

1. DECISION

on approving the Frame Regulation of the territorial commissions to combat trafficking in human beings

Nr. 234 of 29.02.2008

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In view of implementation of provisions of the Article 9 of the Law Nr.241-XVI of 20 October 2005 on Preventing and Combating Trafficking in Human Beings (Monitorul Oficial of the Republic of Moldova, 2005, nr.164-167, Art.812), with the following amendments, the Government DECIDES:

1. To approve the frame regulation of territorial commissions to combat trafficking in human beings (attached).

2. District, municipal councils and People's Assembly of the autonomous territorial unit Gagauz-Yeri shall approve the regulations of territorial commissions to combat trafficking in human beings.

Prime-Minister

Vasile TARLEV

Countersigned by:

Minister of Interior Affairs

Gheorghe Papuc

Minister of Local Public Administration

Valentin Guznac

Nr. 234. Chişinău, 29 February 2008.

Approved
by the Government Decision nr.234
of 29 February 2008

FRAME REGULATION

of the territorial commissions

to combat trafficking in human beings

I. General provisions

1. In view of adjusting and aligning the normative framework to the provisions of the Council of Europe Convention on Action against Trafficking in Human Beings, adopted on 3 May 2005 in Strasbourg, this Regulation establishes the procedure of formation of territorial commissions to combat trafficking in human beings, their basic tasks and attributions, ways of interaction of territorial commissions with the National Committee to Combat Trafficking in Human (hereinafter referred to as National Committee), as well as central and local public administration authorities.

2. Territorial commissions to combat trafficking in human beings (hereinafter referred to as territorial commissions) shall be created in districts, municipals and in the autonomous territorial unit Gagauz-Yeri under the executive body of local public administration in order to coordinate activities of preventing and combating trafficking in human beings. In Chişinău municipality such commissions shall be created in sectors. The commissions' activity shall be subordinated to the National Committee.

3. The expenditures related to the activities of the territorial commissions shall be made within the limits of allocations provided in the budgets of the corresponding administrative-territorial units.

4. The territorial commission shall carry out its activity based on the following principles:

- a) legality;
- b) respect for the fundamental human rights and liberties;
- c) separation and collaboration of powers;
- d) collegiality and mutual respect;
- e) responsibility of its members in terms of exercising the competences attributed to them in the capacity of competent bodies and members of the commission;
- f) disclosure and transparency according to the Law;
- g) cooperation with civil society;

h) other basic principles in the field of combating trafficking in human beings.

5. Local public administration authorities shall ensure to the territorial commissions the premises for holding the meetings and other activities.

II. Members of the territorial commission

6. The nominal composition of the territorial commission shall be approved by the order of the Chairman of local public administration, a copy of such order being submitted to the National Committee. The number of commission members may be modified at the initiative of its members whenever it is required.

7. The Deputy Chairman of the local public administration authority on social matters shall be the Chairman of the territorial commission.

8. An employee of the local public administration authority shall act as the secretary of the territorial commission.

9. The following representatives with the rights of members shall be usually included: representatives of deconcentrated bodies of the ministries, other central administrative authorities vested with the attributions in the field of prevention and combating of trafficking in human beings, NGOs active in the field of prevention, combating and provision of support to the victims of trafficking in human beings and other organizations, whenever this is required.

III. Tasks and attributions of the territorial commission

10. The territorial commission is a counseling body tasked with the consolidation of efforts of the bodies vested with the attributions in the field of combating trafficking in human beings within administrative-territorial units, as well as with the establishment of coordinated objectives and measures aimed at preventing and combating trafficking in human beings.

11. In view of exercising their tasks, the territorial commission shall be liable for the following:

a) organization of awareness-raising campaigns, workshops and meetings in towns and rural localities of the corresponding administrative-territorial unit in order to inform population about the consequences of illegal migration and trafficking in human beings;

b) coordination of activities in the field of prevention and combating trafficking in human beings, protection and assistance of the victims of trafficking in human beings;

c) collaboration with the local public authorities, law enforcement bodies, NGOs and representatives of civil society in order to protect and assist the victims of trafficking in human beings and in particular with the International Organization for Migration, Mission to Moldova ;

d) implementation, on the local level, of the activities in the field of prevention of trafficking in human beings, including children and execution of actions provided in the National Action Plan on Preventing and Combating Trafficking in Human Beings and relevant legislation;

e) periodic monitoring and evaluation of activities in the field of prevention and combating trafficking in human beings implemented by state bodies in the territory, provision of information to corresponding authorities, to the National Committee and submission of proposals aimed at increasing the efficiency of these activities;

f) provision of informative, organizational and practical support to the state bodies involved in prevention and combating of illegal migration and trafficking in human beings;

g) collaboration with similar commissions from other territorial-administrative units;

h) implementation of training programs on preventing and combating trafficking in human beings for the persons from vulnerable groups and employees engaged in these activities;

i) provision of assistance at the elaboration of research programmes, analysis and collection of statistical data on trafficking in human beings;

j) elaboration of semester and annual reports, informative notes on the activity of the territorial commission, submitting them to the National Committee.

IV. Procedure of organizing the activity of the territorial commission

12. The territorial commission carries out its activity based on the annual plan of activities, which shall be approved by the chairman of the corresponding commission.

13. The meetings of the territorial commission shall be chaired by the Chairman, who shall exercise the following attributions:

a) conduct the activity of the territorial commission;

b) gather and moderate the meetings of the territorial commission;

c) approve daily agenda of the meetings of the territorial commission;

d) sign Minutes of Meetings and other documents envisaging the activity of the territorial commissions;

e) represent the territorial commission in relations with public authorities and international organizations.

14. The activity of the territorial commission in between the working sessions shall be ensured by the secretary in charge, who shall exercise the following attributions:

a) ensure organizational, informative and analytical support for the activity of the territorial commission;

b) require proposals of members of the territorial commission related to the activity plan and agenda of the working sessions;

c) elaborate and submit the activity plan and agenda of the working sessions of the territorial commission for a certain period of time for approval;

d) require information on the issues included in the agenda from responsible persons at least 5 days beforehand the meetings;

e) prepare materials for the meetings of the territorial commission;

f) keep evidence of the matters examined and prepare the minutes of meetings of the territorial commission sessions;

g) prepare reports on the activity of the territorial commissions;

h) exercise control over the implementation of the adopted decisions, informing members of the territorial commission at the ordinary meeting.

15. The materials distributed at the meetings, correspondence, statistical data, minutes of meetings and other information on the activity of the territorial commission shall be maintained by the executive local public administration body.

16. Agenda of the territorial commission meetings shall be prepared by the secretary in charge based on the activity plan or proposals submitted by the chairman and members of the territorial commission.

17. Members of the territorial commission shall be informed about the agenda at least 5 days beforehand the meeting along with the materials to be examined during the meetings.

18. Meetings of the territorial commission shall be held based on the necessity, but not less than once in a trimester and are deliberative if the majority of members take part in these.

19. The territorial commission meetings shall be held during the working day. During the period of the commission activity, its members shall receive the average monthly salary of the permanent job.

20. The minutes of meeting of the territorial commission meeting shall be prepared by the secretary in charge within 3 days from the date of holding the meeting.

21. Each meeting shall be public and shall be closed by adopting a decision, which shall be publicly disclosed by means of mass-media.

22. Decisions of the territorial commission shall be approved by a majority vote of the members present at the meeting.

23. Decisions of the territorial commission shall be signed by the Chairman and the secretary.

24. Decisions of the territorial commission and excerpts of the minutes of meeting shall be presented to the National Committee.

V. Cooperation between the territorial commission and National Committee

25. Decisions of the National Committee shall be executed by the territorial commission.

26. The activity of the territorial commissions may be examined and evaluated at the meeting of the National Committee, which shall exercise control over the activity of the commission.

27. The territorial commission shall inform the National Committee by 10 January and 10 July about the activities held in the field of prevention and combating trafficking in human beings within the territory, submitting proposals on the increase of their efficiency.