

"An example (of poor communication) is when the Ministry of Education elaborates a curriculum, it tells us about it at the final stage or even later, that means that it isn't an efficient pull together. Or when we have a scheduled idea, we can find out that it was executed by another department, or is too late (to realize it). We must have a communication between the experts and the NGOs; I can assert that the nongovernmental sector has a good and appreciable competence."

- lack of punitive measures for institutions for not performing their responsibilities in child protection field

"...a difficulty is the communication with the ability organs, ministers. Practically is a lack of receptivity when we address requests. (We) receive evasive, insubstantial answers. For solving a problem (family with many children)... I should repeat the request three times, to the responsible institutions organs to start finally acting according to the request essence, but I cannot find reasons why it wasn't or isn't solved."

- reduced decisional power of the institutions directly linked with child problems (LPA, social assistants)
 - „in fact many problems have not to reach the rayon, but to be solved locally”
 - “If we could authorize the social assistants in the labour regulation, in their work with the young families who have children, how to educate the children, how to protect him, in order to employ a family, the father, the mother when the child appears, it would be necessary for the social assistant to respect what says the Labour Force Office. The Labour Force Office does this when it wishes.

”

Appendix: Keynotes regarding an effective national strategy for addressing child protection issues

In Moldova children represent the most vulnerable social segment of the society with a decreasing social assurance. From definition children are approached as social group which need protection and must be assisted from the beginning of the life. The children' protection is based on reciprocal moral responsibility of the family, community and state, and which has to be guaranteed in a mutual, coordinated and interdependent way. The Republic of Moldova must to insure its future through growing and breeding children today using legislative norms, resources, strategies and finally an equitable protective policy towards children. The present strategy tries to offer solution to redress the main issues of the child protection and reduce the shortfalls.

The main problem of child protection system is that to date the child protection still did not become a priority for the government and it is approached under the pressure or advise of the international organization/ donors or local NGOs.

Main issues regarding child protection

- Increasing child poverty, especially in rural area and small towns;
- „Unequal chances” for children, determined by different economic situation;
- Growing juvenile crime rate;
- High incidence of domestic and social violence against children
- Lessening enrolment in upper-secondary education
- High incidence of child labor, often detrimental for the child education and health
- Growing drug-dependency
- Increasing number of institutionalized children;
- Child trafficking;
- Migration, resulted in the increasing number of parental unsupervised children and decrease of qualified personnel from education and health care institutions;
- Social marginalization of juvenile offenders and institutionalized children;
- Violation of child rights in places of detention

Shortfalls in child protection system

Social assistance system

- The system of social benefits allocation is complex and inadequate;
- The social assistance transfers are fragmented, poorly targeted and their increase is frequently determined by electoral rather than social reasons;

- Offer of social services is quite limited both as volume and type. Demand for services exceeds the offer;
- The information on available social assistance and services is insufficient;
- Lack of alternative social services, the NGOs services cover only a small contingent of children from the beneficiary group;
- Polarization of NGOs services, mainly concentrated in municipalities and less in rural area;
- Lack of qualified personnel dealing with child's issues – social assistants, police officers, medical assistants, judges, advocates etc.

Institutional framework

- Institutional fragmentation and sometimes overlapping of functions regarding child protection policy,
- Lack of any parliamentary mechanism for child protection;
- Red tape and ineffective collaboration among state structures;
- Undeveloped partnership among state structures and civil society
- Reduced decisional power at local level;
- Financial deficit of LPA, resulted in reduced or no personnel to deal with social and child issues, old equipped school and lack of centers providing extracurricular activities;

Normative and legislative framework

- Lack of normative legislation clearly designing the responsibilities of each institution involved in child protection;
- Lack of punitive measures for institutions not performing their responsibilities in child protection field;
- Lack of punitive measures for parents violating their child rights by domestic violence or child labor.
- No normative framework regulating the philanthropic and sponsorship activity;
- No coherent policy/strategy dealing with migration and its spill-over effects over the child protection;
- Lack of coherent state policies addressing the most stringent child protection issues - home and social violence against children, child trafficking and child labour, the juvenile justice and social marginalization;
- The existing strategies and policies addressing the child protection issues are not always adequately supported financially by the national budget. As result, their implementation is deficient;
- There is no unique data base regarding the situation of family and child, which would help to asses the social impact of policies and strategies in progress.

Address problems and reduce the shortfalls

The major part of issues which face the current child protection system could be addressed only by a complex and coherent set of measures.

1. Reform of existing institutional framework

- To delegate the existing National Council for Protection of Child's Rights with a decisional power in child protection field. The National Council will coordinate and monitor the implementation of all national strategies and international programs dealing with child issues; assess the social impact of these programs and introduce the required legislative amendments to existing laws or develop new laws.
- The National Council or a special Commission have to analyze thoroughly the current distribution of obligations among the institutions and clear about the priority giving to child protection by each ministry/department, detect all overlaps or inconsistencies and propose a reorganization of the child protection system along with a redistribution of obligations. At this stage, the expertise of local and international NGOs and donors will be required.
- To develop a parliamentary mechanism for child protection. It could be represented by a subcommittee of the Parliamentary Commission for Social Protection, Health and Family. It will scrutinize the government activities in child protection field and account them for unperformed obligations, expertise the legislative initiatives for child protection consideration, propose motions and identify if the Government commitments regarding child protection issue are reflected and adequately funded in the national budget.
- To delegate the responsibility for delivering child protection services to LPA. At this stage, the Government could help the LPA either by increasing the financing or by offering the support in finding external funds. The NGOs could also help the LPA in different ways, starting with informative campaign about existing grant possibilities and ending with project writing trainings for LPA personnel.
- The governmental institutions should liaise with NGOs and other civil society actors working in the field of child protection.
- To approve special courts dealing with juvenile offenders.

2. Improvement of normative and legislative framework

- To raise the child protection issue to the level of national interest, supported by adoption of child-friendly budget.
- To identify the gaps in existing legislation on the protection of children, close the legislative loopholes and strengthen the law enforcement.
- To review and amend national legislation such that it will meet all protective provisions of international instruments addressing the child protection to which R. Moldova is party.

- To enact the legislation on sponsorship and philanthropic activity. A proper legislation will impel the private sector to engage in sustaining the alternative social services.
- To review the school curricula and vocational training programs such that they are relevant to children and adapted to the demand of the local labor market.
- To review the criminal law and adopt severer punitive measures for offences against children – child trafficking, sexual abuse, homicide, child exploitation.
- To amend the provision of the Law on Social Assistance stipulating the optional employment of local social assistants by requiring that at least one personnel unit within the mayoralty to be occupied by a social assistant.
- To enact the Law on probation and the service of probation;
- To enact the Law on mediation in penal cases

3. Elaboration of a national strategy of child protection

- To examine the impact of national strategies and policies in progress which address to some extent the child protection issues – issues covered, the achievements, failures and shortcoming of the proposed objectives, reasons of failures.
- To identify and analyze the violations of children's rights which need to be addressed.
- To develop a new methodology for collecting the statistical data on child and family and establish a common accessible statistical database regarding the situation of family and child.

4. Development and consolidation of human resources engaged in child protection activities

- To elaborate a specialized training program for the personnel engaged in the juvenile justice area - advocates, judges, police and prison officers – with emphasize on child development, child psychology and child's rights.
- To elaborate continuous training programs for local social assistants;
- To involve the social assistants or representatives of mayoralties in project writing trainings, offered by local specialized NGOs.
- To identify financial means to ensure adequate and regular wages to the personnel from education, health-care and social assistance fields.
- To identify the mechanism for motivating young specialists – social assistants, psychologists, teachers – to engage in public social services.
- To elaborate a common database on national legislation on child protection, best international and national practices, alternative social services, alternative funding programs, services offered by NGOs, international organizations etc., such that to offer continuous information either to beneficiaries of child protection system and personnel dealing with child issues.

5. Development of the system of social services for family and child

- To elaborate the minimal standards for institutions delivering social services and apply them respectively.
 - To include in the social assistance system the new emerged categories of beneficiaries (children) in difficulty – migrants' children left without financial means, trafficked children.
 - To elaborate a new mechanism for assessing the beneficiaries' incomes and needs.
 - **To support and persuade the LPA to develop alternative communitarian social services.**
 - To launch a home visiting program for monitoring the child development and provide advise, support and referral to young families with children. Such program has to be seen as a method of preventing the domestic child abuse and neglect.
 - To launch treatment programs for people who abuse their children or partners.
 - To expand the practice of the family support centres from several localities to the whole country by creating a national network. These centers will provide training in parenting skills, social, psychological and legal counselling and crisis intervention.
 - To elaborate specialized rehabilitation and education programs for children in detention in order to prepare them for the smoother integration in the society.
 - To create new social services for migrants' children left without caregivers.
6. *Raise public awareness of the importance of child issues*

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