



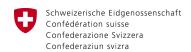
Octombrie 2007

# Identification, Protection, Assisted Voluntary Repatration and Children Reintegration Procedure

















This document was issued within the FACT project ("Fight Against Child Trafficking") for the prevention and reduction of children trafficking in the Republic of Moldova.

**CHISINAU - October 2007** 



### **ACRONYMS:**

LPA - Local Public Administration

LCCRP - Local Council for Protection of the Rights of the Children

FACT – "Fight Against Children Trafficking" Project

MSPFC - Ministry of Social Protection, Family and Child

**MID** - Ministry of Informational Development

MAI - Ministry of Interior

ME - Ministry of Education (The Russian Federation)

**MHSD** - Ministry of Health and Social Development (The Russian Federation)

**IOM** - International Organization for Migration

**SAFPD** – Social Assistance and Family Protection Department

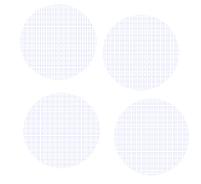
**SCM** - Save the Children - Moldova

CT - Children trafficking

**Tdh** - Terre des hommes







# IDENTIFICATION, PROTECTION, ASSISTED VOLUNTARY REPATRIATION AND CHILD REINTEGRATION PROCEDURE

Was issued within the "Fight Against Child Trafficking "(FACT) Project in the Republic of Moldova, being implemented by:

Terre des hommes Foundation, Laussanne, in partnership with Save the Children Moldova, UNICEF Moldova, OSCE and SDC.

### The following entities participated in the elaboration of the concept:

- ♦ Ministry of Education and Youth;
- ♦ Ministry of Social Protection, Family and Child;
- ♦ Ministry of Interior;
- ♦ Centre of Temporary Placement of the Under aged, MI;
- ♦ Ministry of Foreign Affairs and European Integration;
- ♦ Ministry of Health;
- Centre of Placement and Rehabilitation of the children of young age, MH;
- ♦ The RM Embassy to the RF.

The responsible coordinator for "Identification, Protection, Assisted Voluntary Repatriation and Child Reintegration" project procedure issuing:

#### Antonina Comerzan,

Transnational Action Coordinator, The FACT project, Terre des hommes





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### Identification, Protection, Assisted Voluntary Repatriation and Child Reintegration project procedure issuing (Repatriation Procedure)

### Repatriation Procedure Stages, working consultancy:

### April 22<sup>nd</sup>, 2005, Chisinau (The Republic of Moldova)

The round table "Issuing the proposals for Moldovan children repatriation from the RF" (under UNICEF Moldova auspices)

### June 3<sup>rd</sup>, 2005; August 4<sup>th</sup>, 2005, Chisinau (The Republic of Moldova)

Round tables for issuing the Moldovan children repatriation from the RF project procedure (organizers: UNICEF—Moldova, Tdh)

### December 5<sup>th</sup>, 2005, Molovata-Nouă (The Republic of Moldova)

The workshop "Assistance and protection to victims of human trafficking" (organizer: La Strada)

### August 8th, 2006, Chisinau (The Republic of Moldova)

The republican seminar involving specialists for the protection of children's rights, from the district Education, Youth and Sports Departments (organizer: Ministry of Education, Youth and Sports)

#### November 21st, 2006, Moscow (The Russian Federation)

The round table "The analysis of the Moldovan children's situation living in the RF and the promotion of repatriation procedure" (organizer: Terre des hommes Moldova)

#### September 21<sup>st</sup>, 2007, Moscow (The Russian Federation)

The FACT project working group for the promotion of the mechanism of transnational cooperation and protection of the children, victims of abuse, exploitation and human trafficking (organizer: Terre des hommes Moldova)

### **Presentation of Repatriation Procedure Project:**

### April 18th, 2007, Moscow (The Russian Federation)

The round table "Complex attitudes for the prevention of under aged commercial sexual exploitation" (organizer: "Angel Coalition" NGO, Moscow)

### May 24<sup>th</sup> - 25<sup>th</sup> , 2007, Tallin (Estonia)

The international workshop "Family therapy and social network activity" within the scope of long-term training program "assistance to children, victims of human trafficking" (organizer: Council of Baltic Sea States)

### June 17<sup>th</sup>, - August 16<sup>th</sup>, 2007, Cimişlia, Ştefan-Vodă, Floreşti, Teleneşti, Hînceşti (The Republic of Moldova)

District seminars: "Assuring social protection to victims and potential victims of human trafficking within the scope of the National Reference System" (organizer: Ministry of Social Protection, Family and Child)

### February 12<sup>th</sup>, 2005 - June 2007 (10 missions)

Application of Repatriation Procedure elements in the framework of Moldovan children repatriation from the RF missions;

Assessment meetings of children repatriation from the RF missions (organizer: Terre des hommes Moldova)





### **Introduction:**

Child's situation in the Republic of Moldova becomes more and more influenced by the social – economic conditions, the phenomenon of adult population migration in search of a job, the decrease of parents' responsibility for children education and care.

The flow of people migrating to various countries is permanently increasing. The purpose of leaving overseas is different, as different as the target countries are. A huge number of citizens leave for the RF. The official data state that together with the adult population, a great number of children went out of their country of origin. The illegal stay in the RF of Moldovan adults had a serious impact on their under aged children who left for Russia together with them. The consequences of the illegal stay in a foreign state had the following effects upon the children: lack of conditions for development and education within family, the limited access to educational and health services, school leave, child abandonment, vagrancy, violence, exploitation, commission of offences, other social risks.

The efforts of the protection authorities of the RM and the RF for supporting Moldovan children identification, protection, repatriation and reintegration process in the country of origin encounter a series of difficulties shaped by the need to observe the children's rights, to respect the legislation of both countries on migration and on citizenship.

Lacking a bilateral procedure on the protection of the child in need in a foreign country, there is a crucial necessity to prepare an orientation document for the actors involved in the RM and the RF. The outcomes and the issues made plain during repatriation missions proved the prerequisite to elaborate certain rules of action coordination and collaboration between the involved parts.

In order to implement Moldovan children identification, protection, repatriation and reintegration process, there was set up the identification, protection, repatriation and reintegration procedure (Repatriation procedure), which encompasses:

- ♦ Child identification and protection stages untill reintegration;
- ♦ Involved actors:
- ♦ Tools applied for each child protection stage;
- ♦ Terms stipulated for the protection actions implementation.

The repatriation procedure represents the analysis of the Moldovan and Russian public authorities and services, of the international agencies in the domain of protection of children in need on the territory of the RF, including the children, victims of human trafficking. This procedure does not double the normative acts in the domain, only suggests consecutive actions from child identification to reintegration.

The implementation of this procedure by the administrative structures and child protection institutions from both countries will allow the coordination and junction of efforts of the involved parts, in order to accompany the child and his/her family during





the whole process of socio-familial reintegration. Also, in the process of offering the necessary assistance to each child - the beneficiary of the repatriation process, common principles, able to assure the child's safety and the sustainability of protection actions should be applied.

Between January 2005 - September 2007, in the RM and the RF there was promoted and applied the repatriation procedure in the scope of the FACT Project. It was implemented in partnership with the Ministry of Education, Youth and Sports, MSPFC, the Embassy of the RM to the RF, Centre of Temporary Placement of the Under aged, Centre of Placement and Rehabilitation of the children of young age, specialists for the protection of children's rights within District Departments of Education, Youth and Sports, mayoralties. The operational partners from the RF applied certain elements of the procedure (at the identification and protection of children in the target country).

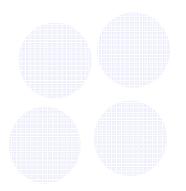
The proposed project reflects the experience obtained between 2005 and 2007 by the state structures and NGOs in the protection activity of the children in need, living abroad. The repatriation procedure was wholly applied in the case of 82 children repatriated from the RF to 28 districts, Chisinau and Bălţi, to 5 districts from Transdniestria, Tiraspol and Bender. Certain elements of the procedure were applied to 2 cases of child repatriation from Romania.

This research is a proposal of action in the name of the child, in compliance with the legislation and the social partnership.

The FACT team Transnational Action







### **CHAPTER I**

Identification, Protection,
Assisted Voluntary Repatration
and Children Reintegration Procedure







### CHILD IDENTIFICATION, PROTECTION, VOLUNTARY ASSITED REPA-TRIATION AND REINTEGRATION PROCEDURE

### I. General background

Child identification, protection, voluntary assisted repatriation and reintegration procedure (further on, Repatriation Procedure) - represents an action model de administrative structures and child-caring/educational institutions from the RM and the RF in case of Moldovan children in need identification on the territory of the RF.

The repatriation procedure foresees children protection stages from identification to reintegration; the social actors involved into this process and the tools applied at each protection stage.

The implementation of the repatriation procedure contributes to the coordination of the actions of child identification, protection, repatriation and reintegration in a safe environment and assures the establishment of a form of protection for the child, according to compliance with the situation, age, level of development and his/her opinions.

The stages are described in a chronological order and the mentioned tools are compulsory, in order to assure child assistance in compliance with the legislation of both states and respect of the supreme interest of the child.

### II. Key notions

### The following basic concepts are used in the Repatriation Procedure:

CHILD – every human being below the age of 18 years, unless under the law applicable to child, majority is attained earlier (UN Convention on the rights of the child)

**ABANDONMENT** – is the practice of abandoning the offspring, outside of legal care of his parents or other persons that are accountable for him/her ("Child abandonment in the RM")

**LABOUR EXPLOITATION** - is the keeping of the victim in extreme conditions of paid or unpaid labour, with the aim of obtaining profits or various interests (Criminal Code of the RM, art.206).

CHILDREN TRAFFICKING - is the recruitment, transportation, hosting of a child, as well as offering some payment or benefits in order to obtain the approval of the person controlling the child, with the aim of:

- ♦ Sexual, commercial and non commercial exploitation: prostitution and porno industry;
- ♦ Forced labour /services exploitation;
- ♦ Child slavery, including slavery within illegal adoption;
- ♦ Involvement within armed conflicts;
- ♦ Involvement in criminal activities;
- ♦ Organs/tissues removal for transplant;
- ♦ Overseas abandoning (Criminal Code of the RM, art.206)





### III. National and international legal framework on child's protection

When elaborating the Repatriation Procedure, we took into account the international treaties that Moldova is aligned to, as well as the national legislation on child matters, including:

- ♦ The UN Convention on the Rights of the Child, 1989;
- ♦ ILO Worst Forms of Child Labour Convention, 1999
- ♦ The Law of the RM on the Rights of the Child, nr.338-XIII from December 15<sup>th</sup>, 1994:
- ♦ The Criminal Code of the RM, nr.985-XV from April 18<sup>th</sup>, 2002;
- ♦ The Law of the RM on the prevention and fight against human trafficking, nr.241-XVI from October 20<sup>th</sup>, 2005

### IV. Basic procedure

The procedure is based on the respect of the following principles (UNICEF Directives on the protection of the rights of the children, victims of human trafficking in South-Eastern Europe)

Right to non-discrimination - Children are abandoned, trafficked, abused, without being the citizens of a certain country, similarly, the children inhabiting the territory of a country have the right to the same protection and justice. Children should be of paramount consideration. The status, nationality, race, sex, language, religion, ethnic or social origin, status at birth or any other status shall be considered a secondary principle.

Respect of child's opinion - the abandoned, trafficked, abused children, able to formulate their own opinions, have the right to freedom of expression on all the actions that might affect them: decision regarding the possible return to their families or country of origin. The children's opinions shall be taken into consideration, according to their age, degree of maturity and their supreme interests.

**Right to be protected** - The state has the obligation to protect and assist the abandoned, trafficked and abused children and assure their security. All the decisions affecting the abandoned, trafficked and abused children will be immediately addressed.

Right to confidentiality - any kind of information that could endanger the abandoned, trafficked and abused children or their family members shall not be disseminated. All the necessary measures for the protection of the private person status and the identity of the abandoned, trafficked and abused child shall be taken. The address, the name or other kind of information on child, that might lead to the identification of the abandoned, trafficked and abused child or his/her family, shall not be made public. Before making the information on child public, abandoned, trafficked and abused child's should be asked permission, according to his/her age.

Right to be informed - the abandoned, trafficked and abused children shall have access to the information on their situation and rights, available services and family reunification and/or repatriation process. The information should be delivered in one of the languages the abandoned, trafficked and abused children comprehend. In all the cases when the abandoned, trafficked and abused children interviewed or needs access to services, they should be provided with proper translation





### V. Target population

### The Repatriation Procedure approaches:

- ♦ The specialists from administrative structures acting in the domain of protection of child's rights and children assistance services/institutions from the RM and the RF:
- ♦ The Moldovan children up to 18 years, victims of abuse, exploitation and/or trafficking, identified in the RF and other countries as well;
- ♦ Children, victims of abuse, exploitation, trafficking that were repatriated and need post-repatriation follow-up/assistance;
- Abandoned children, including abandonment at birth, on the territory of the RF and other countries as well (treated as victims of abuse, exploitation, trafficking).

### VI. Structures involved in Repatriation Procedure implementation

Each stage of RP involves different administrative structures and institutions of child protection :

1) coordination of identification of the child, victim of abuse, abandonment, exploitation and/or trafficking and decisions on the measures of protection:

- a) in the Republic of Moldova:
- ♦ MSPFC;
- $\diamond$  MI;
- ♦ MID:
- ♦ The Republic of Moldova Embassy to the Russian Federation;
- Other central public authorities, if necessary (MH, MEYS, General Prosecutor's Office);
  - b) in the Russian Federation:
- ♦ MHSD;
- ♦ Ministry of Education and Science;
- Department of Social Protection, Moscow.

### 2) emergency protection assurance:

### a) in the Republic of Moldova:

To assure the emergency placement and assistance to the repatriated children (victims):

- ♦ Centre for placement and rehabilitation of children of young age (Chisinau);
- ♦ "Aşchiuţa" House Save the Children (Chisinau);
- ♦ Centre for temporary placement of the under aged (Chisinau).

#### b) in the Russian Federation:

To assure the protection of the identified children in need, to determine the status of the child and prepare the child for repatriation:

- ♦ Institutions of protection and rehabilitation of children and adolescents;
- ♦ Medical institutions for children (maternities, children hospitals, orphanages).

According to their individual regulations on activity, these institutions are empowered with the emergency placement assurance of the repatriated children and their further reintegration into families.





### 3) establishment of the post-repatriation protection means and child reintegration assurance:

- District tutelary authorities (Social Assistance and Family Protection Department);
- ♦ Mayoralties;
- ♦ Local Councils for protection of child's rights;
- ♦ Family and Child Community Services;
- ♦ Residential Child Caring/Education Services;
- ♦ Child's Family.

### 4) support to the structures involved in RP implementation:

- ♦ Terre des hommes Foundation (The FACT Project);
- ♦ UNICEF:
- ♦ Save the Children;
- ♦ IOM.

### 5) accompanying of the children from the target country to the country of origin:

### a) The Republic of Moldova

The accompanying people are appointed by the order of the MSPFC, after a coordination in advance with the managers of the services or institutions they are representing.

The following categories can serve as accompanying persons during the child's jaunt from the RF: specialists in the protection of the child's rights within territorial tutelary authorities, doctors, social assistants within child emergency placement services. The number and the categories of specialists is determined based on the number, the age and the health status of the children included in the repatriation mission.

### b) The Russian Federation

In the case of repatriation of the children under the RF protection services, the accompanying persons, based on the territorial tutelary authority's order, will leave for the precinct where the protection service activates and where the child lives.

**Note:** the emergency placement of the repatriated child is coordinated beforehand by the Russian party and the tutelary authority from the child's homeland or by the representative of the central authority for child's protection; the categories of children that fall under Volgograd Agreement Procedure (1993), are different from those of the beneficiaries of the present procedure. Thus, they are to be repatriated by the following structures: MI and LPA.

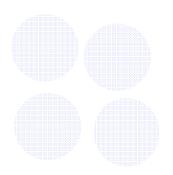
### VII. Etapele Procedurii de repatriere

The RP foresees 7 consecutive stages:

- 1. Child Identification and Retrieval;
- 2. Child Protection in the target country;
- 3. Identification and/or search of child's parents/guardian in the RM;
- 4. Preparation of the repatriation mission;
- 5. Child Repatriation to the country of origin;
- 6. Child Rehabilitation and Reintegration in the RM;
- 7. Repatriated Child Protection and follow-up.







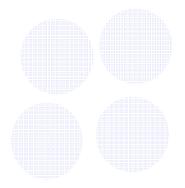
### **CHAPTER II**

Identification, protection, assisted voluntary repatriation and children reintegration stages









### **APPENDICES**

Tools applied
in the scope of identification,
protection, assisted
voluntary repatriation
and children reintegration
procedure.

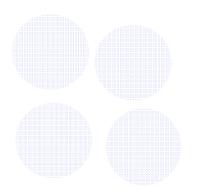
Comments for application.

### **CHAPTER III**

3









### I.I ACTUL DE IDENTIFICARE A MINORULUI

**1.2 COMENTARIU PENTRU APLICARE** 





1.2. MINOR'S IDENTIFICATION ACT
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Ι
(function, rank, name, surname)
In presence of the person that found out the minor
(name, surname, address, working place, function, telephone number)
and the witnesses: 1
2
Produced the present act, regarding the following:
on ,", hour min in
(police/militia station) brought the minor (sex) found
(place,
In which circumstances the minor was found
his/her occupation when identified / if there is someone beside the minor)
Traits of the minor:
The minor is dressed:
Other objects found with him/her:
There was established
(name, surname, address, minor's age,
data on parents or persons replacing them, other data)
Note:

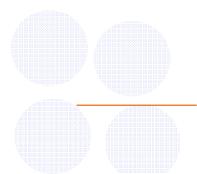




ignatures:  witness	
witness, witness	
The minor is send	
(parents, legal representative,  the representative of the institution where the minor  shall be urgently institutionalized  (function, name, surname of the person  in charge of the minor)  he minor was handed over by	
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shall be urgently institutionalized  (function, name, surname of the person  in charge of the minor)  the minor was handed over by	
(function, name, surname of the person  in charge of the minor)  he minor was handed over by	
in charge of the minor) he minor was handed over by	
he minor was handed over by	
function, rank, name, surname)	







### 1.2. Minor's Identification Act

#### **COMMENTS:**

Minor's Identification Act (Identification Act) is the first document when identifying the child in certain risky situations.

The Identification Act has as purpose to determine the place, the identification background and child's situation.

The Identification Act comprises the first source of information on child's identity, health state and the actions taken in order to offer assistance to the child in the moment of identification. Based on this, the data will certify all the available information on child's situation when filling it in.

The Identification Act will determine the immediate actions for child's protection. The information will allow the protection services specialists to promote the intercessions for the identification of adults responsible for child and if necessary, to initiate his/her repatriation process to the country of origin.

The Identification Act is issued by the public order body (militia, police) through its representative that will record all the circumstances related to the identification and the information related to the case. Any kind of information on child's (his/her family) identity, on the period of overseas stay and occupation in the target country will allow the protection structures that will take care of the child, to determine the actions for physical and psychological rehabilitation of the child, for family reintegration or for promotion of the child repatriation to the country of origin.

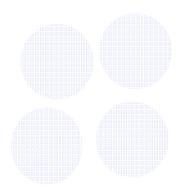
Based on the information reflected in the Identification Act, the following items should be known:

- ♦ Persons that identified the child,
- ♦ Identification background,
- ♦ Identification Date,
- ♦ Data on minor's identity,
- Special information that might be important for assuring the child's protection.

This document is to be attached to Child's File.









2.1 FIȘA DE EVIDENȚĂ A COPILULUI

2.2 COMENTARIU PENTRU APLICARE





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10	Who identi	fied the child?		□ Social w	orker	Tute	elary aut	horities	त्र्र		<u>. CCCCCC</u> Other	त्त्त्त्
11	Where was	he/she	☐ Flat	Street	□ Sta	tion 🗖	Metro	☐ Matern	ity	્ત્ત્ત્	Other s	<u>qqqqq</u> pots
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2.2												



### 2.2. Child record card

#### **COMMENTS:**

Child record card (Record card) is filled in by the representative of the protection institution where the child was placed or the representative of the tutelary authority from the RF, under the auspices of which the child is placed.

The Record card reflects the information on the child living in the RF, his/here family members (parents, brothers and sisters), other relatives; the period of stay in the RF; his/her occupation when staying abroad. Also, it encompasses information on the adults' occupation (persons that accompanied the child up to identification).

### Information on the child in operational terms, that will allow to:

- determine the legal status of the child:
- present relevant information on the case to competent child protection authorities from Moldova;
- ♦ identify child's family;
- ♦ confirm child / parents' citizenship;
- organize, if necessary, an assisted repatriation of the child.

In order to have a clearer vision on the situation of the child, all the official documents of the child should be consulted, including the ones asserting his/her origin, educational level, school attendance, medical cards (certificates, extracts); copies of parents' acts.

It is crucial to indicate child's occupation during his/her stay in Russia, as well as that of the adults accompanying him/her. This information will allow to determine the level of family/relatives involvement in the situation of the child when arriving to Russia.

### Requests when filling in:

- The number of the record card is inserted by Terre des hommes coordinator in Moscow.
- The majority of items require only ticking of the right answer. When the information of the answer item lacks, nothing shall be completed.
- Answer item variants for which there is special space, shall be completed with text.
- ♦ Point 5.3 requires information on every brother/sister.
- ♦ Point 8.3 requires information on the persons accompanying the child to Russia. If this person is not a relative, it is necessary to indicate which are his/her relation with the (neighbour, acquaintance, other).
- Point 12 requires information on any serious visible physical/mental deficiencies that are crucial for child's departure from the country (ex. begging).

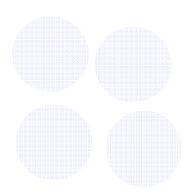
It is compulsory to indicate the institution's address, where the child is placed (address, phone/fax number), the name and function of the person that filled in the record card.

For further counselling needed to fill in the record card, the representatives of the FACT project from Chisinau and Moscow could be involved

The record card is sent by the authorities of the RM together with the intercessions on child.









## 3.I ANCHETA SOCIALĂ A FAMILIEI (INIȚIALĂ)

3.2 ANCHETA SOCIALĂ A FAMILIEI (COMPLEMENTARĂ)

3.3 COMENTARIU PENTRU APLICARE





3.1. FAMILY SOCIAL QUESTIONNAIRE (Initial)*						
R		II	NFILL DATE:		2007	
	HILD'S NAME/SURNAME:					
HILD'S ADDRESS:						
		Vanaf				
	Name, surname	Year of birth	Occupation	State of health	Education	Comments
Mother						
Father						
	Ot	her person that	could take ca	re of the child	/ children	
Brothers /Sisters						
1.						
2.						
3.						
4.						
	Othe	r persons that li	ive together w	ith the family		
1.						
2.						
3.						





NR	INFILL DATE: 2007
TYPE OF THE DWELLING:	OWNER OF THE DWELLING  ◇ Parents  ◇ Relatives  ◇ The state  ◇ Other people
LIVING CONDITIONS:	UTILITIES:
OPERATING COMMODITIES:	TYPE OF INCOMES
CONDITIONS FOR CHILD BRINGI	





### PROBLEMS IDENTIFIED in the family where the child lives:

1.	Materials	
2.	Health (one family member deceased, dis-	
	abilities), family doctor consultation, hy-	
	giene	
3.	Lack of utilities (disconnection)	
4.	Lack of access to utilities	
5.	Jobless	
6.	Interpersonal relationship	
7.	Child education (abandon, non-schooling,	
	problems with kindergarten)	
0		
8.	One parent absent (divorced, left abroad)	
9.	Lack of ID papers (child's, parents')	
10	Problems with the authorities (evacuation,	
	fee payment, imprisonment)	
11	Other machines offertine the child's condi	
11	Other problems affecting the child's condi-	
	tion in the family (ex. alcohol dependence)	
, DDI	TYON A LANGOD MATYON	

ADDITIONAL INFORMATION:				

FILLED IN BY:

(name, function of the person completing)

\*the questionnaire shall be filled in only in the sections known at the moment of assessment





### 3.3. Family Social Questionnaire

(initial and complementary)

#### **COMMENTS:**

The family social questionnaire (initial and complementary) represents a tool of the repatriation procedure that is applied for the assessment of the conditions and the potential of the family in educating and taking acer of the child identified abroad, when repatriated.

### The family social questionnaire (initial)

Reflects a first assessment of family conditions and has as purpose the overall measure the family's possibilities to foster the child and the perspectives of placing the child into this family, in case of his/her repatriation. The family social questionnaire (initial) can be completed by the representative of the LCPRC CLPDC.

### The family social questionnaire (complementary)

Based on this questionnaire, there are assessed the conditions of child's natural/extended family in order to determine the reintegration perspectives after his/her repatriation. The inquiry comprises three chapters reflecting various aspects of the situation of the family that is to foster the child: physical and material conditions of the household; relational aspects; identified issues.

### The questionnaire shall contain information on:

- ♦ Identity of family members, education, health state and job position
- ♦ Persons whom the child will live with
- ♦ Conditions to bring up and educate the child
- ♦ Data on dwelling, commodities and utilities
- ♦ Data on income sources
- ♦ Interpersonal relations of the family members
- ♦ Identified issued that can affect child's integration process

The family social questionnaire is to be completed by the local tutelary authority, LCPRC. In cases when the child is under institutional placement, it is filled in by the institution employee.

The majority of information on the family conditions is mentioned in answer items. A part of information is filled in in form of a short description.

The social questionnaire shall be filled in according to family members replies and observations made during the visit.

If needed, other documents or official registers shall be consulted.

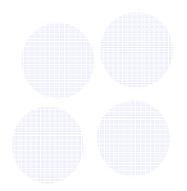
In case of assessment of the placement conditions of several brothers/sisters in the same family, a single inquiry is elaborated.

The number of the inquiry matches the number of the child/children record card

The questionnaire is signed by the person that visited the family and completed the information. If the family was visited by several persons, their names and functions should be mentioned.









### 4.1 ACTUL DE PREDARE - PRIMIRE A COPILULUI

**4.2 COMENTARIU PENTRU APLICARE** 





"	2007	
	2007	
	Place of Act	issuing
	(name, surnamo	e, function)
	(	,,,
ntrusted the child		
	(child's name,	surname)
(name, surname of t	the person in charge of the ch of the intitution r	nild and the degree of affinity or the function epresentative
pe	ntru copii, a MPSFC; ID / po	assport series and number)
1		1
There we	re transmitted objects, valu	ues and documents (enumerate):
	re transmitted objects, valu	Documents:
		<b>Documents:</b>
		Documents:  Travelling paper
		Documents:  Travelling paper  Birth certificate
		Documents:  Travelling paper  Birth certificate  Medical record
		Documents:  Travelling paper  Birth certificate  Medical record
		Documents:  Travelling paper  Birth certificate  Medical record
		Documents:  Travelling paper  Birth certificate  Medical record
Ob		Documents:  Travelling paper  Birth certificate  Medical record
Ob		Documents:  Travelling paper  Birth certificate  Medical record
Ob		Documents:  Travelling paper  Birth certificate  Medical record
		Documents:  Travelling paper  Birth certificate  Medical record
Ob,	jects and values :	Documents:  Travelling paper  Birth certificate  Medical record
Ob,	jects and values :	Documents:  Travelling paper  Birth certificate  Medical record  School progress (marks file)
other:  the person that hande	jects and values :	Documents:  Travelling paper  Birth certificate  Medical record  School progress (marks file)





### 4.2. Child Handover-Reception Act

#### **COMMENTS:**

Child Handover-Reception Act asserts the transmission of the child to the Moldovan representative, responsible for accompanying the children from the RF to the RM.

For the further transmission of the child to the emergency institution of placement from the RM, a new Child Handover-Reception Act should be issued (on the repatriation day) and signed by the involved parties.

This document will contain the personal data and the commissioning of the parties carrying out the transmission and reception of the child.

Child's papers, all the goods and clothing will be included separately on a list attached to the Handover-Reception Act.

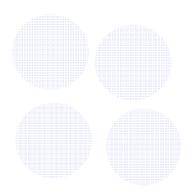
The person to whom the child was transferred is in charge of the child's security, papers and goods keeping from the moment of transfer until the child is delivered to a protection institution from the RM

### Handover-Reception Act:

- ♦ Is concluded in 2 copies, (rough copy);
- ♦ Is signed by both persons carrying out the action.
- ♦ Is attached to Child's File.









# 5.1 PLANUL INDIVIDUAL DE (RE)INTEGRARE

**5.2 COMENTARIU PENTRU APLICARE** 





### Structure sample

### 5.1.INDIVIDUAL CHILD (RE)INTEGRATION PLAN

CHILD NAME / SURNAME:
Age (day, month, year)
PARENTS / EXTENDED FAMILY IDENTIFICATION:
Mother:
ISSUE OUTLINING:
(case description): Child:
Parents:
METHODS USED FOR INDIVIDUAL PLAN DETERMINATION:
(interviews, visits into families, visits to school, medical exams, psychological assessment):
OBJECTIVES:
(ex. reintegration into the family, adoption, professionalization, institutional placement):
FINDINGS, COMMENTS, SUGGESTIONS:
ACTIONS:

- $Schooling \ / \ professionalization, \ class \ retrieval; \ tutorage \ establishment;$ 1.
- 2. Medical treatment;
- Procurement of the school accessories; Procurement of clothing and shoes; 3.
- Issuing of ID papers; 4.
- Services debt redemption





	ACTIVITY	TERMS:	RESPONSIBLE PART:
1	Child placement into the family		
2	Tutorage establishment		
3	Medical control carrying out for school subscription		
4	Assessment of school level		
5	Issuing of ID papers		
6	School subscription		
7	Professionalization		
8	Procurement of the school accessories		
9	Procurement of clothing and shoes		
10	Monitoring of the family (re) integration process		

### **RESOURCES INVOLVED (financial, human, administrative)**:

Administrative:	
Financial:	
Human:	

DATE OF INTERVENTION OUTSET	INTERVENTION DURATION	DATE OF FIRST ASSESSMENT:	CASE RESPONSIBLE TEAM:

### **COMMENTS:**







### 5.2.Individual Plan of Child (re)integration

#### **COMMENTS:**

#### WHAT IS THIS PLAN?

The individual plan of the repatriated child (re) integration (IPR) represents a tool of the Repatriation Procedure. This assures the process of rehabilitation and child integration through actions coordination by all involved actors, as a response to child's needs.

#### **HOW THIS PLAN IS ACHIEVED?**

The individual plan is divided into

#### 2 stages:

- 1. The initial variant as a result of the initial assessment of child's family conditions (natural or large). This is a preventive plan of family integration that stipulates the basic actions, which have as purpose the facilitate the quickest integration of the child. The initial variant of the IPR can be set up before child's repatriation, i.e. at the preparatory stage.
- 2. The final variant after child's repatriation, based on a profound assessment of the child's situation, repeated assessment of the conditions of the family where the child will be fostered, the exchange of information with the structures involved in child protection.

#### WHO IMPLEMENTS THE PLAN?

IPR is set up by the representatives of the tutelary authorities of II and III levels in common with other actors that will contribute to the achievement of the foreseen actions. All social actors involved in the achievement of the IPR actions will know their responsibilities stipulated in the individual plan. The territorial tutelary authority will appoint the responsible person for the implementation of the individual plan (from institutions or social structures).

In IPR there is stipulated the compulsory intervention objective for se the reintegration period, the necessary actions in a chronological order, the actors responsible for each action. The IPR actions are foreseen for a period from 3-6 months, up to one year, depending on the child's situation and the formulated objectives (long treatment, rehabilitation, professionalization etc.).

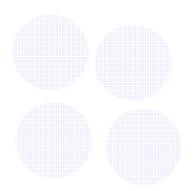
IPR is accompanied by a statement of expenditures, which reflects the assistance costs, the persons responsible for expenditures support and the terms.

IRP is updated every 3 months, at the initiative of the persons in charge of the case, in behalf of the tutelary authorities. As a result of the assessment, changes influenced by the evolution of child's situation might occur.

In the case when the family or the child do not need or refuse external assistance, the child's situation will be monitored by the tutelary authorities, according to the legislation in force.









### 6.1 RAPORT DE MONITORIZARE A SITUAȚIEI COPILULUI

**6.2 COMENTARIU PENTRU APLICARE** 





### **6.1. MONITORING REPORT ON CHILD'S SITUATION** (VISIT INTO THE FAMILY REPORT)

DATE OF THE VICIT.
DATE OF THE VISIT:2007
LOCALITY, DISTRICT:
PURPOSE OF THE VISIT:
CHILD NAME/SURNAME:
YEAR OF BIRTH (DAY/MONTH/YEAR)
PARTICIPATION IN THE EDUCATIONAL PROCESS:
$\ \square$ kindergarten; $\ \square$ school; $\ \square$ boarding school; $\ \square$ professional schools.
CLASS ATTENDANCE:
□ good; □ satisfactory; □ unsatisfactory
SCHOOL PROGRESS:
SCHOOL I NOGILLISS.
RELATIONS WITH COLLEAGUES:
SKILLS:
DATA ON THE FAMILY INTO WHICH THE CHILD WAS FOSTERED
Difficulting the following the contract was restricted

(if necessary, some details)

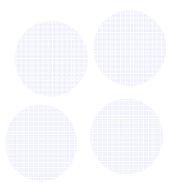




# RELATIONAL ASPECTS BETWEEN THE FAMILY AND THE CHILD; THE CHILD AND THE OTHERS: Child's relationship with the adults from the family: Child's relationship with other children from the family: Child's relationship at school: Other mentioning on the relational aspect: **FINDINGS:** NAME AND FUNCTION OF THE PERSONS INVOLVED IN THE VISITS: 1. SIGNATURE OF THE PERSON THAT DREW THE REPORT







### 6.2. Monitoring Report on Child's Situation

#### **COMMENTS:**

### WHAT DOES THE REPORT PRESENT?

The monitoring report on child's situation reflects the updated state of being of the child care conditions on the reintegration stage, after repatriation.

The report represents an objective study of the environment in which the child lives, based on which some findings will be drawn regarding the child's situation or the solutions for the enhancement of the nefarious confirmed situation.

This shall be filled in at child's place of residence (in the family or institution of protection) being completed after each visit to the child.

#### WHO IS THE PUBLIC?

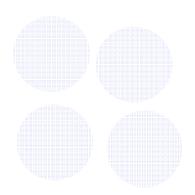
The monitoring report is oriented towards tutelary authorities from child's place of residence and territorial services of child protection. It is filled in by the representative of the tutelary authority, which objectively assesses all the aspects related to child integration in the family environment or in the institution.

Via this report, the services involved in the reintegration process will evaluate the level of adaption and child social involvement, needs of specialized interventions (educational, health, psychological), material support.

- At the end of each visit, the persons performing the monitoring visits should write down the conclusions. These shall refer to physical and psychological state of the child, the child's interpersonal relationship and educational aspects.
- If the monitoring visit is performed within the protection institution, where the child is placed for a longer period, the box regarding the family shall not be filled in.
- The monitoring report of child's situation is signed by the persons that performed the visit and reflected the information and the conclusions regarding child's situation.
- All the monitoring reports are kept by the tutelary authority that performs the monitoring of the child integration process.









### 7. CONDIȚII OBLIGATORII PENTRU REPATRIEREA COPILULUI





### 7. Compulsory Conditions for Child Repatriation

In order to assure the lawfulness of the child repatriation process and avoid any child's or family's traumas, the inclusion of the child within the repatriation mission will depend on the following items:

### 1. Legal aspect:

- ⇒ The documentary acknowledgement of child/parents identity (\*child certificate of birth, copies of parents' passports, MID confirmation on parents' citizenship);
- ⇒ Confirmation on child's Moldovan citizenship.

### 2. Administrative aspect - acts concluded by MSPFC:

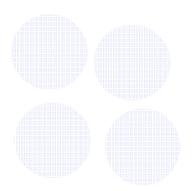
- ⇒ MSPFC order on organization of the repatriation mission and approval of the children nominal list;
- ⇒ Letter of the RM Embassy to the RF for the border authorities of the RF and the RM (\* the children and accompanying persons list being attached);
- ⇒ Travel certificates for every accompanying person;
- ⇒ Letter of MSPFC to the Ambassador to authorize children's departure to the Airport on Embassy transport);
- ⇒ Notification of the tutelary authorities from child's / parents' / relatives' place of residence (in case of children born in the RF);
- ⇒ Family identification and assessment in the RM.

### 3. Operational aspect:

- ⇒ Preventive determination of the child's protection means after repatriation (\*the protection means shall be determined by the tutelary authority from child's / parents' / relatives' place of residence;
- ⇒ Consultation of child's opinion regarding the possible repatriation;
- ⇒ Establishment of the institution of emergency placement after child repatriation.









### 8.CONȚINUTUL DOSARULUI COPILULUI





### 8. Content of Child File

In order to assure the child's trip, his file shall include the following compulsory documents:

- 1. Child's birth certificate;
- 2. ID paper of the child in need on the territory of the RF. (\*ID paper of the child, authorized by the structures that fill in the document : date, signature, stamp);
- 3. Child's medical record;
- 4. Assessment of child's psycho-social state.
  - (\*The psycho-social questionnaire will reflect child's dynamic state, from identification till repatriation);
- 5. Child's school record (\*child of school age);
- 6. Child's Handover-Reception Act;
  - (\*signed by both sides in the moment of handing over the child to the official accompanying person of the children group);
- 7. Child's travelling paper;
  - (\*issued by the Consular Authority of the Embassy, based on child's original birth certificate or duplicate and acts asserting child's / parents' Moldovan citizenship).

Other documents can be additionally requested from the child protection institutions, depending on his/her statute and other circumstances that can influence the repatriation and child integration stages.





#### **REFERENCES:**

- 1. The UN Convention on the Rights of the Child, approved on November 20<sup>th</sup>, 1989 (the Republic of Moldova ratified it on February 25<sup>th</sup>, 1993).
- 2. Memorandum of Agreement between the MI on matters of returning the under aged to their countries of origin signed in Volgograd on September 24<sup>th</sup>, 1993.
- 3. The Law of the Republic of Moldova on how to enter/exit the Republic of Moldova, nr.269 from November 9<sup>th</sup>,1994 (with further amendments).
- 4. The Law of the Republic of Moldova on child's rights, nr.338-XIII from December 15<sup>th</sup>,1994.
- 5. The Law of the Republic of Moldova on local public administration, nr.186- XIV from November 6<sup>th</sup>,1998.
- 6. The Law of the Republic of Moldova on citizenship, nr.1024 –XIV from June 2<sup>nd</sup>, 2000.
- 7. The Family Code of the Republic of Moldova, Law nr. 1316 XIV from October 26<sup>th</sup>, 2000.
- 8. The Regulation of the Temporary Centre of Placement of the under aged, (MI), approved by MI Order nr.187 from May 31<sup>st</sup>, 2002.
- 9. The Federal Law of the RF on Citizenship, № 62-Φ3 from May, 31<sup>st</sup> 2002 (with further amendments).
- 10. The Criminal Code of the Republic of Moldova, Law nr. 985 XV from April 18<sup>th</sup>, 2002.
- 11. Memorandum of Understanding between member states of the CIS on matters of the under aged return to their countries of origin, signed in Chisinau on October 7<sup>th</sup>, 2002.
- 12. The Law of the Republic of Moldova on migration, nr.1518-XV from December 6<sup>th</sup>, 2002 (with further amendments).
- 13. National Strategy on Child and Family Protection, approved by Government Decision nr. 727 from June 16<sup>th</sup>, 2003.
- 14. The Law of the Republic of Moldova on Social Assistance nr.547-XV from December 25<sup>th</sup>, 2003
- 15. UNICEF Directives on Protection of Rights of Children, victims of human trafficking in South-Eastern Europe and other international standards, UNICEF, 2004.
- The Law on prevention and fight against human trafficking, nr. 241- XVI from October 20<sup>th</sup>,
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- 17. The research "Child abandonment in the Republic of Moldova", Government of the Republic of Moldova, UNICEF, Chisinau, 2005





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