

Approve _____/signed/_____

Ceslav PANICO

People's Advocate (Ombudsman)

18.05.2022

Report No. 1
on the monitoring the observance of the rights of foreigners from
Ukraine in the context of the state of emergency for the period from
February 25 to April 30, 2022

May 18, 2022

This Report was drafted within the People's Advocate Office with the involvement of members of the Advisory Council for the prevention of violations of the rights of refugees from Ukraine, created within the People's Advocate's Office.

Organizations and initiative groups involved in the process of monitoring and reporting on the observance of the rights of refugees from Ukraine:

- People's Advocate Office (PAO);
- Council on the prevention and elimination of discrimination and ensuring equality;
- Law Center of Advocates;
- Center for Policy and Reform in Moldova (CPR);
- Moldova pentru Pace;
- Promo-LEX;
- Women's Law Center (WLC);
- Institute for Criminal Reforms (ICR);
- Center Memoria;
- Center for Policy, Initiatives and Research Platform;
- Coalition for Inclusion and Non-Discrimination.

Contact person:

Carolina Cazaciuc, Deputy Head of the Directorate for the Management and Investigation of Applications within the People's Advocate Office

Email: carolina.cazaciuc@ombudsman.md

CONTENTS

Abbreviations	4
Executive summary.....	5
1. General aspects	8
1.1. Temporary protection	8
1.2. Legal mechanism for managing the influx of foreign refugees	10
1.3. Single Crisis Management Center.....	11
1.4. Regulation of the foreigners placement under temporary protection	11
2. Practical aspects	12
2.1. Crossing the state border	12
2.2. Right of stay vs right of residence	13
2.3. Transportation	14
2.4. Accommodation	14
2.5. Minimum accommodation standards	16
2.5.1. Accommodation through the lens of non-discrimination	18
2.5.2. Accommodation outside of placement centers.....	21
3. Medical assistance	22
4. Access to employment	23
5. Children.....	24
6. Conclusions	25
7. Recommendations of the Government and the Commission for Emergency Situations	25

Abbreviations

MIA - Ministry of Internal Affairs

CSE - Commission for Emergency Situations of the Republic of Moldova

NSAA - National Social Assistance Agency

BMA - Bureau for Migration and Asylum

UN - United Nations

EU - European Union

CUGC - Single Crisis Management Center

NART- National Agency for Road Transport

TSAS - Territorial Social Assistance Structure

MLSP - Ministry of Labour and Social Protection

MH - Ministry of Health

NEA - National Employment Agency

Executive summary

The outbreak of armed conflict in Ukraine has led to an increased influx of refugees and displaced persons at the Moldovan-Ukrainian border, creating an unprecedented situation for the Republic of Moldova. Under these circumstances, the national authorities have been put in a position to act urgently to ensure efficient management of refugee flows on the entry-exit segment and to ensure observance of the rights of displaced persons from Ukraine on the territory of our country. The actions, in their entirety, were intended to meet UN emergency standards, priorities and its indicators¹.

According to the official data presented by the Ministry of Internal Affairs (MIA), the number of citizens who entered the MD-UA segment from 24.02.2022 to 17.05.2022 is 464,358 persons, out of which 364,325 persons have already left the Republic of Moldova, 86,251 persons remained on the territory of the Republic of Moldova, out of which 82,530 Ukrainian citizens and 3,721 citizens of other countries².

For two consecutive months, the State has had to urgently mobilize and increase its efforts to manage efficiently and safely both the transit of displaced persons and their temporary placement on the territory of the Republic of Moldova, ensuring the minimum necessary services and goods. In this situation, central/local public authorities as well as ordinary citizens have demonstrated a significant, spontaneous and proactive mobilization, unprecedented in the history of the country. Thus, public authorities at different levels - national and local - as well as civil society and citizens have joined forces in an attempt to deal as effectively as possible with the situation created.

The purpose of this Report is to monitor the observance of the rights of displaced persons from Ukraine from the perspective and on the basis of international and national standards in the field of protection of foreigners, in particular the guarantees arising from the applicability of some forms of protection of foreigners on the territory of the Republic of Moldova, as well as to identify negative practices and/or shortcomings, which lead to the restriction or even direct or indirect suppression of these guarantees.

The objective of the Report is to identify the shortcomings encountered in the process of managing foreigners and to formulate recommendations for the public authorities responsible of ensuring their rights.

In order to carry out expert and advisory activities on issues related to the observance of the rights of refugees in Ukraine, the People's Advocate Ceslav Panico has ordered the temporary establishment within the People's Advocate's Office of the *Advisory Council for the prevention of*

¹ <https://emergency.unhcr.org/entry/81190/emergency-priorities-and-related-indicators> ;

² <https://www.mai.gov.md/ro/news/sinteza-ministerului-afacerilor-interne-pentru-17-mai-2022-ora-1000>

violations of the rights of refugees from Ukraine (hereinafter referred to as the Advisory Council). The Advisory Council started its work on March 11, 2022 and brings together representatives of the People's Advocate Office, members of the Council for the Prevention and Elimination of Discrimination and Ensuring Equality, members of civil society involved in the process of monitoring and assisting refugees in the Republic of Moldova.

Monitoring methodology:

The monitoring was focused on the identification of the system of protection of the rights and freedoms of foreign refugees, the analysis of legislation, existing standards in the field of management of an influx of foreigners/refugees, all provisions of the Commission for Emergency Situations of the Republic of Moldova (CSE), regulations of temporary placement centers for refugees, analysis of services provided by the centers and data collection.

The monitoring methodology included:

- ***ex officio documentation*** by setting the objectives of the monitoring process, approval of the monitoring plan, establishment of the monitoring teams in the field; preparations in the working group, collection, systematization and analysis of information from public and media sources and other available sources, drafting and dispatch of the necessary approaches, study of the information submitted, systematization and its processing, study, analysis of international standards and European practice on human rights/protection of foreigners and refugees; analysis of relevant legislation and internal regulations;
- ***conducting monitoring visits*** to 10 state border crossing points on the UA-RM/RM-RO segment and to 36 temporary placement centers for refugees, both in Chisinau municipality and in 13 districts of the country (Anenii-Noi, Basarabeasca, Balti, Cahul, Comrat, Donduseni, Drochia, Hincesti, Ialoveni, Ocnita, Orhei, Stefan-Voda and Taraclia). The monitoring visits were carried out in temporary placement centers approved by orders of the National Social Assistance Agency (NSAA);
- ***discussions with refugees and public actors*** (approximately 500 persons, and approximately 70-80 placement center managers), and
- ***analytical work*** as part of the preparation of the Thematic Report.

The monitoring period covered February 24 - April 30, 2022. The report is the product of the People's Advocate Office, which was consulted with the members of the Advisory Council.

Main monitoring findings

One of the first findings identified during the monitoring refers to the lack of a legal act at national level that would have established the increased influx of foreigners, which led to the lack of determination of the status of foreigners from Ukraine and the inapplicability of the National

mechanism for the unitary and coherent management of the situation in the event of an increased influx of foreigners, a mechanism approved by Government Decision No. 1146/2017.

The role of the Single Crisis Management Center (SCMC) in the context of the interventions of the national authorities remains an important one in the unitary and coherent management of the situation. However, so far it is noted that the role of the SCMC remains rather formal, as it does not have a proactive strategy for medium and long-term action.

There is also a lack of regulations on the accommodation of foreigners under temporary protection on the territory of the Republic of Moldova, which would include the determination of minimum standards and accommodation procedures. The conditions of access to such centers could possibly be conditioned proportionately by the State.

The management of the process of crossing the state border is also found to be problematic and lacking an integrated management process. A major problem is the poor infrastructure of the border crossing points and their low operational capacity, which does not allow access to a large number of persons at the same time, as well as the insufficient number of staff in relation to this.

Similarly, there is a lack of a concept for organizing the transport of foreign refugees in the event of a spontaneous influx, a concept that would meet the requirements of both the security of persons and their intention to transit through the territory of the Republic of Moldova or to stay temporarily on the territory of the country.

It also notes the disproportionate application of the intersectorial mechanism for the protection of unaccompanied children³ aged 16-18 who intend to cross the territory of the country, and this creates the conditions for violation of freedom of movement - in this regard, all that remains for the State is to ensure the safe transit of minors.

Another finding concerns the condition of registration of foreigners from Ukraine, provided for in Provision 14 of 14.04.22, which would be unjustified, given that the right of residence is granted to the foreigner for a period of 1 year, with the granting of temporary protection⁴.

³ Order of CSE no. 14 of 14.04.22

⁴ Directive 2001/55/CE;

1. General aspects

1.1. Temporary protection

1. The sudden appearance of a massive and spontaneous influx of displaced persons in the Republic of Moldova due to the armed conflict in Ukraine has made our country an involuntary host and/or transit territory for people who have fled from the neighbouring country. This would imply that the capacity of the *Directorate for Asylum and Integration of the Bureau for Migration and Asylum (BMA) to process individual applications for recognition of refugee status or for granting humanitarian protection under the conditions and within the time limits provided for by the Law*⁵ has been exceeded, creating the necessary conditions for the application of temporary protection for refugees from Ukraine. In this context, temporary protection appears to be an exceptional measure⁶ designed to provide immediate protection *in the event of a massive and spontaneous influx of displaced persons who are unable to return to their country of origin, if there is a risk that the asylum system will not be able to process this influx without adverse effects on its efficient functioning in the interests of the persons concerned and other persons in need of protection.*⁷

2. At regional level, the existence of a mass influx of displaced persons is established by a decision of the European Union Council, adopted on a proposal from the European Commission, which also examines *each application from a Member State with a view to forwarding a proposal to the Council.*⁸ *In the context of the launch of the emergency humanitarian appeal for protection and assistance needs in Ukraine, the UN High Commissioner for Refugees welcomed the support expressed by many EU Member States for activating the temporary protection provided for in Directive 2001/55/CE to allow immediate and temporary refuge and to facilitate responsibility sharing among European states for persons fleeing Ukraine. In order to respond to this situation, it must be noted that there is a massive influx of displaced persons within the meaning of Directive 2001/55/CE in order to offer them temporary protection.*⁹ *Although in the context of EU relations with the Republic of Moldova the latter has activated the EU Civil Protection Mechanism to*

⁵ Art.3 of the Law no.270/2008 on asylum in the Republic of Moldova;

⁶ P. 16 of Council Implementing Decision (EU) 2022/382 of March 4, 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Art.5 of Directive 2001/55/CE and having the effect of introducing temporary protection;

⁷ Art.3 of Law No.270/2008 on asylum in the Republic of Moldova;

⁸ Art.5 of Council Directive 2001/55/CE of July 20, 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof;

⁹ P. 8; 9, 10 of Council Implementing Decision (EU) 2022/382 of March 4, 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Art. 5 of Directive 2001/55/CE and having the effect of introducing temporary protection;

support Ukrainian citizens,¹⁰ at national level there has been no legal act, which would have noted the increased influx of foreigners.

3. According to the internal legal framework, *temporary protection is granted by Government Decision, on the proposal of the Ministry of the Internal Affairs, based on a report submitted by the Bureau for Migration and Asylum, on the need for temporary protection, with the establishment of the measures and the period for which temporary protection is granted. The report is drawn up based on an analysis of the situation carried out by the Directorate for Asylum and Integration, taking into account the causes of any influx of persons.¹¹ It should be noted that temporary protection is granted for a period of 1 year, and if the reasons for temporary protection persist, the duration of temporary protection may be extended by periods of 6 months, for a maximum of 1 year, but not exceeding 2 years.¹²*

4. *In the context of the legal reasoning set out above, it is essential that the influx of displaced persons be established by means of a normative act, given the legal effects and guarantees resulting from it, in the context of the applicability of the temporary protection mechanism, with all its components: international humanitarian assistance and administrative cooperation. Moreover, temporary protection may have a wider spectrum of applicability, or it needs to be offered to other categories of displaced persons, stateless persons or nationals of third countries other than Ukraine but legally residing in Ukraine, or their family members.¹³*

5. *In fact, by Decision of Parliament No. 41 of 24.02.2022, a state of emergency was declared for a period of 60 days, during which the CSE was granted the right to issue provisions to implement a series of actions.¹⁴ Provision No. 1 of February 24, 2022 and subsequent provisions issued by the CSE establish a number of technical measures (derogations) concerning the entry into our country of foreigners coming directly from Ukraine,¹⁵ but the determination of their status and the protection they are entitled to, remains ambiguous.*

6. ***Therefore, it is noted the absence of the normative act approved by the Government, whereby upon entry into the territory of the Republic of Moldova on 24.02.2022, foreigners from Ukraine would have been determined the status of refugees or displaced persons under temporary protection for a period of 1 year.**¹⁶ These premises also have an impact on the legal conditions of entry/stay/exit of foreigners and their rights on the territory of the Republic of Moldova¹⁷, in particular with reference to Directive 2001/55/CE. **In this regard, the Ombudsman notes that the***

¹⁰ <https://www.consilium.europa.eu/ro/policies/eastern-partnership/moldova/>;

¹¹ Art.21 para. (1) and (2) of the Law no.270/2008 on asylum in the Republic of Moldova;

¹² Art. 21 para. (3) of Law No 270/2008 on asylum in the Republic of Moldova;

¹³ P. 13 and 14 of Council Implementing Decision (EU) 2022/382 of March 4, 2022 establishing the existence of a mass influx of displaced persons from Ukraine within the meaning of Art. 5 of Directive 2001/55/CE and having the effect of introducing temporary protection;

¹⁴ Art.2 para. (1) of Parliament's Decision No. 41/2022;

¹⁵ P. 1, p. 2, p. 22, p. 20, p. 25 (e) of the CSE Order No. 1 of 24.02.2022;

¹⁶ P. 21 of Directive 2001/55/CE;

¹⁷ Art.6 of the Law no.200/2010 on the regime of foreigners in the Republic of Moldova;

beneficiary of temporary protection, who has applied for asylum, will not be subject to the provisions on temporary protection.¹⁸ Thus, the foreigners from Ukraine, following the granting of temporary protection, would have been entitled to apply, upon request, for recognition of the status of beneficiary of this form of protection on the territory of the Republic of Moldova, with the issuance of the document attesting the right of residence for a period of 1 year, the right to humanitarian assistance and other facilities offered by the State, which may be conditioned proportionally, based on its possibilities. Subsequently, the State has the right to determine individually the categories of persons and the criteria applicable to them for temporary protection on the territory of the Republic of Moldova.

1.2. Legal mechanism for managing the influx of foreign refugees

7. In order to implement the provisions of art. 88 para. (2) of the Law no.200/2010 on the Regime of foreigners in the Republic of Moldova, the National mechanism for the unified and coherent management of the situation in the event of an increased influx of foreigners (*hereinafter referred to as the Mechanism*)¹⁹ was approved. The Mechanism directly regulates the planning, organization, coordination, monitoring and unified management of the action of the competent institutions in the event of an increased influx of foreigners and represents an additional measure of effective migration management. It should be noted that the Mechanism has the following components: the Contingency Plan and the Interinstitutional Working Group for managing the crisis situation generated by an increased influx of foreigners.

8. An important role is played by the Provisional Centers provided for by the National Mechanism, namely in determining the intention of the displaced person to cross the state border, which facilitates the guidance and ensuring their rights in the process of arrival in or transit through the country.

9. The lack of the act of ascertaining the influx of foreigners has led to the **inapplicability of the National Mechanism for the unified and coherent management of the situation in the event of an increased influx of foreigners, approved by Government Decision No. 1146/2017.**²⁰

10. It should be noted that from the perspective of the provisions of the CSE, **the activities²¹ of the Provisional Center determined by the Regulation approved by Government Decision No. 1146/2017 are not visible, i.e. the Provisional Center is the main filter in the management of the increased influx of foreigners at the state border.**

¹⁸ Art.23 para. (3) of the Law no. 270 of 18.12.2008;

¹⁹ Government Decision no.1146/2017

²⁰ Government Decision no.1146/2017;

²¹ P.14 of the National mechanism for the unified and coherent management of the situation in the event of an increased influx of foreigners approved by Government Decision 1146/2017;

1.3. Single Crisis Management Center

11. In order to coordinate the situation related to the influx of foreigners from Ukraine, the CSE, by Order No. 3 of February 27, 2022, ordered the establishment of the Single Crisis Management Center (SCMC), without approving its structure and mechanisms of activity.

12. Subsequent on March 31, 2022, the CSE ordered the restructuring of the SCMC, concurrently approving its structure and standard operating procedures, *which, if applicable, will be approved by the CSE. For public order issues, the SCMC will cooperate with the National Coordination Center for Integrated Actions of Public Order, which operates based on Government Decision No. 1206/2016.*

13. In response to the request of the People's Advocate to the SCMC to submit a copy of the Plan for the management of the influx of foreigners, we were informed that, *due to the complexity and the large number of participating institutions, the plan is in the process of being finalized, and once the plan is finalized, it will be submitted to the Government for approval. Thus it is noted, that SCMC, at the moment does not have a complex action plan for managing the crisis situation regarding the influx of foreigners from Ukraine.*²²

1.4. Regulation of the foreigners placement under temporary protection

14. The regulation of the accommodation of foreigners, in the event of a spontaneous influx of foreigners, provides for provisional placement (72 hours) in delimited border areas, which is *organized and equipped in such a way as to provide adequate accommodation, food, primary medical assistance and personal hygiene to the foreigners who are the subject of the activities carried out within its framework.*²³

15. At the same time, in order to implement para.(1) of art. 7 of the Law on asylum in the Republic of Moldova, the Regulation of the Accommodation Center²⁴ was approved, which is a specialized structure, subordinated to the BMA of the MFA, intended for temporary accommodation of foreigners - *beneficiaries of international protection and asylum seekers.*

16. Subsequently, **there is a lack of regulations at national level on the accommodation of foreigners under temporary protection on the territory of the Republic of Moldova, establishing minimum standards and procedures for accommodation, arising from the exceptional situation for which temporary protection is offered.**

²² Answer No. 19 of the Single Crisis Management Center of April 28, 2022;

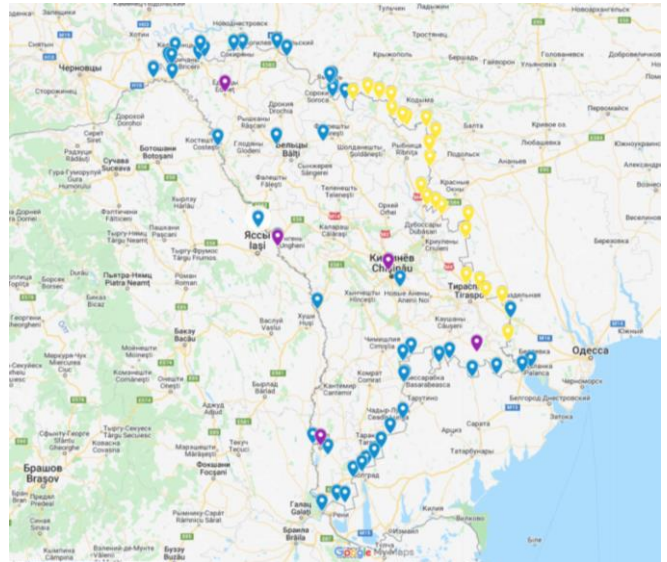
²³ P.15 of Government Decision No. 1146/2017 on the approval of the National mechanism for the unitary and coherent management of the situation in the event of an increased influx of foreigners;

²⁴ Government Decision No. 1023/2012;

2. Practical aspects

2.1. Crossing the state border

17. Since February 24, 2022, the crossing of the state border on the way of entry into the Republic of Moldova from the territory of Ukraine has been authorized at the border crossing points upon presentation of one of the valid identity documents: for minors - birth certificate, national identity document (ID card), passport, and for adults - national identity document (ID card) or passport²⁵.



18. Subsequently, the condition of validity of identity documents at the state border crossing has been abolished, and entry for minors is also allowed on the basis of the medical certificate attesting the birth of the child.²⁶ The right to cross the border based on other types of documents, including copies thereof, which enable the person to be identified, has supplemented the conditions for entry.²⁷

19. During the monitoring at the border crossing points, a very intensive traffic of persons was initially seen in relation to the number of border police employees. Subsequently, **the limited human capacity of the Border Police is found and they are in a situation of working in an intensified regime. At the same time, these circumstances are also generated by the inadequate infrastructure of the border crossing points with Ukraine, which does not allow for the creation of more green corridors to manage an increased influx of persons.**

20. Also, at the border crossing points Vulcanesti-Vinogradovca (Bolgrad), Costesti-Stinca, Giurgiulesti-Reni, Giurgiulesti-Galat, Sculeni-Sculeni, Ceadir-Lunga-Maloiaroslavet and Otaci-Moghilev Podolsck, inclusive, it was found, **during the initial period of the state of emergency (February-March), the shortage of sanitary blocks on the territory of the border crossing points, the existing ones being in unhealthy conditions, also the lack of special facilities for the care of small children, the lack of access to drinking water, the lack of primary medical assistance services (these were observed in the BCP only in April).** It should be noted that thanks to the support of national and international volunteers, including religious organizations and local and district public administrations, it was possible to provide Ukrainian citizens with

²⁵ CSE Order no. 1 of 24.02.2022;

²⁶ CSE Order no. 3 of 27.02.2022;

²⁷ CSE Order no. 3 of 27.02.2022;

food, tea, coffee, toiletries and clothing in specially arranged tents at entry and exit from Moldova. Similarly, national volunteers and volunteers from religious organizations provided logistical and informational support and transportation of Ukrainian citizens free of charge. By the middle of April, in some BCPs, volunteers ceased their activities.

2.2. Right of stay vs right of residence

21. At the initial stage, the BMA, and later the Public Services Agency, were vested with the right to register foreign citizens, according to the procedure established by Government Decision No. 125/2013 approving the Regulation on the issuance of identity documents and registration of inhabitants of the Republic of Moldova. In the context of the normative act, *inhabitants of the Republic of Moldova are considered to be its citizens domiciled in the country, regardless of the existence of their registration at domicile, foreigners with the right of residence on the territory of the Republic of Moldova and persons recognized as stateless persons or refugees with a form of protection.*²⁸ By Order No. 14 of April 14, 2022, the CSE **ordered the obligation** for Ukrainian citizens to submit to the BMA *the request for granting the right of temporary residence without presenting the criminal record.*²⁹

22. In this context, the right to stay is the *right conferred by exception to the foreigner, allowing him/her to stay temporarily on the territory of the Republic of Moldova, without holding a residence permit, for a cumulative period of more than 90 calendar days, but not exceeding 1 calendar year.*³⁰ It should be noted that in the context of Directive 2001/55/CE, the right of residence is granted to the foreigner for a period of 1 year, once temporary protection is granted.

23. **Therefore, it is found that the condition of registration of foreigners from Ukraine, provided for in the CSE Order No. 14 of 14.04.2022, is presumed to be unjustified.**

24. However, the facilitation of obtaining the right of residence by not presenting a criminal record remains a positive one, in relation to the exceptional condition, but **the model of the affidavit on the absence or confirmation of criminal liability and/or pending criminal record**³¹ **is not provided in a language that the foreigner from Ukraine understands or is reasonably presumed to understand.**

²⁸ Government Decision no.125/2013;

²⁹ CSE Order no.14 of 14.04.2022;

³⁰ Art.3 of Law no.200/2010

³¹ Annex 2 of CSE Order no.14 of 14.04.2022;

2.3. Transportation

25. Another important part of the process of managing the increased influx of foreigners from Ukraine once they enter the Republic of Moldova is to ensure the transportation of refugees. The CSE has allowed the MIA subdivisions to take over and transport asylum seekers *to specially designated places*³², although the concept is unclear. At the same time, the National Agency for Road Transport (NART) has been empowered to issue permits for transport routes of persons from screening points, in cooperation with the General Inspectorate of Border Police and BMA³³, **but the CSE Decision does not specify whether this requirement is also mandatory for persons with private transport, including taxi service.**

26. In the framework of the monitoring carried out at the border crossing points (BCP) in partnership with the Law Center of Advocates, we were informed by border officials that persons requesting to apply for asylum or persons attempting to cross the border illegally were transported by the carabineers to the center near the border point, managed by the MIA. The other categories of people either entered by private transport, or "*at the exit, they were already deciding who and what transport to offer, which volunteers, which private, we don't know*". It should be noted that at the initial stage of the crisis situation, there were numerous signals regarding the transportation of refugees from the BCP to Chisinau or other destinations against payment. At the same time, according to the volunteers present at the BCP, the transportation of people was carried out in coordination with NART, the latter having requested to avoid Chisinau municipality in this regard.

27. **Concluding above, it is noted the lack of a concept of transport of foreigners from Ukraine, especially in the case of establishing an alert degree of the influx of foreigners.** In this regard, it is necessary to establish authorized routes for the transport of foreigners from Ukraine, on two segments such as transit and internal movement to temporary accommodation centers from the temporary centers established at the BCP with Ukraine. This would fulfil the State's commitment to ensure the safety of displaced persons and prevent possible risks of abuse, trafficking, exploitation, extortion and other degrading treatment.

2.4. Accommodation

28. By Order No. 1 of the CSE, with the declaration of the state of emergency, two Provisional Centers for the management of the influx of foreigners on the territory of the Republic of Moldova were established, located in the Palanca village, Stefan Voda district and Calarasovca village, Ocnita district, and their management was assigned to the MIA.³⁴ On March 17, 2022, the CSE

³² CSE Order no. 1 of 24.02.2022;

³³ CSE Order no. 1 of 24.02.2022;

³⁴ P.9, of CSE Order No. 1 of February 24, 2022;

retroactively ordered the creation of two additional provisional centers, considered to be active, as of March 6, 2022, and March 12, 2022, respectively.³⁵ In total, as of 20 April 2022, the total number of provisional centers under the management of the MIA is 6, with a total capacity of 2000 places.³⁶

29. By the same order of the CSE, it was established that local public authorities, public institutions, state-owned companies and trade union organizations are to identify and make available to the Territorial Social Assistance Structures (TSAS), accommodation targets for creating Temporary Placement Centers for refugees. At the same time, NSAA has been tasked with drawing up the rules for the organization and operation of the center, as well as the task of approving the temporary placement centers, following examination of the applications submitted by TSAS.

30. In fact, it is found that, at the initial stage of the crisis situation, the process of determining and setting up the temporary centers was carried out in accordance with the regulations in question. Subsequently, however, the request for the creation of centers was submitted by the interested parties directly to NSAA.³⁷ This creates the risk of ignoring the State guarantees offered through the TSASs to ensure the established standards. This also affected the process of inter-institutional communication between those in charge of the centers' activities and other public institutions responsible for ensuring humanitarian support and access to social services.

31. A particularly telling example of this is block no. 6 of the State University of Moldova, which was created based on a approach³⁸ from the SUM addressed directly to NSAA. Although NSAA was notified³⁹ by the Ombudsman to stop the activity of this center, given the fact that it did not fully comply with the requirements set out in the Regulation, the NSAA answer no. 01/733 of 04.04.22 reaffirmed that the *proposals for the creation of the centers are within the competence of the entities concerned, but are approved by the Agency. According to the latter, the applicant confirms compliance with the minimum conditions for the operation of the Center.*

32. Thus, it is not at all clear how the guarantees provided by the State in the context of point 4 of the Regulation, approved by the Ministry of Labour and Social Protection (MLSP), and the role of the NSAA in approving this act are dealt with, given that the responsibility for guaranteeing minimum standards is indirectly passed on to the applicant. Moreover, it remains open to interpretation the approach of NSAA to confirm the guarantee of minimum standards by the applicant when the application for the establishment of the center is submitted and not when the application is approved. However, the guarantee of minimum standards is the responsibility of the State, which does so by issuing a legal act.

³⁵ P. 8.3 of Order No. 11 of March 17, 2022

³⁶ CSE Order No.15 of 20.04.2022

³⁷ NSAA Order No. 82 of March 7, 2022; NSAA Order No. 95 of March 7, 2022;

³⁸ NSAA Order 109 of March 9, 2022;

³⁹ PAO Opinion no. 07-6/4-586 of March 25, 2022;

33. Since March 30, in order to avoid the risks of human trafficking, it has been forbidden to organize the accommodation of refugees in centers (not approved by NSAA) without notifying it. Unapproved centers operating without NSAA notification will be closed down automatically. This regulation leaves space for interpretation, since it is not determined who is responsible for establishing the activity of such centers, making it presumed that this is the direct responsibility of NSAA.

34. At the same time, given that the power to decide on the cessation of the activity of temporary centers has been attributed to NSAA⁴⁰, it must also be obliged to approve/disapprove the creation of Temporary Centers.

2.5. Minimum accommodation standards

35. On March 26, 2022, by MLSP Order No. 21/2022, the *Regulation on the organization and functioning of the Temporary placement center for refugees and the rules on staffing and expenses* were approved, granting the placement center the status of a specialized social structure, under the management of TSAS, for the temporary placement of foreigners from Ukraine. The Regulation sets minimum standards, as well as regulates the operation, internal order, etc. **At the time of drafting the report, 93 placement centers for refugees were active, with a total capacity of 7338 places, in which 4436 persons are placed, with an occupancy rate of 60.45%.⁴¹**

36. In March-April this year, the People's Advocate Office and the Advisory Council monitored 36 placement centers accredited by NSAA, the purpose of the monitoring being to identify the level of implementation of the minimum standards⁴² set out in the regulation on the organization and functioning of the temporary placement center for refugees. **It should be noted that the standards do not provide for mandatory requirements for reasonable accommodation for persons with special needs and mothers with children aged 0 to 3 years, although during accommodation beneficiaries may request specialized assistance for persons with special needs⁴³.**

37. Thus, the **first standard** approved concerns the location of the center, which requires *it to be in a building or a separate section of a building, intended exclusively for the service of refugees. The premises of the center must not be within a defined perimeter in which no beneficiaries other than those provided for in this Regulation can be accommodated. The location of centers is not allowed in basements, rooms without natural lighting or wet rooms.*

⁴⁰ CSE Order no. 18 of April 28, 2022;

⁴¹ CSE Order no. 15 of 20.04.2022;

⁴² P.3 of the Regulation on the organization and functioning of the temporary placement center for refugees, approved by the MLSP Order No.21/2022

⁴³ P.29 letter g) of the MLSP Regulation no. 21/2022

38. Following the monitoring, it was easy to establish that in **most cases the infrastructure of the centers was of the old type, the blocks of which were in need of repair**. Not in all cases, the buildings were separately located and not exclusively intended to serve refugees. Refugees were accommodated in buildings that were part of hospitals, student hostels, and kindergartens, social centers for people with disabilities or for the rehabilitation of victims of domestic violence. In this regard, we would like to mention the situation of the beneficiaries accommodated in the Chisinau Hospital for Physiopneumology, a facility intended for medical treatment and not for social services, which is why the Ombudsman requested its immediate cessation⁴⁴.

39. It was also found that **not all the centers visited provided reasonable accommodation for persons with disabilities**.

40. **Another standard** concerns the equipment of the centers, which means that the *center must be provided with water supply, sewage, heating, natural gas where appropriate, electricity, ventilation systems, natural lighting and have the operating permits required by law. The center must also have sleeping facilities and furniture, bed linen, food service facilities and furniture, basic crockery and cutlery, a sanitary block, a shower room and space for storing the beneficiaries' personal belongings, the surface area of which must comply with the health regulations in force*.

41. The monitoring results showed that the **provision of the centers in the context of the specified standard could be classified as partially ensured**. It should be noted that in some centers there is a lack of furniture (beds, furniture for serving food and keeping personal belongings) and an uncoordinated distribution of some goods such as sleeping mats. In some centers, these were in short supply, while in others they were in surplus and in disarray in corridors and other areas.

42. In addition, **not all centers had defined areas that would serve to ensure the privacy of the beneficiaries, and in some cases, the doors of the rooms were not functional, which did not allow for the safe storage of goods**.

43. In the majority of centers, beneficiaries were placed per family in the rooms, but there were also centers where the rooms were shared and accommodated a larger number of beds. It should be noted that in some centers with a larger surface area, people were accommodated only in common areas without any boundaries (sports halls, cinemas, etc.).

⁴⁴ <http://ombudsman.md/news/avocatul-poporului-concluziile-si-recomandarile-referitoare-la-plasarea-refugiatilor-in-imsp-spitalul-clinic-municipal-de-ftizio pneumologie-se-bazeaza-pe-vizita-la-institutia-medicala-si-pe-opinia-sp/>

44. In general, **all centers were provided with natural lighting, electricity, heating, sewerage, water supply, but one problem identified remains the insufficient number of shower and sanitary blocks⁴⁵.**

45. **Other minimum standards** provided for by the Regulation *refer to the minimum accommodation capacity of the Center, which shall be 20 persons, observing the principle of non-discrimination at all stages of service provision, by promoting and respecting human rights, regardless of race, colour, nationality, ethnic origin, gender, age, language, religion or other beliefs, nationality, ethnicity or social origin, birth status, material situation, degree and type of disability or any other similar criteria.*

46. Following the monitoring visits, it was found that in most of the centers visited the average number of persons accommodated was 40-50 persons, in some centers the number of persons was expected to be as high as 470-600.⁴⁶ It should be noted that the number of persons accommodated is fluctuating, with persons in some centers being in placement for an average of 3-5 days. However, persons were identified as having been accommodated once the crisis situation started, some of them intending to stay in Moldova and others facing documentation problems to move to other destinations.

47. As regards the profile of the accommodated persons, most of them are mothers with children aged 0-3 years, pregnant women, children aged 4-17 years, elderly 65+, persons with special needs, less - men.

2.5.1. Accommodation through the lens of non-discrimination

48. During the monitoring visits, it was found that the beneficiaries of the temporary placement centers are Ukrainian citizens, Roma, Azerbaijanis and, according to the managers of the centers, since the beginning of the crisis, Pakistani, Chinese, Iraqis, Armenians and people of other ethnicities have been accommodated.

49. According to paragraph 3 letter (g) of the Regulation (Model) on the organization and functioning of Temporary placement centers for refugees, the centers must ensure the principle of non-discrimination at all stages of service provision by observing and promoting human rights irrespective of race, colour, nationality, ethnic origin, sex, age, language, religion or other beliefs, etc. However, the application of the principle of non-discrimination by the centers has been

⁴⁵ An example of poor equipment is the temporary center set up in the study block no.6 of SUM, Chisinau municipality, which at the time of the monitoring visit did not have shower facilities, and the number of sanitary blocks was insufficient compared to the number of beneficiaries. At the same time, the spaces offered for accommodation were study rooms, which lacked the necessary furniture.

⁴⁶ <https://dopomoga.gov.md/akkreditovannye-centry-dlya-bezhencev/>

problematic from the outset, since there have been reports of hostile attitudes by the centers' administration and staff towards ethnic or religious minorities.

50. Thus, since the beginning of the crisis, the volunteers of the *Moldova pentru Pace* initiative have reported several cases of direct discrimination against Roma and other ethnic or religious minorities, both by state centers and in the private sector. For example, volunteers who mediate accommodation for refugees and displaced persons have been repeatedly warned by telephone by the administrators of accommodation centers that they will not accept Roma for accommodation. Volunteers were asked to refer "only Ukrainians" (in one case the phrase "only pure Ukrainians" was used). In other cases, volunteers were asked to find out the ethnicity of people before referring them, which they found unacceptable. Moreover, volunteers who participated in monitoring visits to the People's Advocate's Office specialists reported that some center managers had been contacted by local police and warned that the centers should not accept Roma.

51. Volunteers working at border crossing points also reported the practice of the authorities' representatives to persuade/encourage Roma to choose Romania and not the Republic of Moldova as their destination, on the grounds that the placement centers would no longer have places available.

52. In order to prevent cases of discrimination and placement of refugees in hostile conditions, a dialogue has been initiated with representatives of civil society, community mediators and the Council for the prevention and elimination of discrimination and ensuring equality to identify solutions that meet human rights standards. It was suggested that services and conditions in centers with a population predominantly from marginalized groups should be adapted to their needs, while avoiding the creation of desegregated spaces based on one criterion or another. In this context, the accommodation in the temporary center created within the Light Athletics Manej in Chisinau municipality, was initially granted to all foreign displaced persons from Ukraine, but later became a priority for Roma. Later, after the Manej ceased to operate as a placement center, a center where mainly Roma people were accommodated became Block 6 of the SUM.

53. Another aspect noted with reference to this category of persons refers to the direct or indirect refusal to accommodate Roma people, on the grounds of insufficient or even lack of available places. In other words, **it is noted a negative preferential selection of accommodation for this category of persons.**

54. In addition, *Moldova pentru Pace* and other human rights organizations discussed with the authorities the situation of people from marginalized groups in placement centers and conditions in centers with beneficiaries from minority groups. Thus, the initiative was seized on March 17 that heating was (partially) stopped at the Light Athletics Manej, where mainly Roma people were accommodated. This happened when the temperature outside reached -6 degrees. Although the

situation was later explained by technical deficiencies, the initiative received various signals that the heating had been intentionally disconnected in order to save electricity consumption.

55. In discussion with some accommodation beneficiaries belonging to minority groups, other problems were raised: quality of food, inefficient distribution of humanitarian aid, lack of showers, lack of privacy and the impossibility of locking the room in which they live. Although some problems have been addressed in the course of the process, the authorities have repeatedly failed to show sufficient diligence in providing accommodation.

56. Discriminatory discourse and ethnic/racial stereotyping was another issue raised by *Moldova pentru Pace*. According to them, during the reference period volunteers heard stigmatizing speech and stereotypes related to the ethnicity of refugees both from civil servants, center administrators and staff, and from employees of the National Inspectorate of Carabineers (who provided security in some centers), as well as from other volunteers.

57. Similar to the situation of the Roma, there was also the concentration of Azerbaijanis in special centers, such as the Handball School and the Orion Center in Chisinau municipality. **Thus, intentionally or not, the accommodation of ethnic groups in some temporary centers was nevertheless affected by existing (predominantly negative) social stereotypes about them.**

58. *The creation of conditions to ensure the confidentiality of personal data* is a standard defined by the Regulation approved by the MLSP. It should be noted that upon admission to temporary placement, the beneficiaries are obliged to fill in the application for admission to placement, and the center manager shall register it in the model register, annexed to the Regulation.

59. The results of the monitoring showed that **in most of the centers visited, the registration of beneficiaries took place at the entrance to the center, with the completion of applications and the attachment, where appropriate, of copies of identity documents. The application forms for access to the centers were in most of them in a visible place at the entrance, as well as the registers with the personal data of the beneficiaries in paper format.**

60. **On the whole, no delimited spaces were identified for the storage of personal data**, with the exception of some centers, primarily in the capital, where the database of beneficiaries was created in electronic format.

61. Despite existing regulations on the role of TSAS in the management of temporary centers,⁴⁷ **we find that for the most part staff, especially management, are not adequate and trained to manage and communicate with multicultural groups of persons.**

⁴⁷ P. 5 of Regulation No.21 of 26.02.22 approved by the MLSP;

62. At the same time, there is a **lack or insufficiency of auxiliary staff, community social workers and social workers to run the centers,**⁴⁸ with the workload being largely passed on to volunteers, whose presence was more visible in the centers.

63. With reference to voluntary services, we would like to highlight their proactive involvement. However, it should be noted that, despite their positive intentions, some negative practices on the part of volunteers were noted, in the context of exceeding ethical rules. On the other hand, situations have been reported that would presume actions of abuse towards them.⁴⁹

64. This state of affairs leads to the consideration of some risks that would jeopardize the personal security and integrity of both placement beneficiaries and volunteers, **which is why it is necessary to make the provision of voluntary services in temporary placement centers accountable and legally justified.**⁵⁰

65. At the same time, **information accessibility is deficient.** The monitoring did not reveal the practice of posting in a visible place the temporary placement center Regulation, information boards on services and assistance (legal, medical, psychological, etc.); addresses and contacts of authorities/support centers; precautionary measures in the country as a whole and in the centers, as well as protection mechanisms against all forms of abuse and discrimination, which the monitoring found to be lacking or insufficiently provided.

2.5.2. Accommodation outside of placement centers

66. From the observations of volunteers from the *Moldova pentru Pace* initiative who assisted in the accommodation of refugees, the authorities did not have a standard procedure for monitoring the situation of foreigners accommodated in the private sector - families or unauthorized/unofficial placement centers.

67. Local administrations, through social workers, have provided some degree of registration, especially in rural areas, but these efforts can be classified as sporadic. They were mainly related to the provision of humanitarian aid and one-off payments to host families managed by the World Food Programme. In this context, it should be noted that when distributing cash aid to hosts, they were informed about the provisions of a Code of Conduct, which they signed. The Code contains provisions aimed at preventing abuse and exploitation of refugees, and contains a commitment by the host to treat the persons accommodated with respect and dignity and without any

⁴⁸ P. 5 of Regulation No.21 of 26.02.22 approved by the MLSP;

⁴⁹ <https://moldova.europalibera.org/a/moldova-depoziteaz%C4%83-deja-gaze-%C3%AEn-rom%C3%A2nia-angajatul-unei-preturi-din-chi%C5%9Fin%C4%83u-ar-fi-abuzat-trei-voluntare/31815083.html>

⁵⁰ PAO Opinion No.07-4/16-867 of April 28, 2022;

discrimination. We consider this practice to be positive and worth adopting in the public field or in the provision of other categories of services.

68. A special case is the situation of refugees and refugees who have sought on their own options for renting/leasing living space. Their numbers are increasing - either because they can no longer stay for long periods in host families or because they need more stable, isolated accommodation that provides privacy. According to the volunteers who spoke to this category of refugees, a large number of them were either faced with exaggerated prices for rent, long-term rental conditions (at least 12 months), or were refused when they admitted they were refugees. In this context, and following several discussions with actors in the field, *Moldova pentru Pace* found that the authorities are reluctant to address the issue of long-term accommodation under the condition of rent increases (e.g. by setting a ceiling on rent prices).

69. At the same time, international humanitarian organizations and a group of local non-commercial organizations have started several programmes to identify long-term accommodation options for refugees in different regions of the country, including through the rehabilitation of unused owner-occupied premises or the identification of other alternatives. These programmes could be supported by the state in order to guarantee the housing rights of refugees.

3. Medical assistance

70. By way of derogation from the Law on compulsory medical insurance, the CSE has ordered medical assistance in all cases meeting the criteria of the case definition for COVID, in all cases of medical-surgical emergencies the expenses being paid from the state budget or other legally established sources. The concept of medical assistance, through the Ministry of Health, is oriented on the creation of mobile medical teams at the BCP, for 24/7 medical assistance (*triage, first aid; urgent medical assistance and in case of medical-surgical emergencies and primary psychological assistance*), both at the BCP with Ukraine and on the route of the common crossing points with the districts on the east bank of the Dniester River,⁵¹ as well as the establishment of medical teams in the temporary placement centers for refugees, which exceed the number of 100 refugees, with the delegation in shifts of medical staff to these centers, in the rest, the involvement of the adjacent Primary Medical Assistance or 112 service will be requested, as appropriate.⁵²

71. At the same time, the MH will ensure the provision of medicines and paramedical products, consumables necessary for the activity of the medical points within the provisional centers, and the heads of public medical sanitary institutions and hospitals, primary medical assistance

⁵¹ MH Order No.136 of February 24, 2022 on the preparation of response measures in the context of the announced emergency situation

⁵² MH Order no.166 of February 26, 2022 on the organization of medical assistance to refugees

providers having the obligation to provide a series of established services.⁵³ Insufficient funds for this purpose will be covered from the state budget at the request of the MH.

72. During the monitoring visits to the temporary placement centers, **it was found that primary medical assistance services were provided in most of the centers.** According to the medical workers in the centers, essential medicines and medical equipment for first aid were available.

73. At the same time, **it was found that the centers did not have the necessary pharmaceutical products, as well as tests for testing diabetes, insulin for patients with diabetes, oncological diseases, psychiatric diseases, tuberculosis, and the workers claiming that such persons are referred to specialist doctors.**

74. In general, medical services are accepted by the refugees, except in some cases reported by the staff of the centers during visits, when mothers refuse hospitalization of the child, although they had a fever for several days.

75. Other problems highlighted in discussions with the managers of the temporary centers **relate to the poor equipment of ambulances to provide medical assistance relevant to the diagnosis established, as well as the lack of pharmaceutical preparations necessary for patients with chronic diseases, the latter being forced to purchase them from their own sources.**

76. There is also a **lack of continuity in the supervision and provision of medical assistance at the medical points in the placement centers** between the medical staff on shift, and there is a lack of communication about the assistance provided prior to taking up a new shift.

4. Access to employment

77. The right to work for Ukrainian citizens was facilitated by CSE Order No 4/2022. Thus, refugees, irrespective of their legal status, can be employed on the territory of the Republic of Moldova during the state of emergency. Employers are obliged to notify the National Employment Agency (NEA) about the employment of Ukrainian citizens. At the same time, a circular has been issued by NEA to all territorial employment subdivisions (TES) with concrete tasks on working with employers and citizens of Ukraine, including visits to refugee placement centers in the territory to inform them about the right to employment and support.

78. Following the monitoring, it was not possible *to ascertain that TES had carried out visits to the placement centers, but during a monitoring visit it was identified that Ukrainian citizens wanted to be employed but did not know what the mechanism was, which the person in charge of the center also confirmed.*

⁵³ MH Orders no. no. 136, 166 and 210

79. Another problem with regard to employment mentioned by displaced persons refers to the mandatory requirement of knowledge of the state language requested by some employers, which in the opinion of the Ombudsman could be considered as a ground for tacitly refusing employment.

80. Also in the context of employment, especially in rural settlements, the issue of day labour is being pursued, or situations have been mentioned where displaced persons want or even get day labour opportunities. Even if the refugee can decide on the way of employment/work provision, this situation still creates some risks in the context of possible human trafficking or economic exploitation, due to the fragility of the refugee status and the resulting vulnerability.

5. Children

81. According to the official data of the MIA, as of April 29, 2022, there were 94696 foreign citizens on the territory of the Republic of Moldova, including 90848 Ukrainian citizens. The number of children on the territory of the Republic of Moldova, citizens of Ukraine and other nationalities, who entered the segment Ukraine - Republic of Moldova, is 48099 minors.

82. By the CSE Order No. 10 of March 15, 2022, the enrolment of foreign refugee children from Ukraine in education was ordered, with the obligation for the Ministry of Education and Research to develop the enrolment mechanism.

83. The Children's Ombudsman welcomes the decision, initially taken by the State, to establish for all children from refugee families in Ukraine, regardless of the status of asylum seeker, the opportunity to attend educational institution as an audient, which implies the possibility to participate in educational activities without compulsory schooling, with the registration of the applicant in a provisional register. **At the same time, it is important to reiterate that the status of audient of children in educational institutions shall be valid until the moment of submission of the application by the child's legal representatives to benefit from temporary protection on the territory of the Republic of Moldova.**

84. With the granting of temporary protection status on the territory of the Republic of Moldova, it is also important to ensure the integration of refugee children in educational institutions. Thus, cases of discrimination against refugee children in the country's educational institutions have been reported to *Moldova pentru Pace* volunteers. Alarmingly, such practices can also be fuelled by the speeches of politicians, such as the intervention of deputy Vladimir Odnostalco on a Russian Federation TV channel, in which he suggested that Ukrainian children were aggressive.

85. By CSE Order No. 14 of April 14, 2022, in order to ensure the protection of foreign children from Ukraine, the Regulation on the establishment of the intersectorial cooperation mechanism for the identification, assistance and monitoring of children at risk who came from the territory of

Ukraine during the declaration of the state of war in Ukraine was approved. Overall, the approved mechanisms are appropriate and apply to all foreign children from Ukraine in the context of the crisis situation.

86. Another issue concerns the right of Ukrainian children to travel unaccompanied from the age of 16. **Despite the existence of this right, it is noted that state border officials apply the intersectorial protection mechanism to all children intending to transit the territory of the Republic of Moldova**, thus restricting their free movement. In this respect, the State's obligation remains only to ensure safe transit through the territory of the country. It should be noted that *Moldova pentru Pace* volunteers have faced at least two cases in which refugee children unaccompanied by their parents were unable to reach the country of destination, having to obtain powers of attorney and other confirmatory documents in conditions of emergency and war in their home country.

87. In general, during monitoring visits to temporary placement centers, a friendly attitude towards families with children and young people is evident. They are provided with the minimum necessary, with the exception of certain aspects raised by both refugees and center staff concerning the children's diet, in view of their specific state of well-being (dietary food, gluten-free products, etc.).

6. Conclusions

Concluding above, the national authorities have taken a fragmented approach to the crisis management process, without a short, medium or long-term management strategy. The primary role in this process should have been assigned to the authorities responsible for managing the state border in the context of ensuring a positive border management. At the same time, the multiple derogations from the general legal rules, as well as the momentary interventions, show the lack of a specific legal framework that would determine a single concept for dealing with the situation of persons displaced because of armed conflict, as well as the mechanisms for its implementation.

7. Recommendations of the Government and the Commission for Emergency Situations

1. Provide temporary protection to foreigners from Ukraine for a period of 1 year.
2. Apply the National mechanism for a unified and coherent management of the situation in the event of an increased influx of foreigners, approved by Government Decision No. 1146/2017, with its revision, as necessary;
3. Implement of the activities for the Provisional Centers provided for in point 14 of the National mechanism for the unified and coherent management of the situation in the event of an increased influx of foreigners, approved by Government Decision No. 1146/2017;
4. Urgency of the elaboration by the Single Crisis Management Center of the Complex Action Plan for the management of the crisis situation regarding the influx of foreigners from Ukraine;
5. Regulate at national level of minimum standards and procedures for temporary accommodation of foreigners under temporary protection on the territory of the Republic of Moldova;
6. Strengthening the capacity of the staff responsible for ensuring the integrated management of the state border, including the staff of the Provisional Centers established at the Border Points;
7. Assess of the infrastructure of the border points in order to determine the feasibility of border crossing management, especially in situations of foreigners' influx;
8. Cancel of the obligation to apply for the right of residence of foreigners from Ukraine, established by CSE Decision No. 14 of 14.04.2022;

9. Providing the model of the affidavit on the absence or confirmation of no criminal liability and/or no pending criminal record⁵⁴, in a language that the foreign person from Ukraine understands or may reasonably be presumed to understand;
10. Develop the single concept of transportation of displaced foreigners, in particular in case of establishing an alert degree of influx of foreigners, depending on the distance between the border points with Ukraine and Romania, with determination of the road route in case of transit. As well as according to the minimum distance between the Border Points and the Temporary Placement Centers and the number of their available places. It is recommended carrying out measures to check carriers offering international transport services to refugees in order to prevent the risks of human trafficking;
11. Develop the unified concept of centers for the temporary placement of displaced persons, focused on the identification of targets for accommodation in administrative-territorial areas near the state border with Ukraine;
12. Review minimum standards for existing temporary placement centers, taking into account the needs of persons with special needs and other socially vulnerable groups (mothers with small children, elderly persons, etc.);
13. Rationalize the distribution of goods aimed to the beneficiaries in temporary accommodation centers;
14. Ensure security conditions for both beneficiaries as well as personal belongings in the center's property;
15. We reiterate the need for accountability and legal justification, by act, of the provision of volunteer services within temporary placement centers, based on their status (*individual volunteers, volunteers - representatives of NCBs, volunteers - representatives of International Organizations, etc.*);
16. Supplying medical points in temporary placement centers with pharmaceutical products, including tests, insulin, for people with diabetes, oncological diseases;
17. Establishing a mechanism to ensure continuity of supervision and provision of medical assistance within the medical points of the temporary placement centers for medical staff assigned on shifts;

⁵⁴ Annex 2 from CSE Order no. 14 of 14.04.2022;

18. Ensure the positive management of centers for the temporary placement of displaced persons, through staff capacity and their training, in the context of preventing possible abuses and discrimination against displaced persons;
19. Ensure the confidentiality of personal data of beneficiaries placed in temporary placement centers;
20. Provide information on the rights, obligations and security techniques during the period of stay and protection mechanisms in possible situations of abuse or violence on the territory of the Republic of Moldova offered to displaced persons;
21. Develop the unified employment policy for displaced persons, upon confirmation of the status of beneficiary of temporary protection, by facilitating access to the labour market and granting facilities to economic agents for the period of validity of temporary protection;
22. Ensure transit and precautionary measures for minors displaced from Ukraine who are 16 years old, without the application of the inter-sectoral protection mechanism, established by CSE Order No.14 of 14.04.2022;
23. Prevent and combat discrimination in access to accommodation and services for refugees, combat stereotypes and discriminatory and hate speech, including by documenting cases and sanctioning those who are guilty. Adopting codes of conduct and complaints mechanisms to this end, carrying out non-discrimination training for staff;
24. Monitor conditions in refugee placement centers, including from a non-discrimination perspective;
25. Establish and maintain clear rules of access to placement centers, codes of conduct, and mechanisms for reporting cases of abuse, while observing the confidentiality of victims, as well as proactive procedures to prevent harassment and exploitation;
26. Combat attempts of fraud or profiting in other ways from the vulnerability of refugees through overpriced goods and services (e.g. transport or accommodation);
27. Provide border-crossing points with psychological support services and adapted transport options for persons with special needs.