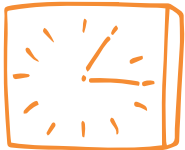


IF A CHILD IS SUSPECTED OF COMMITTING A SERIOUS CRIME, HE/SHE CAN BE DETAINED.

- Detention is the confinement of a person for a period of up to 72 hours. In the case of minors, this period shall not exceed 24 hours.
- Detention is set by the prosecutor and in some cases by the police officer.



IF A CHILD IS DETAINED, WE RECOMMEND:

- Be calm and polite;
- Do not swear or defy the police officer;
- Provide personal identity details to the police officer – family name, surname, address of residence, and parents' contact details.



Any person, including the child, may ask a police officer for help. The police officer protects the life, physical integrity, health, freedom and other rights of the person. și alte drepturi ale persoanei.

IF YOU NEED ASSISTANCE OR YOUR RIGHTS HAVE BEEN VIOLATED, YOU CAN CONTACT:

- **Child Helpline Service**, which operates non-stop, contact number: 116111;
- **Child's Advocate**, available from Monday to Friday between 8:00-17:00, contact number: 080011116;
- **Children's Forum**, web address: www.copiii.webs.md
- **National Legal Aid Council**, contact number: 022-31-02-74
- **Police** – dial 902 or approach the nearest police sector/inspectorate.



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tdh.ch

www.tdh-moldova.md



www.igp.gov.md



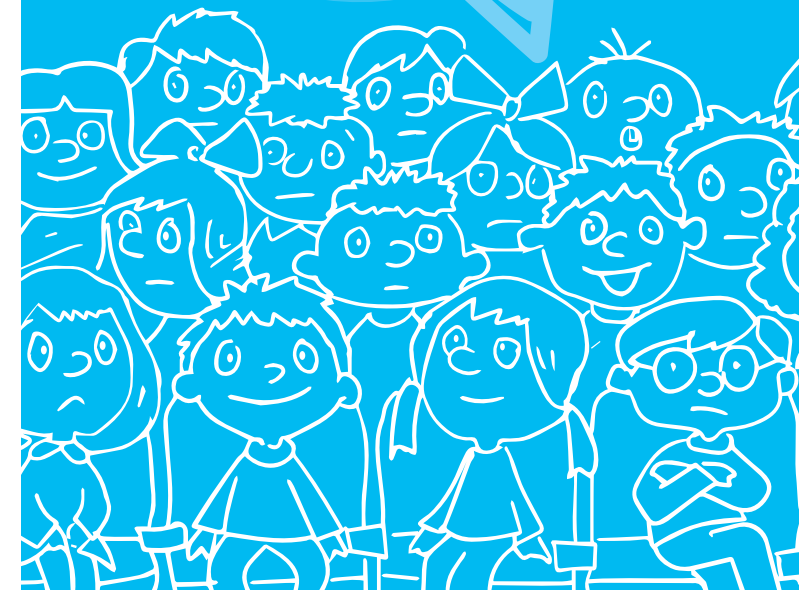
European Union

The leaflets are a part of the project "Strengthening the Capacity of Law Enforcement, Inter-Agency Coordination and Civil Society Organisations to Address Discrimination and Ill-Treatment of Children within the Justice System in the Republic of Moldova", developed by Terre des hommes of the Swiss Foundation – Lausanne Delegation in the Republic of Moldova, in collaboration with the General Police Inspectorate of the Republic of Moldova.

This product was developed with the financial support of the European Union. Its content is the sole responsibility of Terre des hommes Moldova and doesn't reflect the viewpoints of the European Union.

The rights of the child suspected of committing an illegal act

So what now ...?



WHAT IS AN ILLEGAL ACT?

An illegal act is an action or inaction that causes damage to other people, society, nature or property. This act is punishable by law.

An illegal act leading to serious damages is called a **crime** and an illegal act that causes less serious damages is called a **contravention**.



A person might be suspected, accused or declared guilty of a crime or contravention.

A person who has suffered moral, physical or material damages from an illegal act is called a **victim**.

A person who has witnessed an illegal act or has any information on it can be a **witness**.

These persons can be of different ages, including children. A child (minor) is any person from birth until the age of 18.

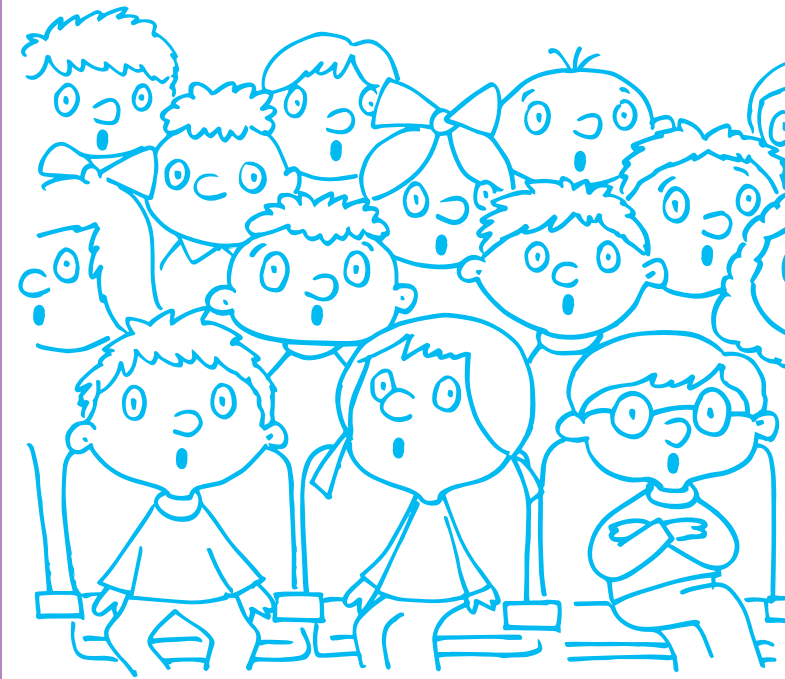
Most often, the **police officer** is the first legal representative contacted by a person in connection with an illegal act.



If a child has been physically or psychologically harmed during contact with the justice system, he/she is entitled, personally or through his/her lawyer, to file a complaint and describe what happened. It is illegal for anyone to cause physical or psychological harm to a child, whether through causing physical pain, intimidation or humiliation.

THE RIGHT TO PROTECTION AGAINST PHYSICAL AND PSYCHOLOGICAL VIOLENCE

ANY PERSON, INCLUDING THE CHILD, IS OBLIGED TO RESPECT THE LAWS OF THE STATE, AND TO RESPECT THE PEERS AND THEIR RIGHTS.



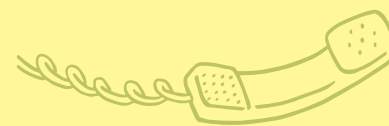
AT WHAT AGE MAY A PERSON BE PUNISHED FOR COMMITTING AN ILLEGAL ACT?

- Children under the age of 14 are not held accountable. But their parents or caregivers may be required to repair any damages caused.
- Young people between 14 and 16 years of age can be held accountable for serious crimes (some examples: physical violence, deliberate murder and banditry).
- Young people over the age of 16 can also be held accountable for less serious crimes (theft, theft of vehicles) and some contraventions.

IN ALL CASES WHEN
MINORS INTERACT WITH
THE **POLICE**, THEY HAVE
THE FOLLOWING
RIGHTS:

The police officer should introduce him/herself, explain the reason for the conversation and inform the child of his/her rights.

THE RIGHT TO BE INFORMED



In any situation, the child has the right to inform his/her parents, relatives or other trustees of his/her circumstances and whereabouts. The opportunity to make contact by telephone should be ensured by the police officer or prosecutor.

THE RIGHT TO CONTACT RELATIVES

The child has the right to participate in actions which concern him/her and to express directly his/her opinion regarding any concrete action.

The child cannot be required to declare anything against him/herself or against his/her relatives. If he/she refuses to speak, he/she cannot be punished for it and the refusal cannot be taken to prove his/her guilt.

THE RIGHT TO PARTICIPATE, TO EXPRESS AN OPINION AND TO REMAIN SILENT

drepturile
copilului

the rights
of the child

If the child does not speak or understand the language in which he/she is addressed, he/she is entitled to a translator or interpreter; their services are guaranteed free of charge by the institution that detained or cited the child.

THE RIGHT TO A TRANSLATOR AND INTERPRETER

The child, whether a suspect or victim, has the right to defence and to free legal counselling, provided by a lawyer from the *Territorial Office of the National Legal Aid Council*.

Alternatively, with his/her parents (caregivers), the child may privately hire a lawyer whom they prefer.

THE RIGHT TO DEFENCE