

**IF A CHILD IS THE WITNESS OF AN ILLEGAL ACT, THIS INFORMATION MIGHT HELP:**

- When a child tells what happened, he/she helps to solving a crime;
- Unlike adults, children are not required to take an oath, but it is still important to tell the truth;
- The child may refuse to speak if it is disadvantageous to him/her or his/her family or friends.



**WHEN TESTIFYING, WE RECOMMEND THAT CHILDREN:**

- Listen carefully to the questions. If they don't understand the question, they should state this;
- Speak clearly;
- Tell the truth;
- Say "I don't know" if they can't answer the question, rather than making something up.



**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](http://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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**The rights of the child victim or witness of 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.

## IF A CHILD IS THE VICTIM OF AN ILLEGAL ACT, THIS INFORMATION MIGHT HELP:

- The child can and should ask the police for help and describe to them what happened. In this way, he/she will be protected and the offender will be punished.
- Police can be contacted at the telephone number 902 or by approaching the nearest police sector/inspectorate;
- If necessary, the child may request help from other professionals, such as: a doctor, psychologist, social assistant or teacher.



- The child may file a complaint by himself/herself, if he/she is at least 16 years old. If he/she is younger, the complaint will be filed with the assistance of his/her parents (caregivers).
- When filing the complaint, it is important to provide personal identity information and contact details, and to note or memorize the name of the person receiving the complaint.
- If a child is cited for a hearing, he/she must be accompanied by one or both parents, a guardian or teacher.

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

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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