



Country: Republic of Moldova

## Initiation Plan

**Project Title:** Strengthening access to justice through legal empowerment of refugees in Moldova

**Expected UNDAF/CP Outcome(s):** UNDAF 2018-2022 OUTCOME 1: The people of Moldova, especially most vulnerable, demand and benefit from democratic, transparent and accountable governance, gender-sensitive, human rights- and evidence-based public policies, equitable services, and efficient, effective and responsive public institutions

**Expected CPD Output(s):** OUTPUT 1.4: Women and men, including from minority and marginalized groups, are enjoying rule of law and protection of human rights ensured by inclusive institutions

**Initiation Plan Start/End Dates:** 1.06.2022 – 31.05.2023

**Implementing Partner:** UNDP

## Brief Description

The need for legal aid in displacement and humanitarian contexts is very crucial. Legal aid interventions are critical in ensuring the centrality of protection throughout the humanitarian response, to support affected populations not only in accessing justice but also protection, humanitarian assistance and public services. The provision of accessible legal aid is required under minimum standards for protection in emergencies in a number of specific areas, including GBV and child protection, as well as contributes to SDG 16 and the overall aim of "leaving no-one behind". Without legal support, the refugees might be faced with denial of rights including the lack of a legal identity, protection orders, the right to employment, education and housing, or of access to health, and other social services etc.

This intervention aims at laying the foundation for a solid engagement in the area of rule of law, justice, security and human rights that responds to immediate needs and also addresses longer-term purposes. The proposal is built on a two-pronged approach under the overall governance, rule-of-law, security and human-rights dimension, while strengthening systems and making efforts to mainstream the needs of refugees and host communities, reinforcing the humanitarian-development approach and supporting community preparedness for any future refugee movements to Moldova.

UNDP will aim at supporting national and local governments to address the development impacts of the crisis and help bring a resilience approach to the humanitarian refugee response, thus contributing to the consolidation of the humanitarian-development nexus and adding a longer-term perspective to the national discourse on the length and scope of the current refugee crisis.

Programme Period: 01.06.2022 – 31.05.2023

Atlas Project Number: 00109874

Atlas Output ID: 00109034

Gender Marker: GEN 2

Total resources required 250,000 USD

Total allocated resources:

- Regular (TRAC)
- GP Rule of Law 250,000 USD

Unfunded budget: \_\_\_\_\_

In-kind Contributions \_\_\_\_\_

Agreed by UNDP Moldova: Dima Al-Khatib, Resident Representative

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## I. PURPOSE AND EXPECTED OUTPUT

The military conflict in Ukraine led to a humanitarian crisis forcing over 5 million people to leave the country in search for safety. To date, over 460,000 people have already entered Moldova, either en route to other destination countries, or to stay. Thus, circa 87,000 individuals are currently seeking temporary shelter and asylum in Moldova.

The Government of Moldova has declared its readiness to receive refugees from Ukraine and is cooperating with the UN, local and international organizations to respond to the unfolding crisis. There is a Crisis Management Centre set up under the Prime Minister's Office and a series of emergency accommodation centers are being established to support arrivals from Ukraine. The Government has also launched an information resource for refugees ([www.dopomoga.gov.md](http://www.dopomoga.gov.md)), which provides basic information for their initial settlement. On the 24th of February 2022, the Government of Moldova closed its airspace and announced a State of Emergency, allowing the authorities to establish a special regime of entry and exit from the country.

Entries are coming particularly from the southern and south-western parts of Ukraine, including the port city of Odessa. However, border crossings in the North are also seeing a high level of arrivals in need of humanitarian assistance. The situation is volatile and is changing rapidly. The majority of those coming in are women (63%) and children (51%), while there are also some men coming through (elderly, single fathers or fathers of families of at least three children). Persons belonging to especially vulnerable groups such as older people and persons with disabilities are also entering the country and they are in need of services and special assistance.

Being one of the poorest nations in Europe, Moldova's population is spread mainly in rural settlements and economically unable to respond to such a bulk of refugees without external aid. In the event of a protracted war in Ukraine, socio-economic achievements in neighbouring Moldova could be jeopardized, according to UNDP's initial projections<sup>1</sup>. The data suggests that in Moldova, more than 30% of the population could be living below the poverty line, and 54% could be at high risk of falling into poverty within the next twelve months due to impacts of conflict in Ukraine and related crises.

The situation is evolving fast with new waves of people expected to arrive to Moldova daily, hence increasing the pressure on the Moldovan authorities and communities to accommodate and offer primary care and temporary support to an increasing number of people in an acute state of vulnerability. At the forefront of assistance to refugees are the local public authorities, which face significant planning and budgeting constraints that dramatically reduce their capacities to respond to the crisis. There is also a stringent need to design and implement policies and support mechanism to address the medium to long-term needs of the refugees and host communities, and foster their social and economic inclusion, while ensuring social cohesion, access to justice and human security.

From the onset of the military conflict in Ukraine, UNDP together with other UN agencies mobilized itself to support the Moldovan authorities' and local communities' response to the needs of refugees arriving in Moldova. Thus, UNDP revised promptly its activities responding to the needs of refugees through the existing projects, but also offering immediate support to the Government of Moldova to help refugees who seeks shelter. Therefore, it is important for UNDP to facilitate through its programme and projects the socio-economic integration of refugees through promoting employment opportunities, expanding their access to public services and ensuring social cohesion in host communities.

As per the UN Principles and Guidelines on Access to Legal Aid in Criminal Justice Systems, the need for taking specific measures to enable equal access to legal aid for refugees and asylum seekers is recognized. People affected by humanitarian and displacement crises require assistance to understand, interpret and navigate legal and policy frameworks, as well as related procedures and systems of the hosting country. The timely and adequate provision of legal aid, based on the specific needs of the targeted group, is therefore a key to the implementation of law and policy for the benefit of affected populations. At the same time, the Ukrainian refugee crisis is amplified by the effects of the COVID-19 pandemic, energy crisis and increasing costs of living in Moldova, which might increase tensions, dissatisfaction and lack of trust among host communities. This is likely to

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<sup>1</sup> The Development Impact of the War in Ukraine: Initial projections <https://www.undp.org/library/development-impact-war-ukraine-initial-projections>

create an increasingly insecure environment and diminishing protection space for refugees and asylum seekers.

Efforts to ensure full and equal access to justice for all, including populations affected by the current refugee crisis should be at the centre of the response. Refugees' ability to access justice is essential to prevent and respond to protection concerns. The worldwide practice suggests that refugees face a number of challenges ranging from discriminatory social and cultural norms and practices, inadequate national laws, malpractice and abuse in the justice system and public administration, and lack of political will of authorities to act. Women refugees face additional risks and vulnerabilities, including gender discrimination and gender-based violence (GBV).

UNDP will aim at supporting national and local governments to address the development impacts of the crisis and help bring a resilience approach to the humanitarian refugee response, thus contributing to the consolidation of the humanitarian-development nexus and adding a longer-term perspective to the national discourse on the length and scope of the current refugee crisis. It is crucial to further ensure refugee protection and empower national and local actors to prepare for, respond to, and implement durable solutions to forced displacement, while upholding protection, humanitarian and sustainable development principles. As part of these endeavours, governance, security and rule of law are at the core of the refugee response and protection regime. Without a well-shaped institutional system and evidenced-based responses the rights and access to public services for refugees and asylum seekers, or the host communities cannot be fulfilled.

### **Expected change and impact of the intervention**

This intervention aims at laying the foundation for a solid engagement in the area of rule of law, justice, security and human rights that responds to immediate needs and also addresses longer-term purposes. The proposal is built on a two-pronged approach under the overall governance, rule-of-law, security and human-rights dimension, while strengthening systems and making efforts to mainstream the needs of refugees and host communities, reinforcing the humanitarian-development approach and supporting community preparedness for any future refugee movements to Moldova.

Under this intervention, UNDP will focus on two dimensions in provision of legal support and protection to Ukrainian refugees:

- 1) Capacity development (rule of law actors);
- 2) Country's resilience (beyond immediate response to the refugee inflow)

On the **capacity development** component, UNDP will undertake the following activities:

- i) Conducting a rapid assessment of the legal aid system's capacities to respond to refugees' and host communities' needs to inform about the gaps and measures to be undertaken to strengthen the response, as well as a rapid legal needs assessment of refugees and asylum seekers;
- ii) Implementing a robust legal needs assessment exercise for improved planning and programming for the delivery of legal aid services to affected groups and host communities across the country;
- iii) Strengthening the knowledge of 80 paralegals on refugees' rights, protection mechanisms and other aspects relevant for the provision of primary legal aid in crisis situations; reviewing the paralegals' training programme and materials to reflect the refugees related aspects;
- iv) Expanding the network of paralegals (enrol and train up to 10 paralegals) to provide legal empowerment and support services to refugees, asylum seekers and host communities, with due consideration to GBV aspects;
- v) Promoting the access to legal information, remedies and support through the existing e-platform for refugee support ([dopomoga.gov.md](http://dopomoga.gov.md)) and unlocking the potential of a legal aid app. The most critical resources will be translated into Ukrainian to ensure a wider access to legal information and increasing refugee legal awareness on how to access national justice and security services;
- vi) Building the capacities of justice and law-enforcement agents on protection of rights of refugees and other displaced populations, including on unconscious biases and non-discrimination practices. A rapid needs assessment will be conducted to determine the

knowledge gaps and prepare a tailored training programme, encompassing the identified needs and topics of concern. A multidisciplinary approach will be employed to the extent possible to ensure a genuine exchange and collaboration between different groups of justice professionals.

Throughout the lifespan of this intervention, UNDP will capitalize on other ongoing efforts to meet the needs of the most vulnerable and at-risk refugees. As part of UNDP partnership with CALM, an assessment of the impact of the refugees' inflow on local public services is currently undertaken. The preliminary data show that services for GBV victims and survivors are among the most affected ones at the community level. Therefore, the project will capitalize on UNDP's experience of provision of GBV services in Gagauzia and will seek to extend the Mobile Team model to support the GBV prevention programmes across selected communities to address the vulnerabilities of displaced women and girls, including by rapid capacity assessments and capacity building for the local administration from the targeted communities that address the GBV-related needs of the displaced women and girls. The Mobile Teams will act as a liaison between refugees, host communities, LPAs, while providing legal, psychological, and social services in GBV cases and helping the local authorities to solve complex cases. Building on the partnership with the Congress of Local Authorities of Moldova (CALM), the project will look into the communities with the highest refugee-per-capita rate, selecting two of them for the proposed interventions.

This current initiative will enable UNDP to build upon the existing programmes and partnerships with Government, UN Agencies, including UNHCR, civil society and rule of law sector, as well as its extensive programmatic footprint along migration and development, to use a rights-based approach and respond to the existing and emerging needs of refugee and host communities effectively and comprehensively, while strengthening systems and making efforts to mainstream the needs of refugee and host communities in local planning, reinforcing the humanitarian-development approach and ensuring community preparedness for further future refugee movements.

In the longer-term perspective, the project will aim at bringing transformative change by strengthening the **country's resilience** to external shocks beyond the immediate response to the refugee inflow from Ukraine. The current crisis has the potential to have longer-term implications for Moldova's development. It should also address the medium to long-term needs of the refugees and host communities, through developing self-reliance activities, and promoting social cohesion and peaceful coexistence between refugees and host communities. The specific risks and vulnerabilities of women should be a key priority in a context where women compose the majority of the population displaced from Ukraine.

The intervention will be implemented through the initiation plan modality, building on the capacities and networking of two ongoing UNDP projects, which will join their efforts in order to achieve a structured approach for legal aid via using existing practices. The legal aid services will be provided taking into account the gender dimension, with an increased focus on preventing and combating the GBV, in the case of both, refugees and the host communities. The Project will focus on creating an enabling environment for the local public authorities, existing services for assisting GBV cases and rule of law professionals (judges, lawyers, paralegals, etc.) in discharging their responsibilities and responding to the refugees' crisis.

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## II. MANAGEMENT ARRANGEMENTS

The responsibility of the overall management and coordination of the Initiation Plan lies with the UNDP Moldova, while a Project Board, composed of representatives of the beneficiary institutions, civil society organizations and UNDP Moldova, will take the task to guide the Project strategically and help it achieve its overarching goals. The Project Board shall be convened twice per year, physically, virtually or through written communication, guide the implementation of the project activities and advise on the strategic direction of the Project.

UNDP Effective Governance and Inclusive Growth Teams will provide quality assurance inputs into the project and deliverables of the consultant/s or the organisations delivering on the outputs. UNDP will further explore scaling-up the current interventions for a larger engagement in the area of rule of law, justice, security and human rights that responds to immediate needs of refugees and host communities, but also addresses longer-term purposes by introducing and building sustainable empowerment patterns, enhanced institutional capacities and more accessible services.

UNDP Moldova, through the A2J and GBV project teams, will be responsible for project administration including implementation of project activities, procurement of goods and services, awarding low-value grants, engagement of project personnel and national and international consultants, connecting to national and international expertise and knowledge networks etc., in order to ensure the timely and expedient implementation of project activities. Procurement of goods and services, awarding low-value grants, engagement of project personnel will be in accordance with UNDP Moldova regulations, rules, policies and procedures.

UNDP intends to engage the NGO Institute for Penal Reform<sup>2</sup> (IPR) as a Responsible Party<sup>3</sup> to conduct the assessment/analytic and capacity building interventions assigned through the Initiation Plan in response to refugees' and host communities' needs. Resources will be transferred to the responsible party using the Harmonized Approach to Cash Transfer (HACT)<sup>4</sup> to implement activities and achieve results based on the approved workplan and budget.

IPR is a well-known national NGO, established in 2001, specialized in the field of criminal justice, law enforcement, legal training and research, and human rights with a strong record at national and local levels. This organization played a key role in promoting, introducing and developing various justice related concepts and policies, instruments and mechanisms (for instance, mediation in criminal cases, legal aid concepts, probation, community service, child-friendly justice, community engagement in justice system), meant to strengthen access to justice, increase the efficiency and fairness of justice processes, promote respect for human rights and build stronger justice institutions.

UNDP will seek to engage with NGO National Association of Paralegals from Moldova<sup>5</sup> through the low-value grants modality (LVG), by means of ad-hoc award, to build capacities of the paralegals system in providing support and assistance to refugees and host communities, with due consideration to GBV aspects. The National Association of Paralegals from Moldova is a known national NGO promoting legal empowering and access to justice throughout the communities covered by the network of paralegals delivering primary legal aid to the people in need.

### III. MONITORING

In accordance with UNDP Moldova programming policies and procedures, the project will be monitored through the following monitoring and evaluation activities:

#### Monitoring Plan

Monitoring Activity	Purpose	Frequency	Expected Action	Partners (if joint)	Cost (if any)
Track results progress	Progress data against the results indicators in the Work Plan will be collected and analysed to assess the progress of the project in achieving the agreed outputs.	Quarterly	Slower than expected progress will be addressed by project management.	N/A	Project Management and Project Quality Assurance costs

<sup>2</sup> <http://irp.md/>

<sup>3</sup> As per UNDP Programme and Operations Policies and Procedures (POPP) on Selecting Responsible Parties and Grantees,

[https://popp.undp.org/\\_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP\\_POPP\\_DOCUMENT\\_LIBRARY/Public/PPM\\_De sign\\_Select%20Responsible%20Party%20and%20Grantees.docx&action=default](https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/PPM_De sign_Select%20Responsible%20Party%20and%20Grantees.docx&action=default)

<sup>4</sup> [https://popp.undp.org/\\_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP\\_POPP\\_DOCUMENT\\_LIBRARY/Public/FRM\\_Financial%20Management%20and%20Implementation%20Modalities%20 Harmonized%20Approach%20to%20Cash%20Transfers%20\(HACT\).docx&action=default](https://popp.undp.org/_layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/FRM_Financial%20Management%20and%20Implementation%20Modalities%20 Harmonized%20Approach%20to%20Cash%20Transfers%20(HACT).docx&action=default)

<sup>5</sup> <http://parajurist.md/anpm>

Monitor and Manage Risk	Identify specific risks that may threaten achievement of intended results. Identify and monitor risk management actions using a risk log.	Quarterly	Risks are identified by project management and actions are taken to manage risk.	N/A	Project Management and Project Quality Assurance costs
Reporting	Describe major results against set indicators and targets, recommendations for the development of a full-fledge initiative.	Mid-term reporting (6 months) and at the end of the initiation plan	Major results and outline of future intervention designed.	N/A	Project Management and Project Quality Assurance costs

#### IV. WORK PLAN

Start Date: 01 June 2022

End Date: 31 May 2023

EXPECTED OUTPUTS	PLANNED ACTIVITIES <i>List activity results and associated actions</i>	TIMEFRAME				RESPONSIBLE PARTY	PLANNED BUDGET		
		Q1	Q2	Q3	Q4		Funding Source	Budget Description	Amount (USD)
<b>Output 1</b> National legal aid system is enabled to provide a tailored refugee response  <b>Indicator:</b> Number of refugees benefitting from primary legal aid services <b>Baseline:</b> 0 <b>Target:</b> 500  <b>Indicator:</b> Number of justice professionals (m/w) trained on the protection of rights of refugees	1.1 Conduct a rapid assessment of the legal aid system's capacities to respond to refugees' and host communities' needs	x				IRP	Local Consultants	3,500	
	1.2 Conduct a rapid assessment of the needs of refugees and asylum seekers in the field of access to legal and other public services	x				IRP	Local Consultants	3,500	
	1.3 Implement a robust legal needs assessment exercise for improved planning and programming for the delivery of legal aid services to affected groups and host communities across the country	x	x	x	x	IRP	Local Consultants	5,000	
	1.4 Strengthen the knowledge of 80 paralegals on refugees' rights and services available to them at local and national levels	x	x			UNDP	Grants	10,000	
							Contractual Service - Companies	40,000	

<b>Baseline: 0</b> <b>Target: 150</b>	1.5 Review the paralegals' training programme and materials to reflect the refugees related aspects	x	x				UNDP	28623	Grants	5,000
	1.6 Enrol and train up to 10 paralegals to provide legal empowerment and support services to refugees, asylum seekers and host communities, with due consideration to GBV aspects	x	x	x		x	IRP	28623	Local Consultants	4,000
									Trainings, Workshops and Conf	7,000
	1.7 Promote the access to legal information, remedies and support through the existing e-platform for refugee support (dopomoga.gov.md)	x	x				UNDP	28623	Local Consultants	5,300
	1.8 Develop the legal aid app	x	x	x		x	UNDP	28623	Contractual Service - Companies	20,000
									Local Consultants	7,000
	1.9 Build capacities of justice and law-enforcement agents (up to 100 participants) on protection of rights of refugees and other displaced populations, including on unconscious biases and non-discrimination practices	x	x	x		x	UNDP	28623	Trainings, Workshops and Conf	12,000
	Management costs	x	x	x		x	UNDP	28623		32,481
	DPC	x	x	x		x	UNDP	28623		1,000
<b>Subtotal Output 1</b>										<b>155,781</b>



<b>Output 2</b> Local capacities for the provision of GBV related services enhanced  <b>Indicator:</b> Number of persons (m/w) assisted by the mobile teams in GBV related cases:  <b>Baseline:</b> 0 <b>Target:</b> 100	2.1 Conduct a rapid capacity assessment of targeted LPAs (2 rayons)	x					UNDP	28623	Local Consultants	1,500	
	2.2 Capacity building for the local administrations' staff (up to 20 persons) on the provision of GBV related services	x	x				UNDP	28623	Local Consultants	3,500	
	2.3 Consolidation and operation of mobile teams in the selected areas	x	x	x	x		UNDP	28623	Grants	50,000	
	Management costs	x	x	x	x		UNDP	28623		20,000	
	DPC	x	x	x	x		UNDP	28623		700	
	<b>Subtotal Output 2</b>										<b>75,700</b>
	<b>Total</b>										<b>231,481</b>
<b>GMS (8%)</b>										<b>18,519</b>	
<b>GENERAL TOTAL</b>										<b>250,000</b>	

