United Nations Development Programme



Country: Republic of Moldova Initiation Plan

Project Title : Enhancing access to justice for living in dignity

Expected UNSDCF/CPD Outcome(s): Outcome 2: By 2027, more accountable, and

transparent, human rights based and gender responsive governance empowers all people of Moldova to participate in and to contribute to development

processes.

Expected CPD Output(s) : Output 2.2. Rule of law institutions have strengthened

capacities to protect human rights, expand access to justice and legal remedies to ensure social cohesion and

security for all

Initiation Plan Start/End Dates : 01.03.2023-30.06.2024

Implementing Partner : UNDP

Brief Description

The overall objective of the intervention is to enhance the resilience of the rule of law system from the Republic of Moldova and strengthen its capacities to deliver effective remedies and provide access to public services. It is intended to address the multifaceted and interconnected challenges of the current polycrises through strengthening institutions, empowering vulnerable groups to access legal services and unlocking the potential of digital transformation in support of better access to justice.

This intervention aims at providing rule of law institutions and other relevant actors (such as CSOs) with the adequate tools and knowledge to work across the humanitarian-development-peace nexus and to improve access of refugees, displaced populations and host communities to inclusive justice services, safety and security, and protection systems. At the same time, this intervention will seek to empower justice seekers to claim their rights and access legal services while seeking remedies for their grievances.

Programme Period: 01.03.2023-30.06.2024

Quantum Project Number:
Quantum Output Number:

Gender Marker: GEN 2

Total resources required USD 1,655,069
Total allocated resources: USD 1,655,069

• Regular N/A

Other:

o Gov of Germany USD 1,655,069

Unfunded budget: N/A In-kind Contributions N/A

Agreed by UNDP: Andrea Cuzyova, Resident Representative a.i.

Agreed by National Legal Aid Council: Victor Zaharia, Chairperson

DocuSigned by:

Andrea Cuzyova

30A862C5300B4B4...

DocuSigned by:

Victor Laboria

I. Purpose and Expected Output

Context

Rule of law is the cornerstone for countries to anticipate, prevent, respond, and recover from crisis. Institutions governed by rule of law have the potential to deliver a human rights compliant and human development-oriented response to crisis situation. In the recent years, the Republic of Moldova was faced by multiple crisis which have tested the strength of the country's rule of law system and has impacted the development avenues of Moldovan people.

First, the COVID-19 pandemic has put the institutional capacities of the Government and of local authorities under test and has affected the capacities of the authorities to keep delivering services, including ensure access to justice especially to those most left behind.

Second, the war in neighbouring Ukraine continues to affect Moldova, increasing the country's political, economic, security and social fragility and testing the strength of institutions and rule of law. The most immediate and visible consequence of the war is the refugee crisis, which has placed the capacities of national institutions (including rule of law institutions) under significant strain. After one year of conflict, nearly 940,000 refugees, most of them women and children, have reached Moldova and about 104,000 of them are still in the country, representing circa 4 percent of the total population. National and local public authorities have quickly responded to the immediate needs of the displaced population, but their limited capacities are making it difficult to further address the steady inflow of refugees from Ukraine, including their socio-economic inclusion and the required expansion of services, particularly as regards safe and equal access to justice for all, thus intensifying existing vulnerabilities and putting at risk major aspects of human security. The refugee crisis poses a significant threat to social cohesion in Moldova as well. Being amplified by the effects of the COVID-19 pandemic, energy crisis and increasing costs of living in Moldova, it is prone to increase tensions, dissatisfaction, and lack of trust among host communities. This is likely to create an increasingly insecure environment and diminishing protection space for displaced people.

Third, a deep energy crisis has been ongoing already before the invasion of Ukraine, owing to possible disruptions of gas supplies. The country is highly dependent on external energy sources and highly sensitive to fluctuations in energy markets. Increases in gas tariffs and electricity prices have already deepened energy poverty among vulnerable populations. Inflation raised to 34.6 percent in October 2022 (from 4.36 percent in 2020). The medium- to long-term economic impact for Moldova will depend on the length and scope of the war in Ukraine. According to UNDP estimates, more than 30 percent of the population in Moldova could be living below the poverty line, and 54 percent of individuals could face high risks of falling into poverty within the next twelve months as a result of the war in Ukraine. This increased vulnerability raises significant additional pressure on the social protection and health care system and its ability to effectively respond to current and future shocks.

In the context of the polycrisis that Moldova is facing and considering the cyclical and protracted character of crises occurring globally and in the region, it is important to support the Government in strengthening institutions that would be able to keep delivering services and ensure access to justice especially to the most vulnerable.

Even though the Government with the support of development partners and humanitarian organizations has put considerable efforts in making sure vulnerable groups have access to services including have access to justice considerable gaps exist in terms of effective access to those services. Persons with disabilities, especially those with intellectual disabilities, survivors of domestic violence, Roma people and rural residents are amongst the groups with lower access to justice avenues. As the justice system is not sensitive to the needs of those groups it has limited capacities

-

¹ https://www.border.gov.md/circa-un-milion-de-cetateni-ucraineni-au-intrat-r-moldova-de-la-inceputul-razboiului-din-ucraina

² Available data suggest that legal advice and access to information on legal status are among the most stringent needs of the refugee population. See UNHCR, *Moldova Protection Profiling and Monitoring Factsheet, August 2022*, https://data.unhcr.org/en/documents/details/95146

to deliver justice services to the new vulnerable group for Moldova – the refugees and displaced population.

UNDP response

UNDP Moldova has supported the Government of the Republic of Moldova throughout the years to consolidate its rule of law institutions. UNDP has worked on strengthening the national human rights institutions, building strong National Institute of Justice that would train qualified justice professionals as well as working on more focused issues such as access to justice of vulnerable groups and building the capacities of forensic system³. In the context of the compound crisis, UNDP Moldova is implementing a project funded by the Global Programme on Strengthening Rule of Law, Human Rights, Justice and Security for Sustainable Peace and Development aiming 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 in the context of the refugee crisis. It builds on a two-pronged approach under the overall governance, rule-of-law, security and human-rights dimension. It supports the systems to mainstream the needs of refugees and host communities in legal aid system reinforcing the principles of the humanitarian-development nexus and providing legal empowerment services to refugee and displaced people, especially those most vulnerable.

Furthermore, 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. UNDP facilitates 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.

Intervention overview

Displacement removes people from the systems and institutions that are designed to protect them – such as legal aid, courts and other avenues for justice. This pushes people, especially women and girls, into extreme vulnerability. To protect all people, public institutions must safeguard the rule of law and justice at all times, and especially during war. Civil society organizations are critical partners in reaching and delivering justice and legal services to the people most in need. These peoplecentered, sustained and collaborative efforts are necessary not only for addressing the immediate justice needs of displaced people, host communities or society at large, but also for building resilience to uncertainty.

Therefore, the **overall objective** of the intervention is to enhance the resilience of the rule of law system from the Republic of Moldova and strengthen its capacities to deliver effective remedies and provide access to public services. It is intended to address the multifaceted and interconnected challenges of the current polycrises through strengthening institutions, empowering vulnerable groups to access legal services and unlocking the potential of digital transformation in support of better access to justice.

This intervention aims at providing rule of law institutions and other relevant actors (such as CSOs) with the adequate tools and knowledge to work across the humanitarian-development-peace nexus and to improve access of refugees, displaced populations and host communities to inclusive justice services, safety and security, and protection systems. At the same time, this intervention will seek to empower justice seekers to claim their rights and access legal services while seeking remedies for their grievances.

The proposal is built on a multi-pronged approach under the overall rule-of-law dimension, while strengthening the system across a variety of actors and making efforts to mainstream the needs of

-

³ Please see the fact sheet for the Strengthening Efficiency and Access to Justice in Moldova Project at: https://www.undp.org/moldova/projects/strengthening-efficiency-and-access-justice-moldova

vulnerable groups and host communities, reinforcing the humanitarian-development approach and supporting system-wide preparedness and response capacities for any future shocks.

At the same time, building on existing UNDP-facilitated initiatives between both banks of the Nistru river, this project will seek to support confidence building and positive engagements and cooperation, aimed at weakening the dividers and increasing society's resilience to mounting negative pressures, as well as creating opportunities for practical collaboration in support of vulnerable groups, including refugees on both banks. Thus, activities will be implemented in line with the confidence building approach, connecting people and structures, facilitating dialogue and knowledge sharing among civil society organizations. No actions will be taken which may harm or deteriorate the existing situation.

Objectives/Key Results and Activities

- To enhance rule of law system-wide capacities to address justice needs of vulnerable groups, including displaced people and host communities (**System-wide Capacities**):
 - Conduct a people-centred justice needs and satisfaction survey to provide robust evidence that can support programming and policy making in the areas of justice and rule of law:
 - Capacitate and extend the Mobile Team model to enhance access of local and displaced women and girls to GBV support (legal, social, psychological) services across communities in five targeted regions;
 - Support the expansion of legal aid services to incorporate mediation (assessment of system's needs and capacities, review of legal/regulatory framework, quality standards, etc.);
 - Support the creation and operationalization (regulations, SoP, staff capacity building, equipment, technologies and vehicles) of the mobile legal aid team service delivery model to diversify the range of services offered by the national legal aid system and reach out to those in need of legal assistance across the country.
 - Conduct an assessment on the accessibility of justice (infrastructure, procedures, information, etc.) from the perspective of people with disabilities;
 - Conduct an assessment of potential legal barriers in the operationalization of the temporary protection system for displaced people.
- To empower vulnerable groups to claim their rights and access legal remedies for their grievances (Legal Empowerment):
 - Build up a network of up to 25 Ukrainian nationals to engage in facilitation of access to justice and legal remedies, including in the context of temporary protection measures, for their co-nationals in five targeted regions:
 - Support access to services and legal remedies for displaced people and host communities on their path to solving grievances they face, including in the context of the temporary protection mechanism, through the network of civil society organizations at the sub-national level:
 - Capacitate and engage with three civil society organizations on the left bank of the Nistru river to provide access to services and legal remedies to vulnerable groups, including refugees, capacity building and awareness, assessment of most pressing legal issues faced by specific vulnerable groups (Roma people, people with disabilities, refugees, etc.) and advocacy efforts in this respect;
 - Organize knowledge sharing and capacity building events between civil society organizations from both banks of Nistru river on international humanitarian law and humanitarian response:
 - Develop and disseminate guidelines/vade mecum on basic national legislation (in an app format), related to the areas covered by the temporary protection mechanism and other critical aspects of Moldovan legal system;

- Organize regional summer schools, bringing together circa 100 youth from host communities from both banks of Nistru river and young people who left Ukraine alongside with their families, focused on learning about rule of law and human rights standards, civic engagement and activism, civic rights and obligations and protection mechanisms of displaced people. The summer schools will also allow the possibility to apply in practice the obtained knowledge through participation in a mock trial under the guidance of the experienced trainers and lawyers. The participants in summer school will also be guided to design a small-scale project for the region represented by the group to foster social bonding and cohesion of youth around social/legal and or cultural issues of common concern.
- To advance digital transformation agenda in support of enhanced rule of law system in Moldova (Digital Transformation):
 - Support in reengineering and digitalizing the internal processes of the National Legal Aid Council to operationalize and integrate the provision of partially-free legal aid services, tracking the service providers workload and recovery of costs with the legal aid system administration ecosystem;
 - Develop a digital justice solution to support access to legal aid for people in detention in cases examined remotely (technology, regulations and protocols);
 - Enable the remote delivery of primary legal aid assistance (tele-assistance) in three pilot areas (equipment, platform, SoP, capacity building);
 - Conduct a digital readiness assessment and develop a 'To Be' vision of the digitally enabled Bar Association of Moldova in support of e-transformation of legal profession.

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 annually, physically, virtually or through written communication, and shall 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, PBF 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 Responsible Party(ies), contracting 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 planned activities. Procurement of goods and services, awarding low-value grants, engaging Responsible Party(ies), contracting project personnel and expertise will be in accordance with UNDP Moldova regulations, rules, policies and procedures.

UNDP intends to engage the **NGO Law Centre of Advocates**⁴ (CDA) as a Responsible Party⁵ to undertake and implement a number of specific interventions envisaged by this Initiation Plan in

•

⁴ https://cda.md/

⁵ 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

response to refugees' and host communities' needs. More specifically, CDA will (i) conduct the assessment of potential legal barriers in the operationalization of the temporary protection system for displaced people, (ii) build up a network of up to 25 Ukrainian nationals to engage in facilitation of access to justice and legal remedies to their co-nationals, (iii) provide support for accessing legal services and remedies for displaced people and host communities on their path to solving grievances they face, including in the context of the temporary protection mechanism, through a network of civil society organizations at the sub-national level, as well as (iv) develop and disseminate guidelines/vade mecum on basic national legislation (in an app format), related to the areas covered by the temporary protection mechanism and other critical aspects of Moldovan legal system.

Resources will be transferred to the responsible party using the Harmonized Approach to Cash Transfer (HACT)⁶ to implement activities and achieve results based on the approved workplan and budget. The partner will be subject to a HACT micro-assessment to assess its financial management capacity (i.e. accounting, procurement, reporting, internal controls, etc.) to determine the overall risk rating and assurance activities. The micro-assessment will be undertaken by a qualified third-party service provider, to ensure it is independent and reflects the required technical expertise. Costs related to HACT planning, micro-assessments and assurance activities directly contribute to the achievement of development results and therefore will be charged to the project, using direct project costing.

CDA is a well-known national NGO, established in 1997, specialized in providing legal assistance and support, capacity building, awareness raising and outreach, advocacy, monitoring and research work in the field of asylum, migration, integration, citizenship, statelessness, and documentation from a human rights perspective. CDA is the only legal NGO with expertise and experience in the field of asylum. From the onset of the refugee crisis, CDA is present in all border crossing points of the Republic of Moldova, both with Ukraine and Romania, monitoring and providing assistance focused on the protection of rights of people in need of international protection.

UNDP will seek to collaborate with a group of NGOs specialized in different aspects of the interventions proposed under this Initiation Plan. These NGOs will be engaged through the low-value grants (LVG) modality, by means of ad-hoc awards, as follows:

- NGO Alianta Infonet will be engaged to conduct an assessment on the accessibility of justice (infrastructure, procedures, information, etc.) from the perspective of people with disabilities. Alianta Infonet is a national NGO, established in 2007, which is actively contributing to the social inclusion of people with disabilities and providing support to their communities. Over the years, the organization has developed a strong portfolio of projects on inclusion and participation of persons with disabilities, with a particular focus on assessing the accessibility of public spaces and services. Lately, with UNDP's support, Alianta Infonet has conducted an assessment of accessibility of all polling station across the country.
- NGO Moldovan Institute for Human Rights (IDOM)⁷ will be engaged to (i) capacitate and engage with three civil society organizations on the left bank of the Nistru river to provide access to services and legal remedies to vulnerable groups, including refugees, capacity building and awareness, assessment of most pressing legal issues faced by specific vulnerable groups (Roma people, people with disabilities, refugees, etc.) and advocacy efforts in this respect, as well as (ii) organize knowledge sharing and capacity building events between civil society organizations from both banks of Nistru river on international humanitarian law and humanitarian response. IDOM is a national NGO, established in 2007, having its main aim to contribute to raising awareness, promoting and protecting rights and liberties guaranteed by the national and international legal frameworks. To advance its goal, the organization develops the capacities of various groups, engages in policy formulation and monitoring, conducts training activities, carries out human rights advocacy and information campaigns. IDOM has an active cooperation with the left bank of the Nistru river

_

sign_Select%20Responsible%20Party%20and%20Grantees.docx&action=default

⁶https://popp.undp.org/ layouts/15/WopiFrame.aspx?sourcedoc=/UNDP_POPP_DOCUMENT_LIBRARY/Public/FRM_Financial%20Management%20and%20Implementation%20Modalities%20_Harmonized%20Approach%20to%20Cash%2_OTransfers%20(HACT).docx&action=default

⁷ https://idom.md/home/

in the area of legal capacities of the vulnerable groups. In partnership with a left bank organisation, IDOM has implemented in the recent years two projects with UNDP support in the Transnistrian region, which have contributed to the development of the capacities of the left bank organisation in providing access to services and legal remedies to vulnerable groups (people living with HIV, people with disabilities).

A group of five qualified NGOs will be engaged to extend the Mobile Team model to enhance access of local and displaced women and girls to GBV support (legal, social, psychological) services across communities in five targeted regions, as follows:

- NGO DEMOS, established in 2001, has as one of the main areas of activity providing support to survivors of gender-based violence. The organization has collaborated with different donors and development partners (World Bank, U.S. Embassy in the Republic of Moldova, SDC, UNDP, UNICEF, etc) while promoting its institutional goals. NGO Demos has a specialist (psychologist) trained in CETA approach (Common Elements Treatment Approach), highly relevant for the implementation of the Mobile Team model of services delivery to GBV survivors. NGO DEMOS has experience providing support services to GBV survivors from the displaced population and host communities in Edinet district through a collaboration with UNDP Moldova.
- NGO Association of Psychologists from Tighina (AO Asociatia Psihologilor din Tighina), established in 1999, has as one of the main areas of activity providing support to victims of gender-based violence and victims of human trafficking. The center provides social, psychological, medical, legal and temporary placement assistance to victims of domestic violence and their children. The organization has collaborated with different donors and development partners (U.S. Embassy in the Republic of Moldova, European Union, UNDP, IOM, Global Fund to Fight AIDS, Tuberculosis and Malaria, etc) while promoting its institutional goals. NGO Association of Psychologists from Tighina has experience providing support services to GBV survivors from the displaced population and host communities in Causeni district through a collaboration with UNDP Moldova.
- NGO Biaz Gul, established in 2006, specializes in providing services to victims of trafficking in human beings and domestic violence aiming at improving the quality of their life, including the provision of psychological, social, and legal assistance. The organization also advocates for advancing gender equality, addressing issues related to discrimination and stigmatization, protection of rights, economic empowerment of women and assistance in finding a job, etc. It has proven collaboration with different donors and development partners (UNDP, IOM, People in Need Foundation, etc.) aligned to the institutional goals. The NGO has extensive experience with and knowledge of the local practice related to GBV in ATU Gagauzia, being known in the region for the Mobile Team model of service delivery to GBV survivors. In 2022, the Mobile Team visited 80% of villages across Gagauzia, providing social, psychological and legal services to women from vulnerable groups, victims of GBV and Ukrainian refugees in host communities.
- NGO Youth Resource Center 'Dacia' (AO Centrul de Resurse pentru Tineret DACIA)⁸, established in 2003, has as strategic objectives to develop and promote programs that protect young people and women from exploitation and sexual abuse, trafficking in human beings, racist violence, and other forms of ill treatment, advance inclusion and participation in decision-making processes. The organization has extensive experience with empowering girls and young women, promoting gender equality, stimulating the participation of marginalized groups of women in decision-making processes. A vulnerable group, particularly targeted by the organization, is Roma women and girls, who benefit from support for social and professional integration, training life skills, career planning, family relations, etc. The NGO is a member of the National Coalition "Life without Violence in the Family" and has the skills, knowledge and experience providing support services to GBV survivors from the displaced population and host communities in Soroca district through a previous collaboration with UNDP Moldova.
- NGO Association for Civic Education "Future starts today" (AO Asociaţia de Educaţie Civică "Viitorul începe azi"), established in 1999, has as one of the strategic objectives to

⁸ https://dacia.org.md/rom

promote and protect the rights of citizens, including young people and children, and create the conditions for improving the situation of women in society, based on the principle of equal rights. The organization is actively involved in assisting the Ukrainian refugees by providing social, psychological and legal support in Ungheni district. It has the skills, knowledge and experience providing support services to GBV survivors through a Mobile Team model, developed through a previous collaboration with UNDP Moldova.

III. MONITORING

In accordance with UNDP Moldova programming policies and procedures, the implementation of Initiation Plan 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
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.	Reporting at the end of the Initiation Plan	Major results and outline of future intervention designed (if applicable).	N/A	Project Management and Project Quality Assurance costs

IV. WORK PLAN

Period: 01.03.2023-30.06.2024

Work plan is attached as a separate document.

Results Framework

EXPECTED OUTPUTS	OUTPUT INDICATORS	DATA SOURCE	BASELINE	TARGETS
			Value (2023)	2024
Output 1 Rule of law system-wide capacities to address justice needs of vulnerable groups, including displaced people and host communities enhanced (System-wide Capacities)	Number of individuals provided with GBV services with project support, disaggregated by gender (m/w), age group (≤15, 16-24, 25-40, 41-60, ≥61) and type of beneficiary (Ukrainian refugee, TCN refugee, host community member)	Project reports, external testimony	0	1500
	Number of downloads of key rule of law and access to justice knowledge products produced with project support	Project reports	0	1000
Output 2 Vulnerable groups are empowered to claim their rights and access legal remedies for their grievances (Legal Empowerment)	Number of young individuals with strengthened capacities and knowledge about the Moldovan legal system, disaggregated by gender (m/w), type of beneficiary (Ukrainian refugee, TCN refugee, host community member) and geography (left bank/right bank of Nistru river)	Project reports, external testimony	0	100 (50% boys, 50 % girls)*
	Number of individuals supported through the project interventions who have access to legal aid and legal remedies, disaggregated by gender (m/w), age group (≤15, 16-24, 25-40, 41-60, ≥61) and type of beneficiary	Project reports, external testimony	0	500

	(Ukrainian refugee, TCN refugee, host community member)			
Output 3 Digital transformation	Number of digital solutions developed with project support to enhance access to justice	Project reports, external testimony	0	3
enhanced rule of law system in Moldova	Number of individuals accessing legal services and remedies using digital solutions, developed with project support, disaggregated by gender (m/w) and age group (≤15, 16-24, 25-40, 41-60, ≥61)	Project reports, external testimony	0	150

^{*} Gender-disaggregated data will collected to the extent possible from lists of attendance and/or other sources which will allow desegregation of data