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Third periodic report of States parties due in 2016

Republic of Moldova*

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Introduction

1. In line with the provisions of the International Covenant on Economic, Social and Cultural Rights and according to the guidelines related to the form and content of the States Parties' periodical reports, we, hereby, present the National Periodical Report III on implementation of the UN International Covenant on Economic, Social and Cultural Rights in the Republic of Moldova for 2011-2015.

2. The given Report was developed based on the information submitted by the relevant central public administration authorities, authorities and institutions with a mandate in the area, as well as based on the statistical reports developed by the National Bureau of Statistics for 2011-2015.

Part One

Article 1

3. The information from this point may be found in the Initial Report.

4. Article 127 (3) of the Republic of Moldova Constitution and art. 296 of the Civil Code of the Republic of Moldova, No. 1107-XV dated 06.06.2002, stipulate that public property belongs to the State and administrative-territorial units, specifying that all the underground resources, airspace, waters and forests used to the benefit of the public at large, natural resources of the economic regions and continental shelf, lines of communication, as well as other assets stipulated by law, constitute the exclusive objects of public property. The Parliament of the Republic of Moldova is empowered to approve the main directions of the external economic activity (Art. 129).

5. The legislation of the Republic of Moldova sets forth the civil, administrative, and criminal liability for the persons guilty of violating the legislation regarding natural resources. In the context of missing conditions to ensure the territorial, legal, and economic integrity of the country (Transnistrian part), it is very difficult to us efficiently and to preserve natural resources, to protect the environment, to apply consequently the natural environment management tools "in the conflict region on the left side of the River Nistru, where the de-factor jurisdiction of the Republic of Moldova is not extended".

6. The Republic of Moldova does not have the liability to administrate non-autonomous territories and territories under control. According to art. 110 of the Constitution (1) The territory of the Republic of Moldova, in terms of administrative organization, is structured in villages, towns, districts and the autonomous territorial unit of Gagauzia. (2) Places of the left bank of the Nistru River may be assigned special forms and conditions of autonomy, according to the special statutory provisions adopted by organic law.

Part Two

Article 2

7. Regardless of the basis which served as reason to acquire the citizenship, the citizens of the Republic of Moldova equally enjoy all the social-economic, political and personal rights and freedoms, proclaimed and guaranteed by the Constitution and other laws of the

Republic of Moldova. “The State shall protect the legitimate rights and freedoms of the Republic of Moldova citizens; shall ensure their legality in rights in all the areas of economic, political, social, and cultural life” (Law on Citizenship of the Republic of Moldova, art. 4, par. 2 and 4). Foreign citizens and stateless persons enjoy similar rights and duties as the citizens of the Republic of Moldova, with the exceptions provided by the law (Constitution of the Republic of Moldova, art. 19, p. 1).

8. At the same time, an important achievement is expressed through the adoption of the Law No. 121 dated 25.05.2012 on Ensuring Equality, which represent the legal framework for preventing and fighting against discrimination, as well as a safe mechanism for ensuring equality of all the persons staying in the territory of the Republic of Moldova in the political, economic, social, cultural, and other areas of life, without an distinction by race, color, nationality, origin, ethnicity, language, religion or belief, sex, age, disability, opinion, political affiliation or any other similar criterion. During 2011-2015, a National Program for Gender Equality Assurance was implemented in the Republic of Moldova, which aimed to ensure promotion of gender equality in the economic, political, and social life of women and men, being the basis for observing fundamental human rights of all the citizens of the country.

9. During 2011-2015, the Republic of Moldova undertook considerable efforts so as to harmonize the interethnic relations and to eliminate all the discrimination forms based on race, color, ascendency, national or ethnical origin.

10. At the national level, the social-economic problems encountered by the Roma people were tackled through the Action Plan for supporting the Roma Population for 2011-2015. The practices implemented with success in the Central and Eastern European countries, as well as the recommendations of the relevant international organizations dealing with the Roma people in Moldova served as basis for developing the respective Action Plan. To efficiently fulfill the respective Action Plan, the national institutions’ budgets were allocated financial resources to implement the actions stipulated in the plan.

11. For the purpose of contributing to the social inclusion of Roma people, there was established the community mediator institution, based on the GD No. 557 dated 17.07.2013 approving the Framework-Regulation on organization of community mediator’s activities and the standardized job description of a community mediator. The community mediator has the task to ensure the mediation and improved communication between the beneficiary and the public services’ provider, local public administration of the first level, and other competent state institutions. The number of persons served by the community mediator accounts for at least 150 beneficiaries.

12. In November 2012, with the financial support of OSCE/ODIHR, there was developed the “Guideline for Roma Families” edited in 3 languages (Romanian, Russian, Romani), which represents an assistance framework to facilitate the access to social assistance services, private medical services, education, conclusion of civil status documents, etc. The guidelines were distributed to the leaders of Roma Associations, as well as to the population in communities compactly populated by Roma.

13. On 09.06.2016, the GD No. 734 approved the new Action Plan for supporting the Roma Population in the Republic of Moldova for 2016-2020, which represents a continuity of the RM Government’s commitments for Roma people social inclusion, as provided in the previous Action Plan, completing the existing normative framework for improving the situation of Roma people. The Action Plan is a policy document planning the means for solving the problems of Roma communities, as well as ensuring the implementation of a policy at the national level, involving a specific approach for Roma.

14. The community mediators will continue to serve as an important tool for ensuring and increasing Roma people access to education, medical assistance, labor market, documentation, and improved living conditions.

15. A key element of the new Plan is to fulfill the right of the Roma communities to participate in public life, decision-making, and settlement of problems affecting them at different levels, taking into consideration the need of Roma minority's representation. Measures are provided for ensuring social security of Roma on the labor market, as their lack directly generates the precarious social-economic situation of Roma people, leading to poverty, which is followed by the negative consequences of such a phenomenon.

16. According to the statistical data provided by administrative-territorial units, during 2013-2015 about 233 persons of Roma ethnicity were living in social dwellings in 23 localities. The total number of social apartments is 65.

17. The economic, social, and cultural rights represent the basis for the multilateral and plenary development of a human being, and they are not less important than the civil and political rights, but the exercise of these rights depends as well on the resources the respective society has. The concept of the Republic of Moldova national policy contains the priority directions of the national policy, the principles, the national policy goals, as well as the specific tasks in the political, state-legal, social-economic, educational, cultural, and training areas. Foreigners and stateless persons have the same rights, freedoms, and responsibilities as the citizens of the Republic of Moldova (right to domiciling, work and labor protection, education, rest, health protection, etc.); with the exceptions set in the legislation in force (they cannot be appointed or involved in activities for which, according to the legislation in force, it is requested to have the citizenship of the Republic of Moldova, they do not benefit from the right to elect and to be elected in the legislative, executive and other eligible bodies, to participate in universal voting, cannot be members of political parties and other social-political organizations, cannot fulfill the military service in military forces of the Republic of Moldova).

Article 3

18. Gender equality represents a human rights principle and a responsibility of the Government. For the purpose of implementing the Final Comments of the UN Committee for Eliminating Discrimination against Women (2006) provided to the Republic of Moldova, the Ministry of Labor, Social Protection and Family performed in 2011 and 2012 the monitoring of policy enforcement in the area: of the Law No. 5-XVI dated February 09, 2006 ensuring equality between women and men, performed in 2007 and of the National Program for Ensuring Gender Equality in 2010-2015.

19. Although the Republic of Moldova legislation guarantees women the same access as men to political process, social services, medical assistance, education, labor, marriage, child care, property, inheritance, and access to justice, the reality exhibits a number of barriers for women to dispose of their rights. Hence, the most problematic areas still refer to women's empowerment in the political, economic, and social areas, violence against women.

20. At the same time, the promotion of the draft Law on completing some legislative acts ensures the implementation of national policies which reflect the international commitments.

21. In this context, the following should be mentioned:
- The Action Plan for 2010, approved during the 7th Conference of Ministers responsible for equality between women and men, entitled “To respond to the de jure and de facto challenges related to gender equality”;
 - Commitments signed via the Action Plan for Gender Equality and Development, during the fourth high-level Forum on Foreign Assistance Efficiency from Busan, Republic of Korea, 2011;
 - Gender Equality Strategy for 2014-2017 of the Council of Europe approved in 2013 during the meeting on November 06.
22. Hence, the given draft was adopted by the Republic of Moldova Government via the Government Decision No. 322 dated May 08, 2014 and sent to the Parliament for examination and adoption.
23. An important achievement was the adoption of the Law No. 121 dated 25.05.2012 on Ensuring Equality, which represents the legal framework for preventing and fighting against discrimination, as well as a safe mechanism for ensuring equality of all the persons staying in the territory of the Republic of Moldova in the political, economic, social, cultural, and other areas of life, without any distinction of race, color, nationality, ethnical origin, language, religion and belief, sex, age, disability, opinion, political affiliation and any other similar criterion.
24. During 2011-2015, the Republic of Moldova implemented the National Program for Ensuring Gender Equality, which aimed to ensure the promotion of gender equality in the economic, political, and social life of women and men, being the basis for observing fundamental human rights of all the citizens in the country.

Part Three

Article 6

Paragraph 1 — Right to work

25. The right to work is guaranteed in the Republic of Moldova by the Constitution, art. 43 Right to Work and Labor Protection, according to which every person shall enjoy the right to work, to freely choose his/her profession and workplace, to equitable and satisfactory working conditions, as well as to protection against unemployment. At the same time, forced labor is prohibited in the Republic of Moldova — as stipulated in article 44 of the Constitution. The Republic of Moldova Constitution, as well as the Labor Code set forth that the employees are entitled to labor protection. The protection measures refer to labor security and occupational health, labor regime of women and youth, establishment of a minimum salary per economy, weekly rest, paid annual leave, work provision in difficult conditions, as well as other specific situations.
26. The following actions were implemented during 2011-2015 meant to intensify the measure for preventing and combating child labor:
27. On July 11, 2012, the Law No. 169 for amending and completing certain legislative acts was adopted, according to which art.55 par. (2) and art.58 of the Contravention Code were expressed in new wording, harshening the sanctions for violations related to minors’ labor.
28. According to art.551 of the Contravention Code, the use of undeclared labor shall be sanctioned for each identified person with a fine from 100 to 150 conventional units applied

to individuals, and a fine from 250 to 350 conventional units applied to persons with positions of responsibility, and a fine from 350 to 500 conventional units applied to legal entities.

29. On November 07, 2013, the Law No. 270 for amending and completing certain legislative acts was adopted, through which the Criminal Code was completed with a new article (1651), providing for criminal liability including for using the labor results of the victims of trafficking in children.

30. In the context of improving the legislation related to child labor, it is important to mention the conclusion by the social partners (Government, employers' association, and trade-unions) of the Collective Agreement (national level) No. 14 dated November 22, 2013 "On approval of modifications and completions to be operated to the Collective Agreement (national level) No. 8 dated July 12, 2007 "On elimination of the most serious forms of child labor".

31. The given Agreement was developed and concluded to fulfill the National Action Plan for preventing and eliminating the most serious child labor forms for 2011-2015 (approved via the Government Decision No. 766 dated October 11, 2011).

32. On July 07, 2014, the Government adopted the Decision No. 541 "Approving the Nomenclature of works in serious, harmful and/or dangerous conditions, for which it is prohibited to apply the labor of persons under 18 years old and the Standards of maximum admitted demand for the persons under 18 years old, and conditions for lifting and transporting manually weights".

33. In this context, the Ministry of Education issued the Order No. 393 dated September 29, 2014, prohibiting pupils' involvement in agricultural works during the training process.

34. Starting in October 2014, the Automated Information System of the State Labor Inspectorate, developed within the UN Programme for Women's Economic Empowerment, was launched into operation. This system also may reflect the data related to child labor.

35. According to the information presented by the State Labor Inspectorate, the following was found out during the controls carried out in the period of 2011-2015 by the labor inspectors:

Table 1

<i>Year</i>	<i>Number of minors identified during the labor process</i>	<i>Number of minors rendering undeclared labor</i>	<i>Number of minors involved in works proscribed to minors</i>	<i>Number of labor accidents</i>
2011	224	77	46	3 labor accidents occurred with temporary loss of workability (agriculture, trade and industry of construction materials) involving 3 minors.
2012	116	52	39	-
2013	25	8	5	One minor was mortally injured when loading standing timber into a transportation unit
2014	142	13	4	As a result of violation of labor security and occupational health requirements, a mortal event occurred, as a result of which a minor rendering undeclared work passed.
2015	40	-	8	-

Source: State Labor Inspectorate.

36. As for informal economy, the main pillars of the state policy in combating informal economy focus on actions meant to decrease the formal employment costs, by implementing some preventive measures to simplify the regulatory framework for entrepreneurship activities and creating an attractive and predictable investment environment. In this respect, a set of legislative acts and policy documents was promoted, focusing on reducing the administrative burden and the indirect costs in companies' activity; acceleration, simplification of procedures and increasing the transparency in obtaining licenses, authorizations, and other documents necessary for the entrepreneurship activity; digitization of public services and business processes; consolidation of the framework for business launching, development and liquidation, and namely:

- Law No. 160 dated 22.07.2011 on regulating through authorization of entrepreneurship activity;
- Law No. 161 dated 22.07.2011 on implementation of the one-stop window in entrepreneurship activity development;
- Law No. 131 dated 08.06.2012 on State control over the entrepreneurship activity;
- Law No. 149 dated 29.06.2012 on insolvability;
- Law No. 90 dated 29.05.2014 for modifying and completing some legislative acts, which focuses on optimization of procedures, time and costs for liquidating a company;
- Government Decision No. 765 dated 25.09.2013 approving the roadmap for eliminating the critical constraints in the business environment;
- Government Decision No. 1021 dated 16.12.2013 approving the Reform Strategy for the entrepreneurship activity regulatory framework for 2013-2020;
- Government Decision No. 4 dated 14.01.2014 approving the roadmap for improving competitiveness in the Republic of Moldova;
- Government Decision No. 948 dated 25.11.2013 approving the Strategy for developing internal trade in the Republic of Moldova for 2014-2020;
- Government Decision No. 122 dated 18.02.2014 on public services' reform program.

Paragraph 2 — Measures for guaranteeing the right to work

37. The National Employment Agency (NEA) is the body responsible for implementing labor force employment measures. The average number of unemployed people registered annually with the NEA during the reporting period and who were provided labor force employment services accounted for about 50 000 persons. The share of unemployed people placed on the labor market as a result of the labor force employment service accounted for an average of 25%.

38. The following active measures and services were implemented on the labor market: work mediation; professional information and counseling; consultancy and assistance for initiating an entrepreneurship activity, professional training and orientation, public works.

39. During the reported period, a number of 55000 persons looking for a job have benefited annually for mediation service; a number of 7311 persons benefited from self-services provided through Information Centers and Self-employment Posts (electronic mediation), and 4314 persons benefited from telephone-based services. The provision of the respective services contributed to the employment of about 50% of such services' beneficiaries.

40. An averaged number of 78 job fairs was organized annually, as a result of which about 18% of participants were placed on the labor market. At the same time, informative workshops were organized during the respective period of time for unemployed people and employers, so as to increase the employability chances of the persons looking for a job. Annually about 1619 persons were involved in public works.

41. The annual average number of persons graduating professional courses accounted for 2500. The share of persons employed on the labor market as a result of the professional training accounted for 86%, of whom young persons aged 16-29 years old accounted for 85%. The specialties for which professional training courses were organized were the following: cook, hair dresser, barman, tailor, auto locksmith, cosmetician, hair stylist, manicurist, PC operator.

42. The implemented passive social protection measures include the provision of unemployment allowance and allocations provided for professional integration and reintegration on the labor market.

43. Hence, during the reported period, the annual average number of people who benefited from unemployment allowance accounted for 6000-7000 persons. A decreasing trend was noted over the last 3 years for the number of unemployed persons who benefited from unemployment allowance, and this is due to the reduced number of registered unemployed persons and non-compliance with the set contribution period of 9 months over the last 24 months before the registration.

44. At the same time, an average annual number of 3000 persons benefited during the reported period from allocations for professional integration or reintegration. The maximum share of the total number of beneficiaries of the respective allocation is registered among the persons whose period for child care has expired — 83%, followed by the persons who did not get employed on the labor market after being discharged from detention.

45. For the purpose of fulfilling the objectives set in the Action Plan for implementing the Final Observations of the Committee for Economic, Social and Cultural Rights, the Ministry of Labor, Social Protection and Family is currently developing the draft of a new Strategy for Labor Force Employment. As well, a new draft Law on Labor Force Employment is being developed, providing for new measures related to labor force employment.

46. The new Labor Force Employment Strategy provides for 4 priorities, such as: 1. creating opportunities for formal, non-discriminatory, and productive employment; 2. development of human capital for increased employability chances; 3. better governance of the labor market, 4. harnessing the migration potential for sustainable development.

47. For the purpose of extending the programs for labor force employability promotion, meant for disadvantaged persons (persons with disabilities, persons discharged from detention, persons without stable domicile, women who have taken care of children, etc.) NEA has diversified the information and communication tools: site www.anofm.md, portal — www.angajat.md, platform of the on-line fair (www.e-angajare.md) Facebook, Information Center about “Labor Market”, Call Center, radio and TV shows, informative leaflets, brochures, banners and other informative posters, articles in the press at the national/local level, informative workshops and spots providing the population with a wide spectrum of information regarding the labor market.

48. Special attention was provided to the disadvantaged persons, who were provided consultations, professional orientation activities, trainings in job-searching methods and techniques provided individually, as well as through the Labor Club training, information and counselling services, job fairs. The professional training programs ensures, according to the legislation, the qualification, requalification, and qualification improvement of the

persons looking for a job, taking into account the current requirements of the labor market in line with the individual options and skills of the respective persons.

49. For integrating the deprived groups, a series of reforms were initiated in this area by adopting a number of normative and legislative acts: Strategy for Social Inclusion of Persons with Disabilities (2010-2013), National Action Plan for implementing the Strategy for Social Inclusion of Persons with Disabilities (2010-2013), Action Plan for supporting Roma Population in the Republic of Moldova for 2011-2015, Law on social inclusion of persons with disabilities No. 60 dated 30.03.2012, etc.

50. During 2011-2015, a number of normative acts were developed and approved, which regulate the organization and operation of a number of social services meant for persons with disabilities, including: Protected Dwelling, Community Hall, Mobile Team, Personal assistance, Respiro, Family placement for adults, Communication service through use of gesture language/sign language with the assurance of an interpreter.

51. Hence, the following statistics may be mentioned for the country:

- 12 services of “Community Hall” for 81 beneficiaries;
- 9 services of “Protected Dwelling” for 34 beneficiaries;
- 1895 personal assistants for 1895 beneficiaries;
- 5 “Respiro” services for 177 beneficiaries/year;
- 40 “Family placement for adults” services for 40 beneficiaries;
- 19 Mobile Teams for 518 beneficiaries.

52. The costs for organization and operation of the social services are incurred by service providers and are set within the limits of the allocations provided annually in the respective budgets.

53. The examination of the eligibility of social services’ applicants is performed by the service providers (public administration authorities of the II level / territorial structure of social assistance).

54. Informal employment remains to be a rather widespread phenomenon in the Republic of Moldova. According to the estimation, 30.9% of the population recruited on the labor market is informally employed, wither in conditions of employment non-registration or through partial declaration of the worm remuneration (payment of the salaries in envelopes). Agricultural sector is the one which registers the highest informal employment rate (68.7%). During the reported period, the following measures were carried out to reduce the level of informal employment:

- An Action Plan was developed to minimize the practice of “envelope” salaries and “shadow work”;
- The sanctions applied to employers for every person whose salary is undeclared have been essentially harshened; the employer is obliged to register the staffing plan with the labor inspectorate and to provide the employee with a nominal permit to access the lace of work;
- To increase the registered share of the salary, the minimum guaranteed quantum of the salary has been increased annually, according to the increase registered for the consumption price index and work productivity;
- For the purpose of reducing the fiscal burden, the non-taxable income shares were annually increased for individuals, as well as the personal exemptions, by adjusting

them to the forecasted rate of inflation, and this encourages the employees to request for the salaries to be paid legally;

- Provisions were included in the Tax Code allowing to deduce the expenditures meant for the activities of the trade-unions, costs for employees' transportation and organized meals, and expenditures for professional training incurred by the employer for the employees' benefit during the fiscal year.

Article 7

Paragraph (a) — Payroll policy

55. For the purpose of payroll organization, a number of legislative acts and legal payroll standards were adopted and enforced in the Republic of Moldova during 2010-2015 for different sectors and different categories of employees:

- On March 22, 2012 the Parliament approved the Law No. 48 on payroll system for public servants. In 2013, a new payroll system for public servants was implemented. Starting in 2016, the law provisions were fully implemented. When implementing the new payroll system, over 19 thousand public servants benefited from an increase of 30-40% of the position salary.
- In line with the provisions of art. 32 and point 2 of the Note to the Annex No. 11 of the Law No. 355-XVI dated 23.12.2005 on the payroll system in the budgetary sector, the teaching staff benefited in August 2014 from an annual bonus of a monthly position salary, and starting in September 01, 2014 their position salaries were increased by 20%. Starting on September 01, 2015, the position salaries of the teaching staff have been increased by 3 %, and starting on September 01, 2016 their salaries will be increased by 8.6%. Since June 01, 2016 workers also benefited from an increase for length in service. Thus, the standards set in the law are fully implemented.
- Based on the Government Decision No. 264 dated April 17, 2013, since June 01, 2013, the tariff salary for the I payroll category in the budgetary sector has increased from 800 MDL up to 900 MDL per month.
- Based on the Government Decision No. 770 dated 23.09.2014, since October 01, 2014, the tariff salary for the I payroll category in the budgetary sector has increased from 900 MDL up to 1000 MDL per month.
- Based on the Government Decision No. 550 dated 09.07.2014, since October 1, 2014, the minimum salary in the country was established for a quantum of 1000 MDL per month.

56. These measures ensures an increase of salaries by an average of 15% in 2013 and by 15% in 2014 for more than 120 thousand employees in the cultural and art, medical-sanitary and social assistance, physical culture and sport, science and innovation institutions, as well as from other budgetary institutions, of the personnel with complex professions and specialties from educational institutions, as well as for militaries, troop personnel and command staff, whose salaries are paid based on the Unique Tariff Grid.

57. The minimum guaranteed amount of the salary in the real sector is annually reviewed depending on the annual total increase of the consumption price index and of the work productivity increase rate at the national level.

58. Thus, in May 01, 2013, the minimum guaranteed amount of the salary in the real sector accounted for 1400 MDL per month, which is a 7.7% increase as compared to the previous amount:

- From May 01, 2014 — the amount of 1650 MDL, an increase of 17.8%;
- From May 01, 2015 — the amount of 1900 MDL, an increase of 15.2%;
- From May 01, 2016 — the amount of 2100 MDL, an increase of 10.5%.

Paragraph (b) — Occupational safety and health

59. The level of regulated enforcement of labor relations, labor security, and occupational health represents one of the most eloquent indicators of the live quality level in the state.

60. A certain role in the enforcement of the right to occupational safety and health is played by foreign technical assistance, ensured the programs and projects provided by different international organizations. Hence, the programs and projects of the International Labor Organization provided technical assistance for ensuring the ratification and application of the ILO Convention 184 on Safety and Health in Agriculture and ILO Convention 155 on Occupational Safety and Health.

61. During 2010-2015, for the purpose of enforcing the Law on occupational safety and health No. 186 dated 10.07.2008, the following normative acts were developed:

- Government Decision No. 353 dated May 05, 2010 approving the minimum requirements for occupational safety and health;
- Government Decision No. 603 dated August 11, 2011 regarding the minimum security and health requirements for workers' use of work equipment;
- Government Decision No. 80 dated February 09, 2012 regarding the minimum security and health requirements for temporary or mobile construction sites;
- Government Decision No. 244 dated 08.04.2013 approving the minimum requirements for workers' protection against the risks related to exposure to asbestos at the place of work;
- Government Decision No. 324 dated May 30, 2013 approving the Sanitary Regulation on occupational safety and health to ensure the protection of workers against the risks related to presence of chemical agents at the place of work;
- Government Decision No. 918 dated November 18, 2013 regarding the minimum requirements for safety and health warning at the place of work;
- Government Decision No. 362 dated May 27, 2014 approving the minimum requirements for workers' protection against the risks for their health and safety generated or which may be generated by expose to noise, especially against the risks for hearing;
- Government Decision No. 541 dated July 07, 2014 approving the Nomenclature of works in difficult and/or dangerous work conditions in which it is prohibited to apply the labor of persons under 18 years old and the Standards for maximum admitted demand for persons under 18 years old when lifting and manually transporting weights.

62. Recently, the following Decisions transposing the EU Directives into the national legislation were approved:

1. The Decision on minimum occupational safety and health requirements regarding workers' exposure to risks generated by mechanic vibrations, which transposes the Directive of the European Parliament and Council 2002/44/EC from June 25, 2002 on the minimum health and safety requirements regarding the exposure of workers to the risks arising from physical agents (vibration) (sixteenth individual Directive within the meaning

of Article 16 (1) of Directive 89/391/EEC), published in the Official Journal of the European Union, series L, No. 177/13 dated 06.07.2002 — approved on 12.05.2016 — Government Decision No. 589;

2. The Decision on minimum occupational safety and health requirements for manual handling of loads, where there is a risk particularly of back injury to workers, which transposes the Directive of the European Parliament and Council 90/269/EEC from May 29, 1990 on the minimum health and safety requirements for the manual handling of loads where there is a risk particularly of back injury to workers (fourth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC), published in the Official Journal of the European Union, series L, No. 156/9 dated 21.06.1990 — approved on 12.05.2016 — Government Decision No. 584;

3. The Decision on minimum occupational safety and health requirements for working with the display screen, which transposes the European Council Directive 90/270/EEC from May 29, 1990 on the minimum safety and health requirements for work with display screen equipment (fifth individual Directive within the meaning of Article 16 (1) of Directive 89/391/EEC) published in the Official Journal of the European Union, series L No. 156 dated June 21, 1990 — Government Decision No. 819 dated 01.07.2016.

Paragraph (c) — Equal possibilities for career advancement

63. The Constitution of the Republic of Moldova provides for equality among its citizens, with no distinction by sex and does not contain any discriminatory provisions based on this criterion. The Republic of Moldova legislation guarantees equal rights for all the citizens to participate in political, economic, social, and cultural life.

64. The supreme law of the Republic of Moldova (the Constitution) provides all its citizens with equal rights before the law and public authorities, regardless of the race, nationality, ethnic origin, language, religion, sex, opinion, political affiliation, property or social origin. (Art. 16 (2)).

65. Ensuring equality career advancement rights to employees with no discrimination, taking into consideration work productivity, qualification and length in service is among the fundamental principles regulating the labor relations, as set forth in art. 5 of the Labor Code in force.

66. At the same time, Convention No. 100/1951 on Equal Remuneration tackled salary-based discrimination, ensuring for women and men to benefit from equal remuneration/payment not only for the same type of work or similar works, but also for work of equal value.

67. The Law No. 71 amending and completing certain legislative acts, dated 14.04.2016, introduced modifications to the Law No. 271-XIII dated November 09, 1994 on Civil Protection, in particular art. 22 par. 8, excluding the provision according to which women with children under 8 years old were prohibited to be part of civil protection structures. “In article 22, par. (8) of the Law No. 271-XIII dated November 9, 1994 on Civil Protection (Official Gazette of the Republic of Moldova, 1994, no. 20, art. 231), with subsequent modifications, the text “and those who have children under 8 years old” is excluded.”

Paragraph (d) — Rest, free time, rational limitation of work

68. According to the Constitution (art. 43 (3)), the length of the working week does not exceed 40 hours. The same normal duration of the working week is established in the Labor Code (art. 95). This duration is in line with the provisions of the international documents in the labor area and, especially, of the provisions set forth in ILO Convention No. 47

concerning the reduction of the hours of work to forty a week, ratified by the Republic of Moldova in 1995.

69. Observing the provisions of the legislation in force, the type of the working week, the work regime (duration of the work program (shift), the time for starting and ending the work, the breaks, the alternation of working and non-working days) are established through the Internal Regulation of the respective unit, collective or individual work contract. In line with art. 100 of the Labor Code, the normal daily duration of the work time accounts for 8 hours.

70. According to art. 107 of the Labor Code, the employee should be provided with a lunch break of minimum 30 minutes during the daily working program. The specific duration of the lunch break and the time for providing it are established in the collective work contract or in the internal regulation of the unit. The lunch breaks, with the exceptions provided in the collective work contract or internal regulation of the unit, are not included in the working time.

71. The Labor Code provides for 13 non-working holidays in the territory of the country with payment of the average salary (for the employees who are remunerated in line with or per time unit).

72. In compliance with art. 113 of the Labor Code, all the employees are provided on annual basis with paid annual leave, with a minimum duration of 28 calendar days, excluding the non-working holidays.

73. The teaching staff of the educational institutions is provided annually, according to the Labor Code (art. 299), by the end of the school year, an annual paid leave for duration of:

(a) 62 calendar days — for teaching staff of higher educational institutions, colleges, lyceums, gymnasiums and general secondary schools of all types;

(b) 42 calendar days — for all teaching staff from the preschool institutions of all types;

(c) 28 calendar days — for teaching staff from extra-school institutions and sport schools for children.

74. According to art. 112 of the Labor Code, all the employees working based on an individual work contract benefit from the right to annual paid leave.

75. For some categories of employees, the Labor Code provides for additional paid leaves, which usually are added to the basic leave.

76. Besides the annual paid leaves, the legislation in force provides for the possibility of getting annual unpaid leaves. Such leaves are provided, in particular, by art. 120 of the Labor Code:

1. On family circumstances and other valid reasons the employee under his/her written application, with the consent of the employer can take an unpaid leave for up to 120 calendar days, and the employer shall issue an order (decision, disposition) in this respect.

2. One of the parents with 2 or more children under 14 years old (or with a disable children), single unmarried parent with a child of the same age shall be provided on annual basis, based on a written application, an unpaid leave for at least 14 calendar days. This leave can be added to the annual paid leave or may be used separately (completely or in parts) during the periods of time agreed upon with the employer.

77. According to art. 14 of the Law on Militaries' Status, an additional unpaid leave for 15 calendar days is also provided annually to the militaries undertaking their military

service in harmful conditions or in areas of increased danger for life and health, as well as to participants in military actions.

Article 8

Paragraph 1 (a) — The persons' right to establish trade-unions

78. The employees' right to free association in trade-unions, including to establishment of trade-unions and joining trade-unions to defend their work rights, freedoms, and legitimate interests is provided at the same time in art. 42 of the Constitution from 29.07.2004, art. 5 and 9 of the Labor Code No. 154-XV dated 28.03.2003, as well as in art. 7 of the Law on Trade-unions No. 1129-XIV dated 07.07.2000. This right is enjoyed by the citizens of the Republic of Moldova within and outside the country, as well as foreigners and stateless persons who legally stay in the territory of the country. The persons who are not employed or those who have lost their jobs, as well as the persons legally exercising an individual labor activity, may get organized in trade-unions or may join trade-unions, at their free choice, in line with the charters of the respective trade-unions, or may preserve their affiliation with the trade-union of the enterprise, institution, organization in which they have worked.

Paragraph 1 (b) — The rights of the trade-unions to set up federations or confederations

79. The rights of the trade-unions to set up national federations or confederations and to establish international trade-union organizations are stipulated in the Law on Trade-unions.

80. In line with art. 8 of the Law on Trade-unions, the trade-union is voluntary constituted, based on common interest (professional, branch, etc.) and operated usually within enterprises institutions, and organizations, irrespective of their legal form or organization and type of ownership, departmental or branch membership. The employer (administration) has no right to prevent individuals from joining a trade union.

81. The primary trade union organization is constituted of at least three people, considered the founders. The organizational structure, the modality for merging, accessing, dividing or dissolving the trade-union, as well as the modality for getting associated in trade-union centers as federations or confederations, are set forth in the charter of the trade-union, which is developed separately by the trade-union.

Paragraph 1 (c) — The right of the trade-union to freely exercise its activity

82. The Constitution, Labor Code and Law on Trade-unions ensure the most favorable conditions for the establishment and activity of the trade-union organizations, providing the right of the employees to association and regulating the role of the trade-unions within social partnerships, as well as empowering them with a huge volume of rights for carrying out the tasks stipulated in their charters.

83. The rights are supported by a wide spectrum of guarantees, meant to ensure enabling conditions for the activity of a trade-union within the unit. To ensure these conditions, the Labor Code (art. 390) and the Law on Trade-unions (art. 35) set forth certain obligations for employers.

84. Legislation provides for guarantees related personally to the representative of the employees — as people elected in the trade-union, as well as participants in collective bargaining.

85. In case of eventual violations of the trade-union rights, the respective violations are sanctioned based on art. 61 of the Contravention Code, which implies a fine from 40 to 50

conventional units for impeding the exercise of employees' right to establish and to get affiliated to trade-unions for protecting professional, economic, and social interests.

86. The National Confederation of Trade-unions from Moldova (NCTM) is a national inter-branch trade-union center of confederative type, which unites on voluntary basis the national-branch trade-union centers and is independent from public authorities, political parties, and social-political organizations, employers' associations, and public organizations, and is not under their control or subordination.

87. The NCTM is composed of 27 national-branch trade-union centers, joining about 420 thousand trade-union members.

88. The National Confederation of Trade-unions in Moldova is a member with full rights of the General Confederation of Trade-unions (Moscow).

Paragraph 1 (d) — The right to strike

89. The right to strike is stipulated in Chapter IV — Strike of the Labor Code No. 154-XV dated March 28, 2003 and in article 22 “The right to organize and conduct meetings” of the Law on Trade-unions, No. 1129-XIV dated 07.07.2000, according to which, in order to protect the trade-union's and trade-union members' rights, the trade-union through its independent or members' decision organizes and conducts, according to the law: meetings, demonstrations, rallies, processions, picketing, strikes and other actions, using them as a form of struggle for better working conditions, wage growth, reducing unemployment, strengthening workers' solidarity for fighting for their professional, economic, social and labor rights and interests.

Article 9

90. The state public system of social insurance is an integral part of the social protection system, aiming to provide some monetary benefits to insured persons, who are not able to get salary-based incomes as a result of certain risk situations (temporary or permanent work incapacity, maternity, old age, unemployment, etc.). The amount of the provided benefit is conditioned by the duration of the contribution period (when the person worked), the size of the salary, the degree of labor capacity loss, as well as other factors which are stipulated in the respective legal framework.

91. According to art. 41 of the Law 489-XIV dated 08.07.1999 on the Public System of Social Insurance, the insured parties in the public system are entitled, besides the pension, to: allowance for temporary loss of workability caused by ordinary diseases or accidents outside the workplace, professional diseases and work accidents, including allowance for taking care of the sick child; benefits for preventing sicknesses and workability recovery; maternity allowance; allowance for taking care of the child by the age of 3 years old; unemployment allowance; decess allowance. The public system of social insurance is based on collecting state social insurance contributions from employers and insured persons and on distribution of benefits to the beneficiaries.

92. According to art. 7 of the Law No. 289-XV dated 22.07.2004 on Temporary Loss of Workability Allowance and other Social Insurance Benefits, the basis for calculating the social insurance allowances is the ensured monthly average income over the last 12 calendar months before the occurrence of the insured risk — the income from which the individual social insurance contributions were calculated.

93. According to article 13 of the Law No. 156-XIV dated October 14, 1998 on State Social Insurance Pensions, the pensions are annually indexed on April 01. The indexation coefficient is the average annual increase of the consumption price index and the annual

growth of the average salary in the country for the previous year, determined as established by the Government, and only the part of the pension paid from the state social insurance budget is indexed.

94. The age-limit pension is meant for the persons who meet cumulatively, on the retirement date, the retirement age condition and the minimum contribution length as provided in the Law on State Social Insurance Pensions. The standard retirement age for women accounts for 57 years, and for men — 62 years. The minimum contribution length for women and men is 15 years. The general contribution length for women accounts for 30 years, and for men — 33 years (in the period July 01, 2016-July 01, 2017). From July 01, 2011 the necessary contribution length for men is increasing by 6 months every year, until it gets to the level of 35 years in 2020. The contribution length includes the contributive periods — activities during which the person is subject to social insurance, as well as non-contributive periods — the periods which are assimilated to the contribution length.

95. According to the provisions of the Law 499-XIV dated 14.07.1999 on the State Social Allowances for some categories for citizens, the persons who achieved the retirement age according to the legislation in force, but do not meet the conditions for obtaining the right to state social insurance pension and are not under the State's full maintenance are provided allowances for elderly people. The amount of the allowance for elderly persons accounts for 15% of the amount of the indexed minimum age-limit pension, established annually by the Government.

96. According to the provisions of the Government Decision No. 1478 dated 15.11.2002 on allowances meant for families with children, the uninsured persons benefit from a single allowance at the birth of the child, and the monthly allowance for taking care of the child up to 1.5 years old.

97. Starting on January 01, 2011, a new monetary benefit was introduced — allowance for the cold period of the year (ACPY), which is provided according to the Law on Social Assistance as a fixed amount set by the Government. The ACPY is provided in the same conditions as the social assistance, the difference being only the level of the guaranteed minimum monthly income, which is taken into account as being increased by 1.6 times, and is provided in a fixed amount during November — March. The amount of the benefit is equivalent with the difference between the guaranteed minimum monthly income and the monthly income of a family.

98. As of January 01, 2013, the multiplier of the guaranteed minimum monthly income in the ACPY was increased from 1.4 to 1.6 times.

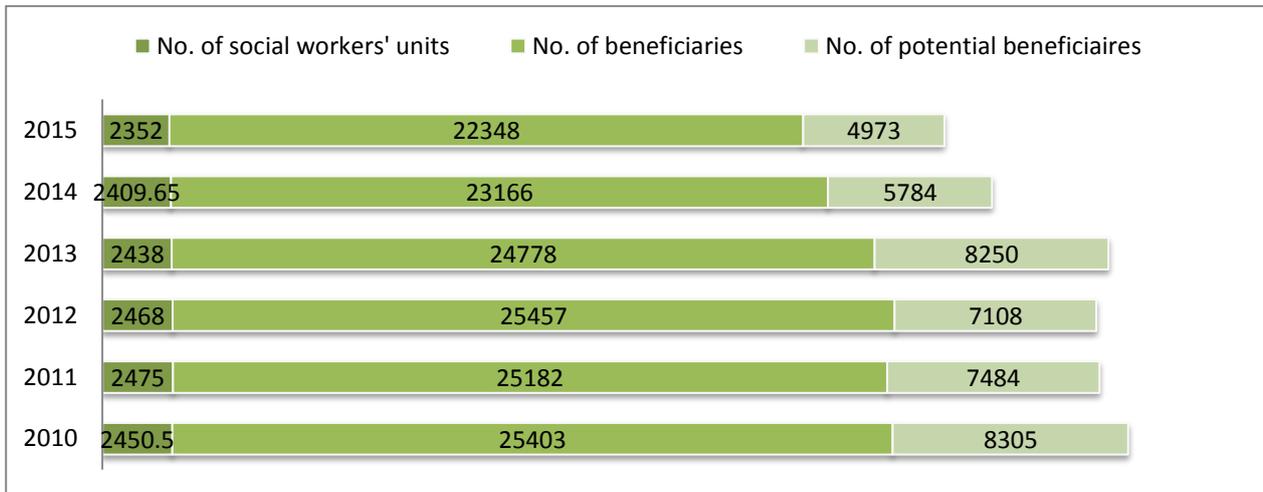
99. Since April 01, 2013, the following modifications were introduced:

- Decreasing the age for providing the allowance for the cold period of the year and ignoring the incomes obtained from agricultural activity in households for the elderly persons (from 75 to 62 years).

100. For the purpose of improving the quality of elderly persons' life and ensuring access to qualitative services through development of new social services, as well as adjusting them to the needs of the elderly persons, Government Decisions were passed "Approving the Framework-Regulation for organization and operation of the Center for elderly persons' placement and minimum quality standards" No. 323 dated May 30, 2013 and "Approving the Framework-Regulation for organization and operation of the Center for elderly persons' placement and minimum quality standards" No. 569 dated July 29, 2013.

101. The Government Decision No. 1034 dated 31.12.2014 approved the Framework-Regulation of the Social Homecare Service and minimum quality standards.

Dynamics of the Social Homecare Service evolution
period 2010-2015 — Fig. 2



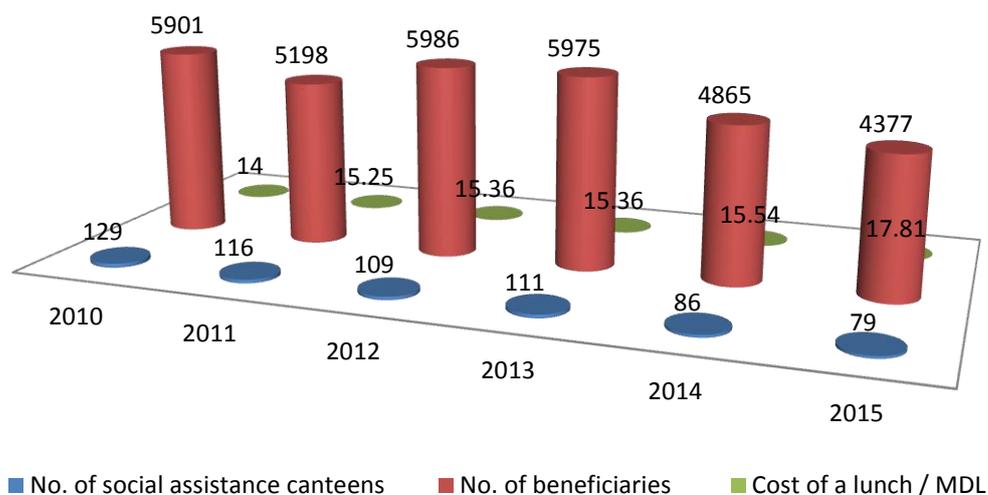
102. The persons from the groups in difficulty, including the elderly persons, receive meals in social assistance canteens as a primary social service.

103. According to the Law No. 81-XV dated 28.02.2003 in force, the beneficiaries of the social assistance canteens are the persons who reached the retirement age (without domicile, without legal supporters, without incomes or with small incomes), persons with disabilities and children under 18 years old (from numerous families, single-parent family and other socially vulnerable families).

104. In 2015, a number of 4377 persons have benefited on monthly basis from free-of-charge meals, as compared to 4865 beneficiaries for the same period in 2014.

105. During 2010-2015, there is a decrease of the number of canteens of social assistance from year to year. In spite of the decreased number of social assistance canteens, these services remain to be in high demand among the persons in need.

Evolution of the social assistance canteens' service
for 2010-2015 — Fig 3



106. On August 30, 2013, the Government Decision No. 661 approved the Framework-Regulation on Organization and Operation of the Joint Office of Information and Services (hereinafter referred as JOIS).

107. The respective Office is established based on the decision of the local public administration authority of the second level and organizes activities for provision of public services within the respective administrative-territorial unit. The Office provides services to the population from urban and rural localities, including to women and vulnerable groups, who have reduced access to such service because of certain reasons.

108. During 2015, a number of 12778 persons benefited from the services provided by the JOIS, of whom 7412 women and 5402 men; and 9745 people of the total number were from rural area. As compared to 2014, the number of the persons who have benefited from information and consultation through the JOIS has increased by 2062 persons. From gender perspective, it may be noted that in 2015 the number of women-beneficiaries has increased as compared to 2014 by 1157 persons.

Article 10

Paragraph 1 — Family protection and assistance

109. Policies related to social protection of family and child are focused on fostering the birth-rate through promotion of efficient actions for family support, modernization and diversification of community and family-type services for preventing institutionalization of children and increasing the life quality level of the family — the nucleon of the society.

110. According to art. 48 of the Republic of Moldova Constitution, the “family” is the natural and fundamental element of the society and enjoys protection from the State and the society.

111. The national system of family and child social protection is based on promoting individualized approaches when choosing protection measures and forms, and contains two main components: monetary benefits and social services.

Paragraph 2 — Protection provided to mothers before and after child birth

112. When the insured risk occurs (child birth), the women ensured in the public social insurance system are entitled to maternity allowance, single allowance at child birth, and the allowance for taking care of the child up to 3 years old. The maternity allowance is provided integrally on the 30th week of pregnancy, for a period of 126 calendar days, and in case of complicated births or birth of two or more children — of 140 calendar days. In case of pregnancies with 3 or more fetuses, the maternity allowance is provided for a period increased by 42 calendar days for parental leave and by 14 calendar days for postnatal leave. The monthly amount of the maternity allowance accounts for 100% of the set calculation basis. The amount of the single allowance accounts for the quantum in force on the date the child was born. The insured person who takes the childcare leave until the child turns 3 years old from all the units he/she works in is entitled to a monthly allowance to grow the child from the date the leave was granted until the child turns 3 years old. The monthly amount of the childcare allowance accounts for 30% of the set calculation basis, but shall not be less than 440 MDL per every child.

113. According to the legislation in force, the monthly allowance for taking care of the child up to the age of 3 years old is granted, upon request, either to one of the parents, or to the grandfather, grandmother or other relative taking care of the child, as well as the guardian, if they are insured persons and meet the conditions for fulfilling the contribution

length (of at least 3 years or at least 9 months over the last 24 months preceding the date the insured risk occurred).

114. In line with the provisions of art.124 of the Labor Code No. 154-XV dated 28.03.2003, the father of the newborn child is granted the right to paternal leave for 14 calendar days within the first 56 days since the birth of the child. During the paternal leave period, the employee benefits from a paternal allowance, which cannot be less than the average salary amount due for the respective period of time and which is paid from the social insurance fund.

Paragraph 3 — Protection and assistance for children and adolescents

115. An important step in child protection was the approval on 10.06.2014 via the Government Decision No. 434 of the Strategy for Child Protection for 2014-2020, which aims to redress the problems encountered by family and child. The strategy was developed as a response to the important challenges the Republic of Moldova is faced with in conditions of social risks determined by migration, constraints imposed to families, economic challenges and factors emerging due to high level of mobility and advanced technologies.

116. For the purpose of preventing and/or overpassing the risk situations so as to ensure the development and education of the child in family environment, the Government Decision No. 889 dated 11.11.2013 approved the Framework-Regulation for organization and operation of the social service to support families with children, and the Government Decision No. 780 dated 25.09.2014 approved the Minimum quality standards related to the given service.

117. The aim of this service is to support the development of the family skills to bring up and educate the child, by enhancing the protective factors within the family and its connection with the relevant community resources.

118. Starting in 2013, the social service for supporting families with children was developed in 19 out of the 35 territorial-administrative units of the II level and provided to 6687 families. During 2016-2017, it is suggested to extend the given service to cover all the territorial-administrative units of the country.

119. For the purpose of ensuring a special legal framework for protection and monitoring of left-behind children, the Ministry of Labor, Social Protection and Family promoted the legal framework for special protection of children at risk and children separated from parents, which was adopted by the Parliament via the Law No. 140 dated June 14, 2013 and entered into force on January 01, 2014.

120. The law defines a number of notions used in the child protection system, reviews the activity of the guardianship authorities, empowered the mayoralities and the territorial structures of social assistance and family protection with guardianship authority mandate, regulates the ex-officio procedure and the registration of notifications about children at risk, deadlines, specialists and responsible authorities for issuing orders for assessing child's situation, assigning the specific status and the placement of the children separated from parents.

121. For the purpose of ensuring the efficient enforcement of the supreme interest of adopted child principle, as well as for optimizing the legal basis on adoption procedures to be performed by the RM central authority in adoption area, and for improving from non-discrimination viewpoint the provisions of the Law No. 99 dated 28.05.2010 on Adoption Legal Regime, there was developed and adopted on 13.12.2012 (in force since 19.04.2013) the raft law for amending and completing certain legislative acts, which excluded a number of discriminatory regulations.

122. As well, it should be noted that the new provisions introduced in the Law on Adoption Legal Regime provide the right of a person suffering from a certain disease to lodge an adoption application, every case being examined individually, and if during the evaluation of the adopter's adoption capacity it is necessary to examine additionally to what extent the adopter's disease limits his/her capacity to fulfill the duties and responsibilities for taking care and educating the child, upon the request of the territorial authority in the adoption area, the medical institution from the respective person's domicile organizes consultations and necessary investigations, and issues a conclusion regarding the capacity and competence of the adopter to adopt, considering his/her health condition.

123. For the purpose of making more efficient the activities meant to prevent and combat domestic violence phenomenon, as well as for coordinating all these activities, the Government Decision No. 72 dated February 07, 2012 approved the Regulation of the Inter-ministerial Coordination Council for preventing and combating domestic violence, with the following main objectives:

- To promote the complex approach to aspects related to preventing and combating domestic violence in national and sector policies and plans;
- To coordinate the activities of the authorities with a mandate in the area of preventing and combating domestic violence.

124. An important step in developing the infrastructure of social services meant for victims and perpetrators of domestic violence was the approval via the Order of the Minister of Labor, Social Protection and Family No. 109 dated August 10, 2012 of the Concept of rehabilitation services for domestic aggressors. In this respect, on December 01, 2012, there was officially opened the Center of Assistance and Conciliation for Family Aggressors in Drochia town. Subsequently, during 2013, there was developed the draft Framework-Regulation for organization and operation of the Center of Assistance and Conciliation for Family Aggressors and the minimum quality standards, approved via the Government Decision No. 496 dated 30.06.2014.

125. Every year, to raise population awareness and to inform the public, the Campaign "16 days of actions against gender-based violence" is organized during November 25-December 10 in the Republic of Moldova.

126. The following should be noted as positive results: raising population awareness — so as to understand the phenomenon of domestic violence as violation of human rights; enhancing the capacities of the specialists at the district/community level — service providers for solving domestic violence cases; establishing the platform for discussing and disseminating solutions and strategies for preventing and combating domestic violence, and active involvement of men in this process.

127. Taking into account the magnitude of the THB phenomenon, as well as its new trends, one of the priorities of the anti-trafficking community would be the improvement of the legal framework. In this respect, the following results should be noted:

128. Adoption of the Law No. 137 dated June 17, 2016 on Rehabilitation of Crime Victims, which is a priority for the anti-trafficking community, and THB victim (according to art. 165 C.C.) and victims of trafficking in children (according to art. 206 C.C.) are beneficiaries of the respective law.

129. The Law. No. 270 dated 07.11.2013 for amending and completing some legislative acts amended the Criminal Code, art. 158, 165, 168, 206, 220, 302, 316, as well as the Criminal Procedure Code, art. 90, 110, 215. This legislative act made a clear delimitation between the qualifications for forced labor and THB for the purpose of labor exploitation; between pimping and THB for the purpose of sexual exploitation.

130. The Government Decision No. 228 dated 28.03.2014 approved the Regulation of Activity of the Territorial Multidisciplinary Teams within the National Referral System. According to this decision, the respective teams are created for the purpose of preventing and combating THB for implementing the systemic protection and assistance for the beneficiaries of the National Referral System, observing the fundamental human rights during assistance provision to victims or potential victims.

131. The Government Decision No. 270 dated 08.04.2014 approved the Guidelines for the inter-sector cooperation mechanism for identification, evaluation, referral, assistance and monitoring of children — victims and potential victims of violence, negligence, exploitation, and trafficking.

132. To make more efficient the system of social assistance and protection of victims of trafficking in human beings, focusing on increasing access to qualitative services for the victims of trafficking in human beings, the Government Decision No. 898 dated December 30, 2015 approved the Framework-Regulation and the minimum quality standards of the Service for assistance and protection of victims of trafficking in human beings.

133. One of the most important and demanded service providers for victims of trafficking in human beings in the Republic of Moldova continued to be the Center of Assistance and Protection of Victims and Potential Victims of Trafficking in Human Beings (CAP).

Table 3

Statistical data CAP:

<i>year/category</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>Total</i>
THB victims	130	104	67	96	92	84	98	671
Potential THB victims	270	251	245	328	304	330	402	2 130
Total:	400	355	312	424	396	414	500	2 801

Statistical data on repatriations:

<i>year/category</i>	<i>2009</i>	<i>2010</i>	<i>2011</i>	<i>2012</i>	<i>2013</i>	<i>2014</i>	<i>2015</i>	<i>Total</i>
THB victims	40	62	33	83	31	23	16	288
Potential THB victims	27	51	63	63	41	50	46	341
Total:	67	113	96	146	72	73	62	629

134. An instrument for THB prevention and an information platform for victims and potential victims of THB and specialists in the area is the site www.antitrafic.gov.md, launched in 2013.

135. As well, annually, the Swiss Foundation “Terre des Hommes” disseminates informative cards with the Hot Line in the Russian Federation for RM citizens, calling to: 926-539-13-30.

136. A tool for accessing assistance and protection for THB victims is the Hot Line of the IC La Strada 0800 77777. In 2015, this Service celebrated its 15th anniversary of activity with over 60 thousand calls.

137. As well, on June 04, 2014 there was launched the Service of free-of-charge telephone assistance for children (Child’s Telephone) 116111, managed by the MLSPF and implemented in practice by the IC “La Strada”. The “Child’s Telephone” Service works non-stop, the call is free of charge, confidential and anonymous. It also has communication

possibility via the internet: skype: TelefonulcopiluluiMoldova116111 and web page: www.telefonulcopilului.md.

138. At the same time, the following Placement Centers and NGOs are active in the area of providing assistance and protection to victims and potential victims of THB:

- P. A. “Association of Psychologists Tighina” from Causeni town;
- Maternal Center “Pro-femina”, Hincesti town;
- Maternal Center “Ariadna”, Drochia town;
- Maternal Center “Încredere”, Cahul town.

Article 11

Paragraph 1 — Right to continuous improvement of the living level

139. The system of poverty monitoring and evaluation was approved in the Republic of Moldova in 2005 via the Government Decision No. 851 on set-up of the poverty monitoring and evaluation system. In line with this decision, the National Bureau of Statistics ensures the collection of the necessary data to compute poverty indicators and to calculate poverty lines, and carries out the Household Budget Survey (HBS), which is the main source of data for poverty analysis. Hence, the following is used for poverty rates’ calculation: national absolute poverty line, extreme poverty line, relative poverty line, international poverty line (5 USD per day). At the same time, the system provides for the development of an Annual Report on Poverty and Policies’ Impact, so as to determine and eliminate the factors which contribute to poverty increase, to assess the policies implemented by the Government so as to improve and adjust them. In 2004, the first strategic planning document of the Republic of Moldova was adopted — Economic Growth and Poverty Reduction Strategy (EGPRS) (Law No. 398-XV dated December 02, 2004). The EGPRS was focused on improving the population life quality, improving social protection of the poorest categories of citizens, including via the development of the social guarantees’ system, creation of new jobs, especially for the poor, ensuring accessibility to qualitative medical services, development of high-performing human capital, development of education and science.

140. Subsequently, the National Development Strategy was drafted in 2008, which has determined the development objectives of the Republic of Moldova until 2011 and set the priority measures and actions for achieving the respective objectives. The Strategy was focused on creating the conditions for improving population life quality by enhancing the foundation for a solid, sustainable, and inclusive economic growth.

141. Currently, the National Development Strategy “Moldova 2020” is under implementation, being adopted via the Law No. 166 dated 11.07.2012, which aims to escape from poverty 20% of the citizens affected by poverty.

142. In 2013, the Ministry of Regional Development and Constructions launched the Project for building dwellings for the socially-vulnerable segments of the population, II stage, financed with the support of the Development Bank of the Council of Europe (DBCE) and the local public authorities of the second level.

143. The aim of the Project is to build in a number of the country localities by 2018, about 700 dwellings for about 2500 vulnerable persons. Until the present moment, the Project succeeded to finish its objectives in the following districts: Calarasi — dwelling block with 40 flats; Briceni — dwelling block with 40 flats; Singerei — dwelling block with 35 flats; Hincesti — 56 flats in 15 localities of the district. A dwelling block with 72 flats is now being built in Soroca town.

144. The construction of 2 important sites was launched in Nisporeni — a dwelling complex in which 93 flats are social, in Ialoveni — a dwelling complex in which 94 flats are social, and Leova — 92 flats.

145. As well, the Government Decision No. 798 dated 29.09.2014 on Transmission of Certain Real Estate Assets, the Ministry of Regional Development and Constructions was empowered to transfer free of charge and based on donation contracts from the State's public property into the property of young specialists with higher education and post-graduate resident education, distributed to and employed in public (budgetary) institutions from villages (communes), 24 houses, under the administration of the Ministry.

146. At the same time, as a result of approving the Law on Dwellings No. 75 dated 30.04.2015, The Ministry developed and approved a number of normative and legislative acts. The legislative acts related to providing citizens with dwellings are the following:

147. The draft GD approving the Regulation for keeping the records about the persons who need to be provided with dwelling space in hostels and the modality of using and administrating hostels, approved within the Government meeting on 3.08.2016. This Regulation aims to regulate the modality of keeping the records about the persons needing dwelling space in hostels, as well as the way in which the hostels are administrated and used, and the minimum standards for dwellings. It will be published in the Official Gazette.

148. GD for approving the Regulation on how to provide service dwellings, approved with No. 914 dated 25.07.2016. This Regulation sets forth the way in which the service dwellings are provided to certain categories of persons during the period of an individual work contract.

149. According to the information received from the administrative-territorial units, during 2013-2015, about 233 persons of Roma ethnicity live in social dwellings in 23 localities. The total number of social flats accounts for 65.

Paragraph 2 — Measures to ensure access to water and sanitation services

150. In relation to the gradual assurance with access to safe water and adequate sanitation for all the localities and population of the Republic of Moldova, the Ministry of Environment developed the Water Law No. 272, which entered into force on October 26 2013. At the same time, there was approved the Law No. 303 dated December 13, 2013 on Public Service for Water and Sewerage Supply, and subsequently the Law No. 37 dated March 19, 2015 was approved to modify and complete certain legislative acts (8 laws were amended in line with the new law on public services).

151. The Government Decision No. 199 dated March 20, 2014 approved the Strategy for Water Supply and Sanitation (hereinafter referred to as the Strategy), which aims to ensure gradually access to safe water and adequate sanitation for all the localities and population of the Republic of Moldova, hence contributing to improving health, dignity, and quality of life, and country's economic development.

152. On July 13, 2016 the RM Government approved the National Program for Implementation of Water and Health Protocol, which aims to mainstream the priorities related to the Water and Health areas management in the national process for planning actions in water supply, sewerage, health areas and other areas related to the Protocol. For this purpose, it will be necessary to enhance the national capacities for sustainable management of the sectors related to the Protocol, in order to fulfill the indicators of the Protocol. The Program is focused on general and specific objectives, providing actions for every area, and meant to set-up an efficient system for achieving the target-indicators in the 20 areas of the Protocol on Water and Health.

Investment projects:

1. “Program for developing water supply and sewerage companies” Project.

Implemented in 6 districts of the Republic of Moldova: Soroca, Floresti, Orhei, Hincesti, Leova, Ceadir-Lunga with extension in rural localities.

- Project outcomes: Total new connections — 48682 of which: — water — 46304; sewerage — 2378.
- Length of extended networks: sewerage — 117346 km, water — 1290667 km.
- Connected population: water — 22697; sewerage — 3657.
- “Rehabilitation of the water supply system in Nisporeni: mayoralties of Nisporeni, Varzaresti and Grozesti” Project.

2. Achievements: water intake; construction of the water treatment unit; the main pipe 16,8 km; network of water distribution in Grozesti village for a length of 16.5 km, for 2100 inhabitants and the water main from the River Prut to Nisporeni town with a length of 17.5 km; the water distribution networks were completed in Nisporeni town — 74.3km; the distribution networks in Grozesti and Varzaresti villages — 27.5 km; total connections — 5,258 units; a new Regional Operator was registered for all the 3 localities (the former enterprise Apa-Canal Nisporeni, reorganized into Joint Stock Company).

3. “Water North Moldova” Project.

153. The Loan Agreement between the Republic of Moldova and EBRD was ratified via a law (Law No. 128 dated 02.07.2015) and the Financing Contract between the Republic of Moldova and the European Bank of Investments (Law No.129 dated 02.07.2015). The project will be implemented in Soroca, Balti, Floresti, Drochia, Riscani, Singerei, Telenesti and will contribute to improving living conditions and access to safe drinking water sourced for 400 th citizens. A Grant Agreement will be signed between the Republic of Moldova and EBRD for 10 mln Euro, so as to carry out the given Project i.

Article 12**Paragraph 1 — Physical and mental health of the population**

154. For the purpose of implementing the Government Decision No. 56 dated 31.01.2012 regarding the Modification of the Action Plan for supporting the Roma population in the Republic of Moldova for 2011-2015, approved via the Government Decision No. 494 dated July 8, 2011, the Ministry of Health developed the Sector Action Plan to support the Roma population for 2012-2015, approved via the Order No. 1381 dated 28.12.2012 to enforce the Government Decision No. 56 dated 31.01.2012”.

155. At the same time, the Ministry of Health assesses and monitors the implementation of the Action Plan in every administrative territory, based on a questionnaire with well-defined indicators, such as: rate of vaccination among Roma children and adults and rate of prevention controls.

156. In line with the Sector Action Plan to support Roma population for 2012-2015, approved via the Order No.1381 dated 28.12.2012, the Ministry of Health focused on the following priorities:

- To increase access and addressability of Roma persons to medical services, including emergency healthcare.

- To increase the quality of medical services, especially for mothers, future mothers and children, and to enhance the capacities of the medical personnel.
- To work with young people, specific approaches (to educate healthy culture among youth).

Annually, about 800-900 trips are organized and implemented.

The mobile teams included different specialists, determined by the real needs in the territory (pediatrician, obstetrician-gynecologist, cardiologist, oculist, otorhinolaryngologist, neurologist).

157. At the same time, the Ministry of Health, via the Order No. 327 dated 11.04.2014, organized in 2014 trips for doctors' teams in rural localities with limited access to medical services, so as to provide the population medical checks, out-patient treatments and treatment recommendations in in-patient conditions at the territorial and country levels.

158. Hence, trips were organized in 145 localities with involvement of 120 profile specialists from republican institutions (doctors: pediatrician, obstetrician-gynecologist, dermatologist, oncologist, mammologist, neurologist, gastrologist, phtysiopneumologist, psychiatrist, urologist, endocrinologist, hepatologist, nephrologist, surgeon, ophthalmologist, cardiologist, rheumatologist, ORL, and others).

Paragraph 2 — Measures to ensure the right to qualitative physical and mental health

159. Population health is one of the main priorities in the State's policy. The general aim of the activities undertaken during 2011 -2015 was focused on improving population health and wellbeing by supporting the inter-sector interventions meant to decrease mortality, morbidity and excessive disability, to create conditions for fair access to medical-sanitary services for all categories of population, promotion of healthy lifestyle and reducing risk factors for health.

160. Hence, in line with the provisions of the Health System Development Strategy, the National Mental Health Program for 2012-2016, the Ministry of Health promotes the development of mental health services at the community level and integration of mental health in primary healthcare. For the purpose of developing mental health services, the Order No. 610 dated 24.05.2013 approved the Strategy for mental health services' development at the community level and integration of mental health in primary healthcare for 2013-2016.

161. On 14.11.2013, the meeting of the Ministry of Health Board talked the issue regarding the implementation of the National Mental Health Program for 2012-2016 in the context of integrating mental health in primary healthcare and development of community medical services.

162. The Ministry of Health Order No. 1520 dated 31.12.2013 on implementation of the Ministry of Health Board Decision No. 6/3 dated November 14, 2013 — it was decided to establish Community Mental Health Centers in all the territories of the Republic of Moldova, additionally to the 5 existing ones.

163. As for ensuring confidentiality regarding the HIV status of the person, it should be mentioned that the Law No.76 dated April 12, 2012 amended and completed the Law No. 23-XVI dated February 16, 2007 on Prophylaxis of HIV/AIDS infection, ensuring the observance of the right to private life, free choice of the profession and recruitment on the labor market, observance of the right to non-discrimination and equality of persons with HIV/AIDS, and protection of the right of persons living HIV/AIDS to free movement.

164. In this context, the Ministry of Health issued the Order No. 790 dated 08.08.2012 regarding the Rules for medical examination and supervision to determine contamination with human immunodeficiency virus (AIDS).

165. During June 09-12, 2012 there were organized and implemented 4 training workshops on: “Medical examination and supervision for determining contamination with human immunodeficiency virus, counselling and testing upon the initiative of the medical worker and self-addressing” and “Modification of the Law No. 23-XVI dated February 16, 2007 on Prophylaxis of HIV/AIDS” attended by 148 persons (infectious diseases’ doctors, epidemiologists, lab workers in AIDS diagnosis labs, and advisors from the offices of Counselling and Voluntary Testing).

166. For the purpose of patient’s personal data protection, the Order No. 1314 dated 22.12.2012 on modification of the Ministry of Health Order No. 189 dated June 22, 2005, point 23 from the Guidelines on how to fill in the medical leave certificate was cancelled, excluding the application of the medical leave certificate of the notifications “100%” and “from the first day”, for temporary loss of workability caused by TB, AIDS, cancer.

167. As for the insurance of the children suffering from epilepsy, a republican service was implemented at the country level for diagnosis and medical surveillance for children born with low and very low weight at birth, up to the age of 2 years old. During 2015, the service has included primary a number of 270 children, of whom 220 were born prematurely. The total number of children under surveillance is 1834. The National Health Insurance Company has contacted in 2015 over 12 private institutions to provide healthcare services and medical homecare, including services of early intervention for children.

168. In line with the Medical Standards for diagnosis and treatment of pediatric neurology (Ministry of Health Order No. 1594 dated 31.12.2013), the children suffering from epilepsies are surveilled and consulted in dynamics at the level of the primary, specialized ambulatory, and hospital healthcare by the following specialists: neuro-pediatrician, pediatrician, ophthalmologist, neuro-surgeon, geneticist, psychologist.

169. The Ministry of Health Order No.1594 dated 31.12.2013 approved the Medical Standards for diagnosis and treatment in pediatric neurology, which includes the nosology unit “Epilepsies”.

170. For the purpose of reducing the vulnerability among children, the Ministry of Health develops protection and assistance services for children. During 2015, the Maternal Sections in the Placement Centers (Balti and Chisinau municipalities), under the subordination of the Ministry of Health, have provided assistance to 32 “mother-child” couples (Chisinau — 21 couples, Balti — 11 couples).

171. The Placement and Rehabilitation Center for Children of Early Age, Chisinau mun. has rehabilitated through “Respiro” Service a number of 15 children, and 135 children via the Day Care Section.

172. The Placement Center from Balti mun. covered 86 mother-child couples in the service for care and rehabilitation for children with low and very low weight, for them to benefit from medical care.

173. In February 2015, the Placement Center from Balti mun. opened a Day Care Section for young children with special needs (12 places). During the period of reference, a number of 40 children were assisted; and 321 children were rehabilitated via the Day Care Section.

Article 13

Paragraph 1 — Right to education

174. The assurance of fair access to education for all the citizens, regardless of their material status, domicile, sex, ethnicity, etc. is provided in the new Code of Education, approved in 2014. Hence, it sets forth the “principle of fairness”, based on which, access to education is ensured without any discrimination.

175. In line with the Code of Education of the Republic of Moldova, the education system is organized by levels and cycles in compliance with the Standard International Classification of Education (ISCED-2011):

- (a) level 0 — early education:
 - ante-preschool education;
 - preschool education;
- (b) level 1 — primary education;
- (c) level 2 — secondary education, cycle I: gymnasium education;
- (d) level 3:
 - secondary education, cycle II: lyceum education;
 - secondary technical vocational education;
- (e) level 4 — post-secondary technical vocational education;
- (f) level 5 — non-tertiary post-secondary technical vocational education;
- (g) level 6 — higher education, cycle I: Bachelor degree higher education;
- (h) level 7 — higher education, cycle II: Master degree higher education;
- (i) level 8 — higher education, cycle III: PhD degree higher education.

176. The compulsory education starts with the preparing group in preschool education and finishes with lyceum education or secondary and post-secondary technical vocational education. The binding nature of attending compulsory educations ends at the age of 18 years old. Hence, the responsibility for compulsory school enrolment of the children under 16 years old belongs to parents or other legal representatives, and local public administration authorities of the first and second levels. The Ministry of Education develops, approves, and monitors the observance of the regulations related to compulsory school enrolment of school-age children.

177. The process of schools enrolment and school drop-out was monitored for children aged 7-16 years old, including the Roma children from the localities compactly populated by Roma people (Nisporeni, Ocnita and Hincesti districts), and the relevant reports were developed.

178. For the purpose of monitoring the school enrolment process in children aged 5 (6) — 16 years old, data were collected, updated and analyzed 3 times per year.

179. During the school year 2014-2015, after analyzing the informative notes on school drop-out, the number of children under this category increased by 35 children (accounting, in total, for 203 children or 0.068%), as compared to the end of the school year 2013-2014, as of May 31, when the number of children with school drop-out accounted for 168 or — 0.055%.

180. Ana analysis was carried out regarding the enrolment of gymnasium graduates in 2015 in further-on education or recruitment on the labor market. A share of 85% of the total number of gymnasium graduates in the school year 2014-2015 were registered to continue

their education in lyceums, colleges, vocational or professional schools; 3.85% — have left abroad, 3.5 % — employed on the labor market, and 7.4% — undetermined, of whom 0.74% (250 students) — are aged under 16 years old.

181. To ensure qualitative teaching of Romanian language for foreigners, monitoring was performed for the implementation of the provisions set forth in Law No. 274 on Integration of Foreigners in the Republic of Moldova. In this respect, there was organized a working meeting with the representatives of the National Bureau for Migrants, and a republican training-methodological workshop, in partnership with the UN High Commissioner for Refugees Office, for 18 teachers — specialists in Romanian Language and Literature, teaching this subject as a foreign language, in classes with children-refugees.

182. As well, there were developed tools for assessing the communication skills of the students-refugees, which were implemented during the visits to a number of general education institutions in Chisinau mun., and a Report was developed regarding the quality monitoring for teaching Romanian language in institutions in which students — refugees from other states are studying.

Article 14

183. The provisions of article 14 of the Covenant are implemented in the Republic of Moldova based on a number of internal legislative acts: the Constitution of the Republic of Moldova dated July 29, 1994, and Code of Education No. 152 dated 17.07.2014.

184. According to article 35 (1) of the Constitution: “The right to education shall be ensured by way of compulsory comprehensive school system, by secondary education and vocational education, higher education system, as well as by other forms of education and continuous training”.

185. The Code of Education stipulates that the State ensures the financing for the standard package of educational services for the preschool, primary, gymnasium, and lyceum education, regardless of the ownership type of the educational institution (art. 9). The educational process is carried out based on the State Educational Standards, approved by the Ministry of Education, regardless of the ownership type and legal form of the educational institution.

186. The education in the Republic of Moldova is based on the principle of recognition and guarantee of the rights of persons belonging to national minorities, including the right to preserving, developing, and expressing their ethnical, cultural, linguistic, and religious identity.

187. To increase the enrollment rate for compulsory general education, Guidelines were developed to prevent and combat school drop-out and absenteeism, as well as an Action Plan for preventing and combating school drop-out and absenteeism in general education.

Article 15

188. The right of the persons to participate in the cultural life is recognized and ensured according to article 10 (2) of the Republic of Moldova Constitution, the Republic of Moldova Code of Innovation and Science, No. 259-XV dated 15.07.2004, Law on Culture No. 413-XIV dated 27.05.1999.

189. In 2011, there were adopted the Law on Protection of Mobile National Cultural Patrimony No. 280 dated 27.12.2011 and the Law on Public Fora Monuments No. 192 dated 30.09.2011. In 2012, there was adopted the Law on Protection of Immaterial Cultural Patrimony No. 58 dated 29.03.2012, the Program for Strategic Development of the Ministry

of Culture for 2012-2014, the National Program for the Area of Culture Digitalization for 2012-2020, approved via Government Decision No. 478 dated 04.07.2012. For the purpose of organizing the International Festival of young film directors, art directors, dramatists and theater reviewers, the Government Decision No. 353 dated 30.05.2012 was approved for allocation of financial means.

190. In this context, in 2013 — there was adopted the Law on Creation People and Creation Unions No. 21 dated 01.03.2013, and in 2014 — there were approved the Regulation on how to finance from the State budget the cultural projects implemented by public associations, and the Government Decision No. 834 dated 08.10.2014. As well, the Government Decision no. 271 dated 09.04.2014 approved the Strategy for Culture Development “Culture 2020” and the Action Plan for its implementation. The Strategy for Culture Development “Culture 2020” and the Action Plan for its implementation contain objectives focused on promotion inter-culturalism and cultural identity, including that of ethnic minorities. It should be mentioned that the Strategy “Culture 2020” provides everyone with access to the cultural values of the country, including to production of cultural goods and services, as a determining factor in the area of country citizens’ education and development.

191. An eloquent example of promotion of the intercultural dialogue is the organization and implementation of the Festival of Ethnicities, which is annually attended by ethno-cultural organizations: Ukrainian, Gagausian, Bulgarian, Polish, Armenian, Roma, German, Russian, and other. Exhibitions of books, applied decorative art works, fine art works, handicrafts, and national costumes were organized during the Festival.

192. In 2014, a Forum of Ethnic Minorities was organized for the first time in the Republic of Moldova, being entitled “Moldova is My Heart”. The event was organized by the BIR in partnership with the ethno-cultural associations from the Republic of Moldova, under the patronage of the RM Speaker of the Parliament. The Forum was attended by over 500 representatives of ethnicities from the entire country, experts in the area, international organizations. They have discussed during the Forum the road-map related to the State policy regarding the national minorities.

193. For the purpose of raising the public opinion about the spiritual values of Roma people, combating discrimination against Roma people, as well as promoting cultural diversity, there was organized the fest “International Roma Day”, which included: exhibition of crafts, concert with folk bands from the locality, including the art band “Ethno-Roma”.

194. The children of Roma ethnicity have participated in such cultural actions as: “Childhood — the period of joy”, “Music’s Day”, “Independence Day”.

195. There were inaugurated personal exhibitions of folk masters of Roma ethnicity, who participate in all the organized fairs of craftsmen and cultural actions. At the same time, the local press — the newspaper “Orhei Realm” and “Public Opinion”, published articles about the life and work of Roma people, their traditions and customs.

196. The accessibility and participation of the persons with disabilities in cultural activities — it should be mentioned that provisions in this respect are covered at the national level in the Law No. 60 dated 30.03.2012 on Social Inclusion of Persons with Disabilities, which sets forth the access and the authorities responsible for ensuring the participation of persons with disabilities in the cultural life and activity of the community in which they live.