



**Convention on the Elimination
of All Forms of Discrimination
against Women**

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**Committee on the Elimination of
Discrimination against Women**

**Sixth periodic report submitted by the Republic of Moldova
under article 18 of the Convention, due in 2017***

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Abbreviations

NEA	National Employment Agency
NBS	National Bureau of Statistics
CEC	Central Election Commission
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women/ Committee on the Elimination of All Forms of Discrimination against Women
EC	Electoral Code
ECHR	European Court of Human Rights
HBS	Household Budget Survey
NHIC	National Health Insurance Company
NOSI	National Office for Social Insurance
NCPM	National Centre for Public Medicine
NCHM	National Centre for Health Management
IUD	Intrauterine Device
HDI	Human Development Index
GPI	General Police Inspectorate
GD	Government Decision
PD	Parliament Decision
LGBT	Lesbians, gays, bisexuals, transgender
MIA	Ministry of Internal Affairs
MFAEI	Ministry of Foreign Affairs and European Integration
MEc	Ministry of Economy
Med	Ministry of Education
MoJ	Ministry of Justice
MECR	Ministry of Education, Culture and Research
MoF	Ministry of Finance
MLSPF	Ministry of Labour, Social Protection and Family
MHLSP	Ministry of Health, Labour and Social Protection
MoH	Ministry of Health
SDGs	Sustainable Development Goals
MDGs	Millennium Development Goals
ODIMM	Organisation Development of Small and Medium Enterprises Sector
IOM	International Organisation for Migration

ILO	International Labour Organisation
WHO	World Health Organisation
NGO	Non-Governmental Organisation
UN	United Nations
OSCE	Organisation for Security and Co-operation in Europe
CSOs	Civil Society Organisations
GDP	Gross Domestic Product
NHRAP	National Human Rights Action Plan
NPEGE	National Program on Ensuring Gender Equality for 2010–2015
PCRM	Party of Communists of the Republic of Moldova
DPM	Democratic Party of Moldova
LDPM	Liberal Democratic Party of Moldova
LP	Liberal Party
CP	Conservative Party
NLP	National Liberal Party
ASP	Action and Solidarity Party
PSRM	Party of Socialists in Republic of Moldova
ICT	Information and Communication Technologies
IDUs	Injecting Drug Users
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund
UNICEF	United Nations Children’s Fund
UN Women	United Nations Entity for Gender Equality and the Empowerment of Women
DV	Domestic Violence
FV	Family Violence
VAW	Violence against Women
VTHB	Victims of Trafficking in Human Beings
THB	Trafficking in Human Beings
NCCRP	National Council on Child Rights Protection
NEA	National Employment Agency
TEA	Territorial Employment Agency

Introduction

1. The Republic of Moldova, an independent country since 1991, has ratified most of the core conventions on human rights, extensively accepting the deriving obligations and periodically submitting national reports on their implementation.

2. During the past years the Republic of Moldova made significant progress in the field of gender equality, which was reflected in ‘The Gender Gap Report’, prepared by World Economic Forum. However, according to the Global Report on Gender GAP Index,¹ the country shows a positive, but uneven development: from the 52th position (in 2013) to the 25th (in 2014), the 26th (in 2015) and again the 26th (in 2016).

3. In 2015 the Republic of Moldova joined the 2030 Agenda for Sustainable Development (2030 Agenda), committing to implement the Sustainable Development Goals.

4. Since the ratification of the CEDAW Convention, Republic of Moldova has presented to the Committee on the Elimination of Discrimination against Women (CEDAW) three national reports: initial report (2000), two combined periodic reports (2006, 2013) and the intermediary report on preventing and combating the DV in 2015. This document contains information on the implementation of the Convention since 2013 until now, the statistical data covering 2013–2016 and partially 2017.

5. We note the special attention paid to the comments/recommendations made by CEDAW following the assessment of the combined fourth and fifth report of the Republic of Moldova (see CEDAW/C/MDA/CO/4–5 from 29 October 2013). In order to implement those recommendations, an Action Plan for 2014–2015 was developed and approved by the Government.² The recommendations were taken into account in elaboration of the Strategy on Ensuring Equality Between Women and Men for 2017–2021 (approved by GD No 259 of 08.04.2017), in the elaboration of the National Strategy on Preventing and Combating VAW and DV for 2018–2023 (approved by GD No 281 of 03.04.2018).

6. The report was developed by the Ministry of Health, Labour and Social Protection, with the participation of gender focal points from the ministries and other authorities of central public administration. The Report was submitted for public consultation with the representatives of specialised Parliamentary Committees, line ministries, international and non-governmental organisations from the country. The draft Report was placed on the ministerial website www.msmps.gov.md.

¹ The Global Gender Gap Report, 2016, The World Economic Forum. Cologne/Geneva, p.10; The Global Gender Gap Report 2015, The World Economic Forum. Cologne/Geneva; The Global Gender Gap Report 2014, The World Economic Forum. Cologne/Geneva, p.56–57.

² <http://lex.justice.md/index.php?action=view&id=333441&lang=1&view=doc>.

Part One

The main general document

I. General Overview of the Republic of Moldova

A. Demographic, economic, social and cultural characteristic of the Republic of Moldova

7. The Republic of Moldova has faced a deep and constant deterioration of the demographic situation since the first half of the 1990s, on a background of political, economic and social changes.

8. The evolution of demographic processes in 2013–2016 is characterized by the worsening of the main demographic indicators (Table 1, Annex 1).³ The decrease in the number of population and the deterioration of its age structure is determined by the negative trend of fertility, external migration and general population mortality; the declining birth rate unbalanced the age structure of the population and intensified the demographic ageing.

9. According to 2014 Census, the number of resident population of the Republic of Moldova was 2 998 235⁴ persons, of which 57.3 per cent are inhabitants of the rural area, while 42.7 per cent are living in urban areas. The distribution of the population by gender is as follows: 51.8 per cent – women and 48.2 per cent – men.⁵

10. According to 2014 Census, 96.79 per cent of the population declared to be Christian Orthodox;⁶ regarding nationality – 75.1 per cent Moldovans, 7 per cent Romanians, 6.6 per cent Ukrainians, 4.6 per cent Gagauzians and 4.1 per cent Russians.

11. Life expectancy at birth during the reporting period increased (Table 2, Annex 1). Women live, on average, by 8 years longer than men. This discrepancy is caused by the high level of premature male mortality, largely determined by social and cultural factors (Figure 1, Annex 1).

12. The average duration of life in the urban area is higher than in the rural one, by 4.7 years,⁷ by 5.0 in case of men and by 3.7 years in case of women.

13. The population structure by age is marked by a demographic ageing process, caused mainly by the low birth rate; the share of elderly (60 years and older) increased from 15.28 per cent to 17.17 per cent in the reporting period (Table 3, Annex 1).

14. In the reporting period a decrease of live births were registered from 37871 in 2013 to 34060 in 2017 (Table 4, Annex 1). The birth rate was 10.5 live births per 1,000 inhabitants. The birth rate in the rural area (11.8 per cent) is higher than in urban areas (8.8 per cent). More boys than girls are born annually. Most of the children were born in health care facilities.

15. The distribution of newborns by the mother's age group shows that most of newborns were born by mothers under 30. A downward trend is registered in the number of births by mothers under 20, accounting for 7.2 per cent of all live births, compared to 7.5 per cent in 2015. The average age of the mother at first birth was

³ <http://www.statistica.md/newsview.php?l=ro&idc=168&id=5641>.

⁴ <http://www.statistica.md/newsview.php?l=ro&idc=30&id=5582&parent=0>.

⁵ <http://recensamant.statistica.md/ro>.

⁶ Statistical Yearbook 2016.

⁷ Demographic situation in the Republic of Moldova in 2016. BNS, 05.06.2017. <http://www.statistica.md/newsview.php?l=ro&idc=168&id=5641>.

24.0 years old. Women in the rural area give birth at a younger age (23.6 years old) than those from urban areas (25.1 years old).

16. During the reporting period a relatively stable tendency in the number of children born outside marriage was noticed, predominantly in the rural area. Social protection of all families with children is based on the principle of social equity and foresees the assessment of household income when granting financial support.

17. During the reporting period, the general death indicator in the Republic of Moldova decreased on the background of a decreasing birth rate (Table 5, Annex 1). The general death rate was 10.8 deceased per 1,000 inhabitants. The gap between the general death rates by areas is kept: 8.4 deceased per 1000 inhabitants were registered in the urban areas, 12.6 – in the rural area.

18. The structure of mortality by classes of death causes has not changed significantly: most deaths (57.0 per cent) are caused by diseases of the circulatory system, followed by tumours (16.2 per cent), diseases of the digestive system (9.6 per cent), accidents, intoxications and trauma (7.0 per cent), diseases of the respiratory system (4.4 per cent) and others (5.8 per cent).

19. ‘Male supramortality’ was 2.4 times higher in case of communicable and parasitic diseases, 3.6 times higher in case of accidents, intoxications and trauma, 2.3 times higher in case of diseases of the respiratory system and 1.4 times higher in case of tumours. This situation can be partially explained by the specificity of professions and occupations with high risk for life, partially by antisocial behaviours (alcohol abuse, etc.). ‘Female supramortality’ occurred only in case of circulatory system diseases – 1.2 times higher (Figure 2, Annex 1).⁸

20. The specific mortality rate for the age group 15–29 is 64.7 deceased per 100 thousand inhabitants of this age. Significant differences are registered by gender and area of residence. The mortality rates for young men are several times higher than for women (largely conditioned by behavioural factors). In addition, the mortality rates for young people from the rural area are higher, especially for men.⁹

21. Decreasing the mortality among able-bodied population is a major public health challenge. Prevention of trauma and poisoning, early identification and the adequate treatment of cardiovascular, oncological and communicable diseases (TB) are priority directions in this area.

22. During the past years, the mortality of children under-five, including the infant mortality, has been stable (Table 6, Annex 1).

23. During the past years no big deviations occurred in the structure of infant mortality by the main causes of death. During the reporting period, the infant mortality was caused by: respiratory diseases (2013 – 35 cases, 2016 – 41 cases); communicable and parasitic diseases (2013 – 9 cases, 2016 – 18 cases); perinatal diseases (2013 – 153 cases, 2016 – 160 cases). Children’s deaths in the first year of life (2013 – 98 cases, 2016 – 97 cases) and under 5 years old (2013 – 111 cases, 2016 – 109 cases) due to congenital malformations are still constantly high, ranking the second in the structure, after perinatal diseases.

⁸ <http://www.statistica.md/newsview.php?l=ro&idc=168&id=5618>.

⁹ Population Situation Analysis in the Republic of Moldova / UNFPA, Demographic Research Centre of NIER. Chisinau, 2016, page 13.

24. Perinatal deaths and stillbirths are also caused by poor maternal health, inadequate care during pregnancy and delivery, poor hygiene during delivery and in the first hours after delivery and lack of adequate newborn care.¹⁰
25. During the reporting period the number of marriages decreased, the marriage rate accounting for 5.9 marriages per 1000 inhabitants (2017). Likewise, the number of divorces pronounced by court decisions decreased (Table 7, Annex 1).
26. There are gender differences in the marriage age. Most men who get married belong to the age group of 25–29 years and the women – to the age group of 20–24 years. The average age for the first marriage is 28.3 years for men and 25.6 years for women.
27. The demographic situation in the Republic of Moldova is influenced significantly by external migration.¹¹ Most emigrants, both women and men, belong to the age groups of 20–29 and 30–39 (Table 8, Annex 1). Population from the rural area is the most affected by migration.
28. Internal Migration. The population mobility index in 2016 was 9.4 persons per 1000 inhabitants compared to 10.9 in 2015. The internal migrants (over 89 per cent) are, largely, people of working age. From a gender perspective, the arrival/departure flow consists of 57 per cent women and 43 per cent men, respectively.
29. A part of the country's emigration is offset by the repatriation of people from the Republic of Moldova and immigrants (Table 9 Annex 1).
30. The coefficient of population ageing increased from 15.7 in 2013 to 17.7 in 2017 (Table 10, Annex 1).
31. During the reporting period women accounted for about 71 per cent of all pensioners, with a high share in the group of old age pensioners, disability, for seniority as civil servants. Women represent the minority among retired former members of Government, justice system, local elected officials, demobilized militaries.
32. The demographic pressure on the pension system has increased: the total number of employees per economy decreased by 0.8 per cent in 2015 compared to the previous year, while the total number of beneficiaries of the pension system increased by 1.4 per cent in 2015.¹²
33. There is a supportive legal framework concerning the population ageing,¹³ comprising measures for extending participation of elderly in social and economic life and raising the whole society's awareness of the challenges and needs of the elderly.
34. In order to promote active ageing, a new reform of the pension system was implemented, that increased the retirement age, enabling people to remain active in the labour market. The objectives and actions addressed to elderly were included in the new National Employment Strategy for 2017–2021.¹⁴
35. The recent developments in the country's economy highlight a consumption-based development model. The GDP analysis by end use shows that in the past years

¹⁰ Population Situation Analysis in the Republic of Moldova / UNFPA, Demographic Research Centre of NIER. Chisinau, 2016, page 103.

¹¹ 2507 persons left the country in 2016 in order to establish a permanent residence abroad. 857 Moldovan citizens settled in Russia, 623 – in USA, 375 – in Ukraine, 285 – in Germany, and 181 – in Israel.

¹² 2016 National Human Development Report 'Inequalities in human development'. Summary. UNDP Moldova / IDIS Viitorul. Chisinau, 2017, page 9.

¹³ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=373613>.

¹⁴ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=369765>.

the economic growth was mainly due to final consumption, so that during the reference period its value exceeded the GDP value. Final consumption is determined to a great extent by the growth of household consumption due to higher remittances sent by the Moldovan citizens working abroad. At the same time, the economy's functionality was largely determined by the gross capital formation, the growth of which was strongly correlated with the GDP growth (Table 11, Annex 1).

36. Although the average disposable income of the population increased twice in 2010–2015, the urban-rural gap has increased too. Hence, the urban-rural income gap doubled from 23.6 per cent in 2010 to almost 42 per cent in 2015. These inequalities are amplified by limited access to quality utility services in the rural area. In absence of an economic growth felt by rural residents, consumption is covered by remittances only¹⁵ (Table 12, Annex 1).

37. Against the background of increasing people's income, the level of poverty shows a steady decreasing trend. In the last 5 years, it decreased about 2 times, so that the poverty rate was 9.6 per cent in 2015.¹⁶

38. The gap between absolute urban and rural poverty is significant – 19 per cent in rural area versus 5 per cent in the urban area. The poorest spend most on food and utilities, which makes them vulnerable to economic shocks.

39. The unequal access of the population to quality services is noticed by the large differences in infrastructure provision, as well as by the large differences in the cost of services (electricity and gas).¹⁷

40. The income and expenditure-based economic inequalities among rural and urban population have registered an unstable slow decrease during the past years according to Gini coefficient (Table 13, Annex 1).

41. Despite the fact that in the previous years, the foreign direct investments registered an encouraging growth pace, in 2015 the volume of investments in long-term tangible assets dropped by 8.8 per cent. The budget-financed investments decreased by 28.4 per cent, a trend that intensified by the end of the year following the amendment of the state budget law and giving priority to social expenditures to the detriment of economic expenditures.

42. The indicators of the correlation between the subsistence minimum value and population income have increased¹⁸ (Table 14, Annex 1). In addition, the real difficult situation of socially vulnerable groups of people, especially of elderly, is further a challenge.

43. The delimitation of the subsistence minimum by residence areas in 2017 registered a 15.5 per cent increase of total values compared to 2013 (Table 15, Annex 1). In addition, discrepancies between women and men and significant urban-rural differences were registered.

44. Related to the endowment of households with durable goods, persist discrepancies in the endowment of urban and rural households (Table 16, Annex 1).

¹⁵ <http://www.md.undp.org/content/moldova/ro/home/presscenter/pressreleases/2017/06/14/-n-sate-locuiesc-de-4-ori-mai-multe-persoane-aflata-la-limita-s-r-ciei-dec-t-n-ora-e.html>.

¹⁶ 2016 National Human Development Report 'Inequalities in human development'. UNDP Moldova, IDIS Viitorul. Chisinau, 2017, page 7.

¹⁷ Ibidem.

¹⁸ Bodrug-Lungu V., Stafii A. ASSESSMENT OF IMPLEMENTATION BY THE REPUBLIC OF MOLDOVA OF THE MADRID INTERNATIONAL ACTION PLAN ON AGEING 2012–2016. NATIONAL REPORT 2016.

45. Referring to health services, more than 50 per cent of the hospitals are concentrated in Chisinau, which is a barrier for the rural population to access services.
46. At the same time, there are inequalities regarding primary health care. At the country level, there are 4.8 family doctors per 10,000 residents, much less than the EU average.¹⁹
47. The access to medical services for young people under the age of 18 and those who continue their education, as well as some categories of people are guaranteed by the State through free medical insurance policy.
48. Despite the measures taken in recent years to restructure the health system, the outcome on reducing maternal mortality and MDGs target of 13.3 per cent was not reached (Table 17, Annex1).
49. One of the priority areas on which reproductive health care services are focused is safe abortion. The total number of abortions and mini abortions exhibits an uneven development over the reporting years (Table 18, Annex 1). Women from vulnerable groups in the rural areas face challenges in accessing the mechanism of free abortions services, due to the social problems they face.
50. HIV prevention remains a sensitive public health issue. Official statistical data shows an increase of the number of new HIV cases – from 714 (in 2013) to 835 (in 2017) (Table 19, Annex 1).
51. In the Republic of Moldova, the HIV/AIDS infection remains currently concentrated in the risk groups.
52. Women are at greater risk of HIV infection than men. By 2017, one of two people diagnosed with HIV was a woman, compared with 16 per cent in the early 1990s.
53. Antiretroviral treatment is provided to all patients who meet the criteria for inclusion in the treatment and the coverage rate is 34.11 per cent of the estimated number of HIV-infected persons and 70.81 per cent of the persons under medical surveillance (Table 20, Annex 1).
54. National Programme on Prevention and Control of HIV/AIDS²⁰ and Sexually Transmitted Infections for 2016–2020 is based on the assessment of the national response on the topicality of the HIV issue.
55. The epidemic situation with syphilis and gonorrhoea shows a descending, but uneven curve²¹ (Table 21, Annex1).
56. Approval of the National Alcohol Control Program for 2012–2020 reconfirmed that excessive alcohol consumption is one of the critical social and health concerns. Counselling and assistance services were created to help reduce harmful alcohol consumption, as well as for giving up and treatment. According to the statistical data, the overall mortality due to alcohol consumption was fluctuating between 478 and 622 deaths in the reporting period (Table 22, Annex 1).
57. The problem of smoking women and men is a priority for both Government institutions and the whole society. In 2017, the Government approved the National Tobacco Control Program, the Action Plan on its implementation for 2017–2021, as well as the Sanitary Regulation on Health Warnings and Labelling of Tobacco Products, and proposals were made for increasing excise duty rates on tobacco

¹⁹ 2016 National Human Development Report ‘Inequalities in human development’. Summary. UNDP Moldova / IDIS Viitorul. Chisinau, 2017, page 9.

²⁰ <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=367272&lang=1>.

²¹ Statistical Yearbook 2016.

products. Every eighth person aged 15 and over smokes daily, 2.3 per cent smoke occasionally, while 71.7 per cent never smoked.²² The share of male smokers is about 10 times higher than of women (Figure 3, Annex 1).

58. In the reporting period, in order to overcome the challenges in the education area, including those related to gender dimension, the new Code of Education and the Education Development Strategy for 2014–2020 “Education-2020” were approved, that foresees a number of actions to build an educational system based on access, relevance and quality.²³

59. The gender enrolment rate in pre-school education shows increasing trends, from 83.8 per cent in the school year 2013/2014 to 86.3 per cent in 2016/2017. Whereas in the primary and lower-secondary education, a slight downward trend was noticed (Table 23, Annex 1). Gender differences in the enrolment rate by educational levels are insignificant.

60. During the reporting period (2013–2016) the number of pupils/students in education institutions and the number of educational institutions decreased, the situation being determined by demographic and migration factors. The (Tables 24 and 25, Annex 1).

61. The results of the Program for International Student Assessment (PISA) confirmed the quality of compulsory education. Compared to 2009, in 2015 the Republic of Moldova had higher results in each of the three assessed fields (Table 26, Annex 1).

62. In order to support vocational education and ongoing training and to correlate vocational training with labour market requirements, the Law No 244 “On Sectoral Committees for Professional Training” was adopted, which provides for the establishment of sectoral committees in the branches of the economy, established by the Classifier of Economic Activities of the Republic of Moldova, by the employers’ associations and trade unions in that branch. To date, such Committees have been established in four economic branches: construction, agriculture and food industry, light industry and commerce, hotels and restaurants.

63. During the reporting period, despite the efforts made by authorities,²⁴ the situation on labour market remained critical, the main employment indicators remaining low. (Table 27, Annex 1).

64. There is a lack of employment opportunities in non-agricultural sectors, especially in the rural area. The lack of economic diversification in rural areas, combined with poor access to jobs in urban areas, has led to rising rate of migration to the rural area and the return to subsistence farming.²⁵ In order to increase the employment rate and decrease the unemployment rate, the most important activities were undertaken: developed the mechanism for engaging the unemployed people in public works; creating and piloting 10 contact points for migrants returned from abroad in 10 pilot agencies; creating 3 career guidance centres within 3 territorial agencies of NEA (Chisinau, Soroca, and Cahul), annually organizing job fairs, offering professional counselling, vocational training facilitating the passive social protection measures (Figures 4–7, Annex 1).

²² NBS Study “Population Access to Health Services” http://www.statistica.md/public/files/publicatii_electronice/acces_servicii_sanatate/Acces_servicii_sanatate_2016.pdf.

²³ <http://lex.justice.md/md/355156/>. <https://mecc.gov.md/ro/content/strategia-educatia-2020-evalua-re-la-mijloc-de-termen>.

²⁴ National Employment Strategy for 2017–2021.

²⁵ <https://bit.ly/2AAJVJm>.

65. The problems affecting the labour market include: prevalence of poor-quality jobs and low paid jobs; labour migration; rural-urban imbalances; lack of financial resources affecting both the range and the coverage of active programs, the portfolio of active labour market programs contain only vocational training and involvement in public works; lack of incentive programs from the employers side aimed to employ vulnerable groups.²⁶

B. Constitutional, Political and Legal Structure of the State

66. In 2017, 45 political parties were registered, 7 of which being registered at the MoJ during 2013–2016.²⁷ There are only 4 women as leaders of the registered/active parties (NLP, CP, ASP and PSRM).

67. The parliamentary elections from 30 November 2014 were the 8th electoral competition since the independence of the Republic of Moldova, with 26 electoral candidates running for elections. The voter turnout was 57.28 per cent, and the parliamentary seats were distributed as follows: PSRM — 25 seats, PLDM — 23, PCRM — 21, PDM — 19 and PL — 13.²⁸

68. The MoJ currently has no data on the parties' composition disaggregated by gender, even if the Law on political parties²⁹ provides that the list of party members, drawn up on the basis of applications for joining the party, shall include: name, surname, sex, date of birth, domicile, series and identity card number, and the signature of the member.

69. In 2017–2018 an electoral reform was implemented, foreseeing the transition to a parallel mixed voting system, where 50 members of Parliament will be elected in the single-member constituencies using majority voting system, and 51 deputies on closed party lists, according to the principles of the proportional representation, as well providing favourable conditions for women to access in politics.

70. The Centre for Ongoing Electoral Training³⁰ was established in 2015, with the purpose to train the electoral officials – the main factor in the organization of fair elections and a qualitative electoral process.³¹

71. In the reporting period, two Civil Society Development Strategies were approved (for the years 2011–2015 and 2018–2020), recognizing the CSOs as plenipotentiary partners in the cooperation with public authorities and business units both at the national and local level.

72. In the Republic of Moldova, justice is administrated in the name of the law by courts of law only. During the reporting period, the share of women in positions of judges increased (Table 29, Annex 1). At the same time, over the period 2013–2017, the Constitutional Court was composed of 6 constitutional judges (all men). The Superior Council of Magistracy was composed of 12 members (8 men and 3 women), the previous period – 11 men and 1 woman.

73. In the General Prosecutors Office, the share of women in the total number of prosecutors increased by 3 per cent, from 30.7 per cent in 2013 to 33.7 per cent in 2017. There is a significant discrepancy in the share of women prosecutors in leading

²⁶ 2016 Activity Report, National Employment Agency, 2017.

²⁷ <http://www.justice.gov.md/pageview.php?l=ro&id=780&idc=212>.

²⁸ <http://www.e-democracy.md/elections/parliamentary/2014/>.

²⁹ <http://lex.justice.md/md/327053%2520/>.

³⁰ Article 261(1) amended by LP36 of 09.04.15, MO93/14.04.15 Article 134; in force since 14.04.15.

³¹ <http://cicde.md/index.php?l=ro>.

position as compared to men. Thus, in 2017, the share of women prosecutors in leading positions was only 9.6 per cent (Table 30, Annex 1).

74. During the reporting period, the regulatory framework was adjusted to the recommendations of the Committee against Torture, and international experts studies in this area. Over the past four years the reform of the penitentiary system had as major objectives: improvement of the execution-criminal legal framework, enhancement of detention conditions in accordance with international standards, strengthening the capacities of the staff, ensuring transparency in institutions of detention and prevention of torture and ill-treatment.

75. The Government initiated the psychiatric services reform in order to comply with the human rights international provisions, through development of the legal framework and network of community mental health centres.³² By 01.01.2018, the NHIC established and contracted 40 Mental Health Community Centres.

76. In the context of the reform on social inclusion of people with disabilities, the transformation plans for 6 residential institutions were approved: 4 boarding schools and 2 boarding houses for children with mental deficiencies (for girls and boys). As well, 15 alternative social services (small group homes/protected dwellings) were created in 2016 – 2017,³³ where 46 beneficiaries live.

77. In order to ensure an effective and efficient implementation of the international human rights treaties and to monitor the compliance with the commitments, the Government will establish the National Human Rights Council, chaired by the Prime Minister and having as members the representatives of public authorities and CSOs.

78. Cases of female genital mutilation, honour killing and use of acid were not registered as such, but if such crimes were committed, they would be classified as severe injuries crimes.

79. The dynamics of DV complaints to police authorities during 2012–2017 were fluctuating (Figure 10, Annex 1).

80. The dynamics of the protection orders for DV victims, issued by the courts and referred to police authorities during 2010–2017, progressively increase (Figure 11, Annex 1).

81. In 2016, the emergency restriction order was introduced in the legal framework to increase the protection of the DV victims, being applied by the police since 16 March 2017. During 9 months of 2017, over 2161 emergency restriction orders were issued.

82. During the reporting period, MIA/GPI, MoJ, MoD, MHLSP organized training activities for the specialists in human rights, covering specific themes: DV, THB, gender equality.

83. In the framework of the Police Development Strategy 2016–2020, the Community Police Concept was developed and was piloted with active involvement of CSOs and development partners.

84. A positive evolution is registered in the security and defence sector as regards the increase of the number of women. Since 2012, the girls were also allowed to enrol

³² <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=342072>,
<http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=371376>.

³³ Alternative social services are the following: 10 houses were purchased from the budgets of social assistance institutions for children and adults; 4 houses were purchased by the Czech Development Agency; 1 house was rented by the 'Out Reach Moldova' NGO.

to higher education at the Armed Forces Military Academy “Alexandru cel Bun”, achieving 12 per cent in 2016.

85. Referring to the settlement of the Transnistrian conflict, 5 meetings in the ‘5+2’ format were held during 2013–2017. In addition, 10 thematic working groups, including on social issues and humanitarian aid, were created to strengthen confidence and security in the context of settlement of the Transnistrian conflict. The topics addressed during the meeting of such a thematic group related to ensuring gender equality, preventing and combating DV, THB, from the perspective of international treaties that Moldova is a party to, and the regulatory and national policy framework developed in line with the provisions thereof.

II. The general framework of human rights protection and support

A. Alignment to International Human Rights Standards

86. The Republic of Moldova ratified most of the core human rights treaties, accepting extensively the deriving obligations and submitting periodically national implementation reports.

87. Republic of Moldova signed the Istanbul Convention in February 2017.

88. The ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families was suspended to assess implementation costs. The Republic of Moldova is a party to 3 international migration instruments and 40 international labour instruments.

89. The ratification of the International Convention for Protection of All Persons from Enforced Disappearances was temporarily suspended because Republic of Moldova does not face this phenomenon.

B. Legal framework for the protection of human rights at the national level

90. Human rights dimension made noteworthy progress in the recent years in terms of regulatory framework, however, effective enforcement of human rights requires further considerable efforts.

91. The legislation of the Republic of Moldova provides for equal rights for women and men in all areas of public and private life.

92. During 2011–2017, the number of complaints submitted to the High Court has shown annual decrease of 10 per cent. The ECHR received in total more than 15 thousand complaints from citizens of the Republic of Moldova. 95 per cent of complaints were declared inadmissible. In 2017, ECHR issued 14 sentence decisions, seven of which referring to citizens living in the Transnistrian region.

93. Following the provisions of the Optional Protocol to CEDAW 3 complaints against the Republic of Moldova were submitted to CEDAW.

94. Marches of Equality with the participation of the LGBT community have been held during the last years without any restrictions on the part of the police. At the same time, this topic is very sensitive among the population.

95. In the reporting period, some progress was registered in ensuring the right to freedom of expression, transparency in the decision-making process and civil society

participation (changing the legal framework, providing citizens/CSOs with access to decision-making through online platforms³⁴).

96. During the reporting period, the Government implemented the ‘Governance e-Transformation’ Project, aiming to promote the use of ICT in governance process and facilitating the interaction between people and public institutions, expanding access points of government services, increasing the number of platforms and electronic services, re-engineering and ensuring the interoperability of platforms used by different public institutions.³⁵

97. To realize recommendations of the CEDAW (2013) in 2013 the Council on Prevention and Elimination of Discrimination and Ensuring Equality³⁶ was established as an impartial, independent and autonomous public authority. The members of the Council are appointed by the Parliament for a 5-year mandate. The actual membership of the Council consists of 3 men and 2 women. Council’s mission is the prevention and protection from discrimination, ensuring equality, promoting of equal opportunities and diversity.³⁷

98. Citizens’ petitions on cases of discrimination can be addressed to the CPEDEE Hotline 0-8003-3388. The website of the Council provides information on complaints procedure³⁸ and offers the possibility to submit complaints online.

99. In the context of combating and preventing corruption, the National Anticorruption Centre (NAC) was strengthened, ensured the functioning of the anticorruption hotline.

100. In 2017, the NAC with the support of the UNDP Moldova and Government of Norway, launched the National Information and Public Awareness Campaign ‘Integrity is Freedom’, inspired by the provisions of the Integrity Law and the new National Integrity and Anticorruption Strategy for 2017–2020, both adopted in 2017.

101. The Republic of Moldova being a poly-ethnic state, made continued efforts to improve the legal framework³⁹ and ensure the ethnic, cultural, linguistic, and religious rights of each person belonging to a national minority, as well as to create appropriate conditions enabling them to express, preserve and develop their identity.

102. The national legislation ensures the right to choose the language of education and training at all levels of education. In the pre-university educational network, 250 institutions are teaching in Russian out of 1327 institutions (schools, gymnasiums, high schools, vocational schools, colleges and centres of excellence).

103. In order to create necessary conditions for the socio-cultural development of the Roma people, the Government developed and implemented two Action Plans⁴⁰ to support Roma in the field of education, health care, culture, employment etc.

104. “Teleradio-Moldova” National Public Broadcasting Company produces TV and radio programs, newspapers and magazines in the state language and the languages of the ethnic groups (Ukrainian, Russian, Gagauz, Bulgarian, Hebrew, Polish languages).

105. Promotion and enforcement of human rights and fundamental freedoms represents a priority of the state, as confirmed by the Government through the

³⁴ www.particip.gov.md.

³⁵ <http://cancelaria.gov.md/ro/content/centrul-de-guvernare-electronica-facut-totalurile-implementarii-proiectului-e-transformare>.

³⁶ <http://lex.justice.md/md/346943/>.

³⁷ <http://egalitate.md/news-and-information/lansarea-proiectului-elabourat-de-cpedae>.

³⁸ <http://egalitate.md/depune-o-plingere/>.

³⁹ GD No 904 of 31.12.2015, GD No 1464 of 30.12.2016.

⁴⁰ GD No 494 of 8.07.2011, GD No 743 of 09.06.2016.

adoption of NHRAPs (the first NHRAP – 2004–2008, the second 2011–2014 and third 2018–2022⁴¹).

C. Framework of Human Rights Promotion at the national level

106. A series of structures and institutions for human rights protection were established at the national level, including:

- *Coordinating Council of Ethno-Cultural Organisations* – public advisory consultative body of the national minorities' NGOs that operate under the Bureau of Interethnic Relations. The major objective is to ensure a continuous dialogue between the Government and ethnic communities;
- *The National Participation Council* – established at the initiative of the Government as a consultative body, aiming at consolidation of communication platform with civil society in the design, implementation, monitoring, assessment and updating of strategic planning documents (their activity decreased during 2014–2016 but was revived in 2017⁴²);
- *The National Council for Child's Rights Protection* – governmental body intended to provide guidance and monitoring of central and local public authorities and of the civil society in order to ensure observance of children's rights. The Council is assisted by a permanent Secretariat, that ensures coordination and coherence of activities;
- *National Committee for Combating Human Trafficking* – the Government's advisory body, coordinates the activities of preventing and combating THB, the cooperation of authorities with international organizations, NGOs, and other institutions. The Committee is assisted by the newly created Division for Permanent Secretariats within the State Chancellery;
- *Government Committee for Equality Between Women and Men* – consultative body, established under the Government, with the following duties: promotion of gender equality with a holistic approach; coordination of the activity of the central and local public administration on problems related to gender equality; development of cooperation of Government structures with the civil society on problems related to gender equality; According to experts, activity of the Commission shall be strengthened inclusively by the establishment of a Permanent Secretariat;⁴³
- *Government Council for the Issues of Persons with Disabilities* – consultative body set up to develop and promote the Government policy, programs, plans and actions for prevention and rehabilitation of persons with disabilities as well as to ensure their equal opportunities with other citizens of the Republic of Moldova to achieve their constitutional rights and freedoms;
- *National Committee for Population and Development* – advisory body, set up to coordinate the development of long and medium-term policy, programs and plans on demographic safety;
- *Government Commission for the Reintegration of the Country*, which coordinates the actions aimed at identifying solutions for problems related to the Transnistrian problem and ensuring their implementation;

⁴¹ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=376768>.

⁴² <http://lex.justice.md/md/333477/>.

⁴³ Bodrug-Lungu V., Triboi I., Ganea E. Report on assessment of implementation of the National Program on Gender Equality for 2010–2015/ OSCE support, 2016.

- *National Human Rights Council* – a body that coordinates, monitors and assesses NHRAP implementation (which will substitute the former *National Commission for the Implementation of the NHRAP2011–2014*). It will be assisted by an autonomous subdivision within the State Chancellery, with the status of division.

107. In order to strengthen the national institution for the protection of human rights, in 2016 the Ombudsperson's Office⁴⁴ was established. Also, in accordance with the Law on Child Rights, Ombudsperson, appointed by the Parliament, began his/her activity in 2016.

108. Among the Ombudsperson's achievements in 2016 are launching of the independent monitoring Mechanism of implementation of the UN Convention against Torture – the National Prevention Mechanism against Torture and the Torture Prevention Council (council of experts created within the Ombudsperson's Office), both are composed of civil society representatives.⁴⁵

109. Two significant studies were conducted in 2016: 'Human Rights Perception in Moldova' and 'Human Rights Observance in Providing Pre-Hospital Emergency Care Services in Moldova'.

110. During the reference period, Ombudsperson's Office received 171 complaints that invoke violation of the right to enforcement writ execution, their number is smaller as compared to previous years – 265 complaints in 2014 and 259 in 2015.⁴⁶

111. The main body managing the state-guaranteed legal aid system is the *National Council on Legal Aid* (NCLA) made up of 7 members (5 men and 2 women), and its territorial representative offices (5), MoJ and the Bar Association.

112. During the reporting period the number of beneficiaries of qualified State-guaranteed primary legal aid increased twice (Table 32, 34, Annex 1).

113. To provide qualified legal aid, in the reporting period a significant number of lawyers were hired, specialized in different areas of legal assistance (Table 34, Annex 1).

114. Remarkable is the development of alternatives for the settlement of litigations by mediation and arbitration, as well as development of detention alternatives by introducing probation, and thus decreasing the number of persons in detention.

115. Reforming the justice sector in the country started with the adoption of the Strategy of Justice Sector Reform for 2011–2016, extended to 31 December 2017.⁴⁷ MoJ launched in 2017 the development of a new policy document to continue justice sector reformation.

116. During the recent years, an important legal and regulatory framework for women's rights protection and promotion was developed:

- Law No 241-XVI of 20 October 2005 on Preventing and Combating Trafficking in Human Beings;
- Law No 5-XVI of February 2006 on Gender;
- Law No 45-XVI of 1 March 2007 on Preventing and Combating Domestic Violence;

⁴⁴ <http://lex.justice.md/md/352794/>.

⁴⁵ http://ombudsman.md/sites/default/files/document/attachments/raport-ombudsman_2016.pdf.

⁴⁶ http://ombudsman.md/sites/default/files/document/attachments/raport-ombudsman_2016.pdf.

⁴⁷ Parliament's Decision No 259 of 8.12. 2016 on Ensuring the Reforms Continuity in the Justice Sector.

- National Referral System Strategy for the protection of and assistance to victims and potential victims of human trafficking;⁴⁸
- National Program on Ensuring of Gender Equality 2010–2015;⁴⁹
- Strategy on Ensuring Equality between Women and Men in the Republic of Moldova for 2017–2021 and the Action Plan for its implementation;⁵⁰
- National Strategy on Preventing and Combating Violence Against Women and Domestic Violence for 2018–2023 and the 2018–2020 Action Plan for its implementation;⁵¹
- National Strategy for Preventing and Combating Trafficking in Human Beings for 2018–2023 and the 2018–2020 Action Plan on its implementation;⁵² National Program on Implementation the UNSC Resolution 1325 on WPS for 2018–2021 and the National Action Plan regarding the implementation of the Program;⁵³
- NHRAP for 2018–2022.⁵⁴

117. Though a legal and regulatory framework is in place, there are some challenges⁵⁵ with its implementation related to the lack of financial resources, staff turnover, low intersectoral cooperation and persistent gender stereotypes at the both professionals in the system and the whole society, insufficient specialized services for the different categories of vulnerable population etc.

118. The national mechanism on gender equality was strengthened at the central and local levels by amending in 2016 the Law on Gender Equality.

119. To implement the 2013 Final Conclusions of the CEDAW Committee, the Curriculum for initial and continuous gender equality training for civil servants was developed and institutionalized within the Academy of Public Administration.

III. Information on Non-Discrimination, Equality and Efficient Remedies

120. According to the national legislation, the State and the family are committed to ensure the raising, support, education and protection of the child. The NCCRP and the Ombudsperson for Children's Rights are important stakeholders in the promotion, protection and monitoring of the minors' rights.

121. Cases of children's rights violation are solved largely by guardianship authorities that operate in each district/municipality. According to the law, starting with the age of 14 years children can apply directly to these institutions if some of

⁴⁸ This system was launched by MLSPF in partnership with IOM in 2006 and is considered one of the most successful in the region. This fact was also mentioned in the Global Monitoring Process carried out by the US State Department and GRETA Expert Group of the Council of Europe and reiterated at the Regional Conferences conducted in the reference area.

<http://msmps.gov.md/ro/content/sistemul-national-de-referire-pentru-protectia-si-asistenta-victimelor-si-potentialelor>.

⁴⁹ <http://lex.justice.md/index.php?action=view&id=333441&lang=1&view=doc>.

⁵⁰ <http://lex.justice.md/viewdoc.php?action=view&view=doc&id=370442&lang=1>.

⁵¹ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=374992>.

⁵² <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=375580>.

⁵³ <http://lex.justice.md/md/374810/>.

⁵⁴ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=376768>.

⁵⁵ Bodrug-Lungu V., Triboi I., Ganea E. Report on assessment of implementation of the National Program on Gender Equality for 2010–2015. Support of OSCE Mission in the Republic of Moldova. Chisinau, 2016.

their rights are violated. Children also may address a complaint directly to the court of law.

122. The National Strategy on Child Protection (2014–2020) prioritizes the family-type and community-based protection for children in difficulty, addresses the negative effects of parents' migration on children left in the country, prevents the children's institutionalization and promotes their deinstitutionalization, strengthens the capacities of children to participate in decision-making, positive models of participation in community and society through: Local Councils of Children, Child Rights Monitoring Group, establishment of peer-to-peer educators teams for healthy life promotion.

123. The reform of the juvenile justice system covers all categories of children, such as minors victims and children that are witnesses of crimes and refers to the improvement of the legal framework, developing the community services of mediation, probation and community work as alternatives to detention and applied community-based services.

124. The access of individuals and groups at risk to the system of social guarantees is the key element in measuring the non-discriminatory treatment and equal opportunities for all members of society to receive Government aid with a view to diminish the risk of poverty. The system of services has an important role in the social protection system, as it comes to complement, and sometimes even to replace the system of cash benefits, contributing significantly to a more effective social inclusion.

125. Social Protection in the Republic of Moldova is in transition from the system of placing people with special needs in residential institutions to system of community-based social services.

126. In the reporting period, specialized agencies were created to strengthen the social protection system.⁵⁶

127. In the area of protecting the rights of persons with disabilities we note: the legal and current institutional frameworks comply with the UN Convention on the Rights of Persons with Disabilities; existence of the sector programs and strategies at the national level that include actions focused on inclusion of persons with disabilities; diversification and continuous development of the social services for people with disabilities in the last years; partnerships established between State institutions and CSOs for social inclusion of people with disabilities; existence of positive practice of social inclusion of persons with disabilities in different areas of life at national level.

128. In 2016, the number of the persons with disabilities was about 182.0 thousand people, including 11,7 thousand children aged 0–17 years. People with disabilities account for about 5.1 per cent of the total population of the country, and children with disabilities represent 1.7 per cent of the total number of children (source NBS⁵⁷).

129. In 2017, the Government approved a new National Program on Social Inclusion of Persons with Disabilities for 2017–2022, which provides a cross-sectoral approach to social inclusion of people with disabilities and ensures observance of their fundamental rights equal to other citizens in all spheres of social life.

130. Following the launch of the pension system reform and amendment of the relevant legislation, the gender inequalities connected to the retirement age and contribution period of women and men as eligibility conditions to benefit from old-age pension were eliminated. According to new provisions, the standard

⁵⁶ In 2011 the Social Inspection was established, the National Council for the Accreditation of Social Service Providers was established in 2012 and in 2016 National Agency on Social Assistance.

⁵⁷ http://www.statistica.md/public/files/ComPresa/Demografie/Situatia_pers_dizabilitati_2016.pdf.

retirement age for men and women is 63 years old (previously, the retirement age for women was 57 years old, and for men 62 years old), and the contribution period for both sexes is 34 years (prior to the reform, the contribution period for women was 30 years, and for men – 35 years). Nonetheless, the differences of women’s treatment compared to men are maintained in the pension system. Thus, on the basis of the traditional gender roles, women spend more time in the leaves (child care leaves, medical leaves), this has a negative impact on amount of pension as, for the mentioned period, the country’s monthly minimum wage at the date of pension calculation is taken into account in determining the average monthly insured income. Another gender-discriminatory issue refers to the possibilities of benefiting from early retirement pension. (Table 35, Annex 1).

131. The social insurances of social protection system show a disparity in the amount of old-age pension received by women and men (Table 36, Annex 1).

Part Two

Report on implementation of the convention on the elimination of all forms of discrimination against women in the Republic of Moldova

Article 1 and 2

132. The legislation of the Republic of Moldova provides equal rights for women and men in all areas of public and private life.

133. An important role in promotion of gender equality principles in Moldova is played by the two framework Laws: a) Law No5-XVI of 9 February 2006 on Gender Equality, b) Law No 121 of 25 May 2012 on Ensuring Equality.

134. In the reporting period, Law on Ensuring Equal Opportunities for Women and Men was amended by: introducing new notions (Gender Equality Coordination Group; sexual harassment, sexist language), the principle of gender equality; expanding the typologies of gender discrimination (direct, indirect, discrimination by association or victimization), extending the range of actions which are not considered discriminatory and introducing a new article to ensure equal treatment and access to and supply of goods and services for men and women.⁵⁸

135. In order to implement Recommendations of CEDAW (2013), the Government took actions to strengthen the institutional mechanism of women's promotion at national and local level.

136. The key innovative elements of the new provisions relates to introducing the Gender Coordination Groups within the ministries and other central administration authorities and Gender Focal Points in each local public authority. Gender Coordination Groups aimed to ensure gender mainstreaming in public policies and programs from all areas and at all levels of adoption and implementation of decisions. The members are Gender Focal Points from the subdivisions empowered to develop, promote and monitor policy in the activity area of the public authority. The head of the public institution/ministry coordinates the activity of the Gender Coordinating Group. Gender Focal point at local level ensures the gender mainstreaming in policy, programs, regulatory acts and financial investments.

137. The provisions of the Law on Ensuring Equality foresees non-discriminatory approach, by including new definitions related to the non-discrimination policy, such as: discrimination; direct discrimination; indirect discrimination; discrimination through association; racial segregation; incitement to discrimination; victimization; positive measures; reasonable accommodation; and by enlarging the range of protected criteria.

138. The law specifies the worst forms of discrimination in 3 the most sensitive areas of human activity: in employment, education, and the prohibition of discrimination in accessing public services and goods.

139. Institutional framework on Prevention and Elimination of Discrimination and Ensuring Equality includes the following subjects: a) Council for Prevention and Elimination of Discrimination and Ensuring Equality; b) public authorities; c) courts of law.

140. The legal framework also provided responsibility for the discrimination acts: disciplinary, civil, administrative and criminal. Another innovation aims at introducing the reversed burden of proof when the discriminated person brings an

⁵⁸ <http://lex.justice.md/viewdoc.php?id=315674&lang=1>.

action to court. The task to prove that the facts do not constitute discrimination belongs to the defendant, except for the facts that imply criminal responsibility. Persons who bring an action to court on matters of discrimination are exempt from paying filing fee.

141. During the reporting period legislative changes were introduced and capacities strengthened in the field of non-discrimination of the teachers, social workers and legal representatives.⁵⁹

142. The National Institute of Justice organized the continuous training courses related to Human rights, Woman's rights, Judicial practice on examination of cases related to DV and THB, for judges, prosecutors, court registrars, judicial assistants, heads of court chancelleries, prosecutor's consultants, probation counsellors, attorneys who ensure state-guaranteed legal assistance, other individuals who act in the justice sector. In this period training materials and books for the professionals and subjects mentioned above were developed.

143. Taking into account CEDAW recommendations, as well as the Agenda 2030, was adopted the second document of public policy – the Strategy on Ensuring Equality between Women and Men in the Republic of Moldova for the years 2017–2021 and the Action Plan, which aims to empower women and achieve de facto gender equality, by using the human potential of the society without gender discrimination.

144. The new NHRAP for 2018–2022 was approved, aiming to ensure the implementation of measures that will allow development and prosperity on equal terms for all citizens, addressed human rights through twelve areas of intervention, including protection against discrimination and promotion of equality, preventing and combating DV and ensuring gender equality.

Article 3

145. The normative framework provides equal access of women and men to social assistance, health care, education, employment, participation in public and political life.

146. 'Moldova 2020' National Development Strategy, approved in 2012, represents the country's strategic vision identifying 8 solutions for economic growth and poverty reduction.

147. Implementation of General Objective of the chapter 'Fair and sustainable pension system' had the greatest gender impact. The 2016 pension reform, aimed to achieve a higher equity in the public social insurance system, contributed to: 1) equalizing the retirement age of women and men to 63 years; 2) unification of method of pensions calculation for some citizens; 3) exclusion of the notion of special qualifying period; 4) adjusting the conditions for the granting of disability pension to the contributory process. In order to ensure the harmonization of the national strategic policy document to the Agenda2030 a new strategic document – National Development Strategy "Moldova 2030" was approved. It synergistically integrates the 4 broad policy areas covered by Agenda 2030(i) economic; (ii) social; (iii) environment; (iv) governance and human rights.

⁵⁹ 'Promoting Equality – Strengthening the Agents of Change' Project, funded by the EU in 2015, Study 'Compatibility analysis of national legislation with the European standards on equality and non-discrimination'.

148. Three Government programs were approved during the indicated period. In two of them (for 2013–2014 and 2015–2018) gender policy was a separate component of social policy.

149. In 2014–2017, UN Women in partnership with UNDP, with the financial support of the Swedish Government, implemented the ‘Women in Politics’ Program, aiming to support the increase of women’s participation in politics and decision-making by creating an environment favourable to their significant participation, to support women’s capacity development before, during and after the elections at the central and local level.

150. Report on the implementation of the National Program on Ensuring Gender Equality for 2010–2015, carried out in partnership with Gender Centre and OSCE Mission to Moldova, identified gaps and provided recommendations for promoting the Law No 71 of 14 April 2016, as well as for development of the new Strategy.

151. In the framework of the Project ‘Strengthening National Statistics System’, in partnership with five UN agencies (UNDP, UN Women, UNFPA, UNICEF and IOM) a new online tool ‘Gender Pulse’⁶⁰ was developed.

152. NBS in partnership with international organizations, developed the ‘Women’s Profiles of the Republic of Moldova’ (2016), which includes 10 Analytical Notes and 10 Infographics.⁶¹

Article 4

153. Taking into account the recommendations of the CEDAW Committee a 40 per cent quota representation of both genders was introduced in the candidates’ lists for Parliamentary and local elections and in forming the Government, as well sanctions for non-compliance that consist in the refusal of the electoral body to register the lists of candidates.

154. In order to create favourable conditions for women’s accession to politics, new legislative amendments on Funding of Political Parties from the State Budget were approved in 2018, with the following distribution of resources:

(a) 40 per cent – to political parties in proportion to the performance obtained at the parliamentary elections;

(b) 40 per cent – to the political parties in proportion to the performance obtained in the local general elections;

(c) 10 per cent – to political parties in proportion to their observance of at least 40 per cent share of women candidates from the total number of candidates nominated in all uninominal constituencies in the parliamentary elections. This increase will be determined from the sum, allocated for budget year of the respective party;

(d) 5 per cent – to political parties in proportion to the number of women actually elected as Member of Parliament in the uninominal constituencies;

(e) 5 per cent – to political parties in proportion to the young people actually elected in the general parliamentary and local elections.

155. In 2017, in the context of central public administration reform, the provisions on 40 per cent representation quota for both genders in formation of the Government Cabinet were excluded, stipulating that candidate for the Prime Minister must take

⁶⁰ <http://genderpulse.md/en>.

⁶¹ http://md.one.un.org/content/unct/moldova/ro/home/publications/joint-publications/note-analitice-_profilurile-femeilor-din-republica-moldova--2016.html.

into consideration legislation on gender equality correlated to criteria of professionalism and meritocracy.

156. Maternity protection remains a key objective of the Government activity. The national legal framework provides the social leaves including: maternity leave (which includes prenatal and postnatal periods) and partially paid parental leave, as well as maternity, paternity and parental allowances.

157. The monthly child care allowance until the age of 3 years is granted optionally, upon request to: one of the parents, grandfather, grandmother, other relative who is directly responsible for child care, as well as to the guardian, if these are insured persons and meet the legal conditions. The rate of monthly allowance for child raising until the age of 3 years constitutes 30 per cent of the basis of calculation, but not less than MDL 540 for each child. Also, the state provides the allowances for the persons with children under 2 that are not employed and insured.

158. Legislation on labour relations provides protection of the pregnant women, women who have recently given birth or those who are breastfeeding, they shall be transferred to an easier work in accordance with the medical certificate, shall not be admitted to night work, to extra work, to continuous-shift work and to work on non-working holidays. At the same time, the law prohibits use of pregnant women's labour, of women who have recently given birth and breastfeeding women in underground and mine works as well as in any other activities that pose risk for women's security or health or affect pregnancy or breastfeeding.

159. In 2016, Directive of the European Parliament and of the Council No [92/85/EEC](#) of 19 October 1992 on improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding, was transposed in national regulatory framework.⁶²

160. Provisions on special temporary measures for different vulnerable groups were included in the enrolment legislation of secondary, post-secondary and higher technical vocational education.

161. In compliance with the provisions of the Police Development Strategy 2016–2020, and for implementation of the actions provided in the European Union Budget Support Program for Police Reform 2017–2020 (component A.1.2 “Increasing women's participation in police”), Action Plan on increasing the share and role of women in the police was developed. It proposes to increase the number of women in the police staff to 20 per cent until 2020, and of women police officers to 15 per cent (Table 31, Annex 2).

162. Article 42 of the Broadcasting Code provides the observance the minimum representation quota of 40 per cent for both genders in appointment of members of Broadcast Coordination Council.

Article 5

163. A number of modules for the Class Coordination curriculum was developed and proposed as an optional courses for the I-XII grades pupils, in order to promote values of gender equality, healthy family relationships, non-violent communication and gender partnership.

164. In order to prevent/eliminate gender discrimination and domestic violence, ‘Promoting gender equality’ Project was implemented in partnership with the Gender-Centre Public Association, MoECR and OSCE Mission to Moldova

⁶² <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=368177>.

(2015–2017), over 2500 pupils, teachers and managers from vocational schools/colleges benefited.⁶³

165. In the reporting period, to prevent the cases of abuse, neglect, exploitation, child trafficking in educational institutions, MoECR developed the procedure of institutional organization and staff interventions that include also the recommendations on non-violent conflict resolution of any kind, not just between boys and girls.

166. The NBS 2013 ‘Time Usage’ Study reveals that women and men use time differently in one and the same human activities. Men, on average, work for an income 45 minutes more than women. Women, in turn, dedicate to household activities 2 hours more per day.⁶⁴

167. According to 2015 ‘Men and Gender Equality in the Republic of Moldova’ Study,⁶⁵ 90.5 per cent men and 81.5 per cent women consider that the most important for a woman is to take care of home and cook for the family. The share of men who consider that changing nappies, washing and feeding children are women’s responsibilities is even higher – 95 per cent. This indicator is also quite high among women – 75.1 per cent (3 of 4 women) agree with this statement.

168. The Government acted in compliance with recommendations of the Committee to combat gender stereotypes and patriarchal attitudes regarding the roles of women and men in family and society through: working with media outlets to increase gender balanced coverage in media products and to change public perceptions about the role of women in society.

169. Social leaves were diversified by including a new type of leave for fathers – paid paternal leave, granted on the basis of a written application during the first 56 days after the childbirth, for the period of 14 calendar days. Since 2017, when this type of leaves became applicable, 2728 fathers in 2017 and 2030 fathers in 9 month 2018 benefited from it. To inform and encourage men to benefit from paternal leave, MHLSP in partnership with UN Women Moldova created a video spot on this subject, broadcasted on national TV channels and social networks.⁶⁶

170. In order to increase involvement of parents and legal representatives in children’s development, the Cross-Sector Strategy for the Development of Parenting Skills and Competencies 2016–2022 was approved, developed a Guideline on ‘Communicating effectively with families’ and organized capacity building activities for community teams (teacher, nurse, social worker).

171. In Republic of Moldova, 63 per cent of women are affected by DV of their spouse from the age of 15, and 1 in 10 women mentioned that she suffered from economic violence at least once in her life.

172. In 2016 the violence preventing and combating legal framework was amended by: introducing the emergency restriction order for victims of DV, harder punishment of aggressors for violation of the restriction order and protection order, state obligations to support existing services for domestic violence victims and creation of new services, payment of a financial compensation to victims, their exemption of state fee and provision of state guaranteed legal aid, etc.

⁶³ <http://www.osce.org/moldova/208616>.

⁶⁴ <http://www.statistica.md/newsview.php?l=ro&idc=168&id=4055>.

⁶⁵ http://cdf.md/files/resources/130/Raport_Barbatii%20si%20egalitatea%20de%20gen.pdf.

⁶⁶ https://www.youtube.com/watch?v=JxazCF6E1N8&index=13&list=PLW8tTWcbumlc_BiH2kuObnNi-AYMkgI0F.

173. Three important articles on DV and VAW were introduced to the Contravention Code: 781 – Domestic Violence; 782 – Acts of Persecution; 3181 – Failure to execute the emergency restriction order.

174. The Civil Procedure Code was complemented by provisions on situations when the victim or child victim cannot file a complaint. Also, responsibility of the professionals in these cases and the victim's right to request state-guaranteed legal aid are provided.

175. The Criminal Code was amended by rewording of three articles: Article 1331 – Family Member; Article 2011 – DV, Article 3201 – Failure to Execute Measures of Protection Order of the Domestic Violence Victim, in compliance with international standards.

176. 'Sixteen Days of Activism against Gender Violence' International Campaign runs at national level over the 16 years, from 25 November to 10 December. MHLSP, in cooperation with relevant NGOs and international organizations, coordinates the Campaign.

177. In the country there is a specialized services network that provides services to victims of DV and their children (10 Placement Centres, Day Care Centres and the Hotline for VAW and DV Incidents).

178. The module 'Domestic violence' is included in the curricula of 'Stefan cel Mare' Academy of the MIA and in the initial and ongoing training programs of police officers.

179. To strengthen the capacities of judges and prosecutors to ensure women's access to justice, in the framework of a CoE regional project, a national Study 'Barriers, Remedies and Good Practices for Women's Access to Justice in the Republic of Moldova' was conducted and training handbook was developed.

180. MHLSP in partnership with HelpAge in Moldova produced 3 video spots in Romanian and Russian that address different types of violence, to raise awareness and inform the population about the phenomenon of violence against the elderly.⁶⁷ A number of projects were implemented to strengthen capacities of the territorial multidisciplinary teams, community groups of elderly in preventing and combating violence against elderly women.

181. Use of sexist language and sexist advertising was prohibited by law in 2016, relevant contravention sanctions were provided⁶⁸ and developed the Guidelines on non-sexist language. MHLSP in partnership with UN Women Moldova created an awareness-raising video on sexist advertising and promoting/ensuring gender equality principle, produced 4 thematic videos to prevent and combat DV and gender stereotypes, all of them being broadcasted on national TV channels and social networks.^{69,70}

⁶⁷ <https://www.youtube.com/watch?v=HWL20MWoojQ&list=PLzbdidOr2e1TsekVuqGtRx6dthmLWpEkU&index=4>.

⁶⁸ <http://lex.justice.md/md/365019/>.

⁶⁹ https://www.youtube.com/watch?v=zNdzbL14UtY&index=16&list=PLW8tTWcbumlc_BiH2kuObnNi-AYMkgI0F;
https://www.youtube.com/watch?v=pIRd2kMTrBY&list=PLW8tTWcbumlc_BiH2kuObnNi-AYMkgI0F&index=8.

⁷⁰ <https://www.youtube.com/watch?v=obkXg97VD0Q&index=20&list=PLW8tTWcbumlcH30f6oIayUrFjy6gqk0U>;
<https://www.youtube.com/watch?v=HAeetHS3828&index=18&list=PLW8tTWcbumlcH30f6oIayUrFjy6gqk0U>
<https://www.youtube.com/watch?v=obkXg97VD0Q&list=PLW8tTWcbumlcH30f6oIayUrFjy6gqk0U&index=20>.

182. To protect the women's reproductive health, the regulatory framework on labour relations prohibits use of women's labour in hard, hazardous and underground works.

183. Masculinization and feminisation of professions remains a challenge in both the educational system and the labour market, women being under-represented in areas as information technologies, construction, industry and agriculture. At the same time, they predominate in: services sector, education, health, social assistance.

Article 6

184. The Republic of Moldova created legal and institutional framework on preventing and combating THB, efforts being coordinated by the National Committee for Combating Human Trafficking.

185. During the reporting period the Government strengthened existing legal framework by adopting some amendments and new⁷¹ regulatory acts to guide and produce an impact on the prevention and combating of THB crimes, protection and assistance to victims and potential victims,⁷² also building a new rehabilitation system for the victims of crimes⁷³ (Table 1–2, Annex 2).

186. According to Article 165 and 206 of the Criminal Code, human trafficking and child trafficking are punishable by imprisonment from 6 to 20 years and, respectively, from 10 to 20 years with deprivation of the right to hold certain positions or exercise certain activities for a period of 2 to 5 years, and the legal entity shall be punished with a fine from 3000 to 10000 conventional units, with deprivation of the right to conduct a certain activity or with the liquidation of the legal entity (Table 3, Annex 2).

187. Concerning prevention of THB, Government in partnership with civil society and development partners annually conducted information campaigns at national and local level. In addition, actions of pro-active prevention continued through the National Referral System (NRS) for Protection and Assistance to Victims and Potential Victims of Human Trafficking by offering support to the potential victims – particularly vulnerable people, who may become victims of THB.⁷⁴

188. During the reporting period, the NRS Platform continued training of the multidisciplinary teams and professionals from other areas: Customs Service; representatives of the diplomatic corps (consuls); Border Police; community mediators; doctors; paralegals; attorneys; NEA/ TEA.

⁷¹ GD No 210 of 24.03.2014 on Providing Exempts for Issuance of Identity Papers; GD No 228 of 28.03.2014 Approving the Regulation on Activity of Territorial Multidisciplinary Teams within the National Referral System; GD No 898 of 30.12.2015 approving the Framework-Regulation on Organisation and Operation of the Protection and Support Service for Victims of Human Trafficking and Minimum Quality Standards, Law No 32 of 16.03.2018.

⁷² National Plans on Preventing and Combating Human Trafficking and the recent National Plan for 2014–2016, approved by GD No 484 of 26.06.2014; Regulation of the National Committee for Combating Human Trafficking, approved by GD No 472 of 2008; Law No 241-XVI of 2005 on Preventing and Combating Human Trafficking; The National Referral System Strategy for the Protection and Assistance to Victims and Potential Victims of Human Trafficking and Action Plan of the National Referral System Strategy, adopted by Parliament Decision No 257 of 5.12.2008; GD No 270 of 8.04.2014 approving the Guidelines on intersectoral cooperation mechanism for the identification, assessment, referral, assistance and monitoring of children victims and potential victims of violence, neglect, exploitation and trafficking, set of measures regarding the implementation of priority actions in preventing and combating THB, approved by the Prime Minister on 4.08.2017.

⁷³ Law No 137 of 29.07.2016.

⁷⁴ Information campaigns focused on raising public awareness of THB, preventing labour trafficking, promoting safe use of Internet, reducing the vulnerability of certain social groups to THB phenomenon (European Day against Trafficking in Human Beings, 'Invisible among Us').

189. In the reporting period, Government developed and implemented 2 action plans for the periods: 2012–2013 and 2014–2016 and also approved for the first time the National Strategy for Preventing and Combating Trafficking in Human Beings for 2018–2023 and the 2018–2020 Action Plan. We also note efforts in the international cooperation area, related both to cooperation of law enforcement and public order bodies, making training of joint investigation teams possible, and to addressing human trafficking within social protection area.⁷⁵

190. Currently, official legal or judicial interpretation of the notion ‘prostitution’ does not exist in the national legal framework. Given the prohibitive approach to prostitution phenomenon, the legal framework contains provisions for punishment for the respective actions by reflecting them in crimes related to the prostitution: Article 135¹ Crimes against Humanity; Article 165 Human Trafficking; Article 206 Child Trafficking; Article 208 Involving Juveniles into Criminal Activity or Encouraging them to Commit Immoral Acts; Child Pornography 208¹; 208² Use of Prostitution Practiced by a Child. At the same time, the call or determination to prostitution or facilitation of prostitution, or taking advantage from prostitution by another person are regarded as a crime in Article 220 of Criminal Code, if the deed does not meet the elements of THB, and are punishable by a fine of 650 to 1350 conventional units or with imprisonment from 2 to 10 years.

191. Also, Article 89 of the Contravention Code regulates the practice of prostitution as an act carrying a lower degree of social danger, and is punishable by a fine of 24 to 36 conventional units. We emphasize that persons using services provided by commercial sex workers cannot be held liable. Likewise, production, sale, distribution or storage of pornography products are sanctioned according to the Contravention Code (Article 90) with a fine of 24 to 30 conventional units, applied to physical persons or a fine of 60 to 90 conventional units for legal entities.

192. During the reference period, a draft law proposing amendments to the current Article 89 of the Contravention Code was developed. Amendments include definition of the prostitution, as well as a new element regarding punishment of the beneficiary who purchased paid sex services, maintaining the punishment for the person who provide such services.

193. We also mention development of two Studies in the area of social and legal analysis of sexual violence.⁷⁶

194. In case of sexual intercourse crimes committed by a person’s physical or mental coercion or taking advantage of its inability to defend themselves or to express their will, Article 171 of CC ‘Rape’ provides for 3 to 20 years or life imprisonment.

195. In 2016, a new Guidelines on sexual crimes investigation was approved in accordance with human rights principles.

⁷⁵ During the reference period CCHT officers conducted international operations and cooperated with the following countries: Belgium, Russian Federation, Benin, Cambodia, United States of America, Germany, Ukraine, Turkey. During 2013–2017 General Prosecutor’s Office submitted to competent authorities of other states 69 applications of the rogatory commissions on crimes stipulated in Article 165 and Article 206 of Criminal Code, of which: 45 applications were sent to the competent authorities of the Russian Federation, 1 – Cambodia, 2 – Portugal, 6 – Ukraine, 3 – Italy, 1 – Slovenia, 1 – Turkey, 1 – Cyprus, 2 – Greece, 1 – Switzerland, 1 – Germany, 1 – Estonia, 1 – Czech Republic. At the same time, the General Prosecutor’s Office received for execution 13 applications on criminal cases from rogatory commissions: 2 applications from Belgium; 2 – Ukraine; 1 – Slovakia; 1 – Italy; 1 – Portugal; 1 – Turkey; 1 – Spain; 1 – Russian Federation.

⁷⁶ <https://bit.ly/2tBwa9U>; http://cdf.md/files/resources/75/Capacity%20Assessment_Ro.pdf.

196. In order to monitor activity of the private foreign employment agencies, a new Law on employment promotion⁷⁷ was approved, that foresees provisions regarding monitoring the activity of private agencies; partial exclusion of the prohibition to charge payments.

197. In the context of the monitoring of the migration aspects and impact, since 2012 the Government has approved the List of Indicators and the Extended Migration Profile Template of the Republic of Moldova. The Bureau for Migration and Asylum of MIA was delegated annually to produce and update the indicators of this Profile and to develop the Analytical Report every three years on the basis of the Indicators List and the Profile Template, and starting with 2016 – annual preparation of the Statistical Compendium of the Extended Migration Profile.⁷⁸

Article 7

198. During the reporting period, legal amendments that contributed to the accountability of political parties regarding implementation of the gender equality principle were introduced, and concerns the obligation to respect a minimum quota of 40 per cent for both genders representation in the governing bodies and in the lists of candidates. This provision is provided in the Law on Gender Equality, Electoral Code and the Law on Political Parties.

199. Also, legal framework foresees favourable conditions for women regarding the mandatory number of signatures to be collected for women's registering as candidates to members of Parliament in the single-member constituencies. Thus, a woman candidate can be registered if she presents signatures of at least 250 (for men 500) and no more than 500 (for men 1,000) supporters with the right to vote from the constituency she runs in.

200. 1,649,402 voters participated in the 2014 Parliamentary elections, of which 54 per cent were women and 46 per cent were men. 2,269,305 voters participated in the 2015 local general elections, out of which 54 per cent were women and 46 per cent men. The same situation was registered at the 2016 Presidential elections, where the women's share (53 per cent) prevailed in men's share (47 per cent), 3,046,769 voters participated in these elections.⁷⁹

201. In accordance with the Study 'Gender Barometer: How do Women and Men Participate in Politics and Decision-Making?'⁸⁰ 2017, the share of women among members of the political parties is of 41.1 per cent, and of men – 58.9 per cent.

202. At the level of legislative power, during the reporting period, the number of women in decision-making positions was constant. At the level of central government, considerable increase of the number of women in Cabinet of Ministers was registered, from 20.8 per cent in 2016 to 38.5 per cent in 2017, following the central public administration reform designed to review institutional competencies and decrease number of ministries from 16 to 9. Concerning the women's representation at the local level, a slight increase of number of women-mayors is registered, of 2.6 per cent in 2015 as compared to 2011. The representation of women in local, district and municipal councils has increased by 1.4 per cent and, respectively, by 2.2 per cent in 2015, as compared to 2011 (Table 4, Annex 2).

203. The collective efforts made by the Government in partnership with UN Women/UNDP on women's capacity building in order to run for elected positions

⁷⁷ <http://lex.justice.md/md/376758/>.

⁷⁸ http://www.mai.gov.md/sites/default/files/document/attachments/raport-analitic-pme_2010-2015_ed_2016.pdf.

⁷⁹ <http://cec.md/index.php?page&id=1826&l=ro>.

⁸⁰ http://progen.md/files/8393_final_barometrul_de_gen_rom.pdf.

(mayors, local councillors), as well as women already elected, resulted that for the first time in the history of Moldova, 7 Roma women were registered on the electoral lists of political parties and as independent candidates in the local elections, 2 of them were elected as local councillors.

204. To support the women's involvement in political life, the Gender Equality Platform consisting of 28 NGOs and independent members active in promoting gender equality was created in 2015, thus also establishing a constructive dialog between state and CSOs active on gender equality.

205. In the Republic of Moldova there are no female political prisoners, or women who became victims of sexual abuse during the detention, there were not documented cases of discrimination against women for participation in political activity.

Article 8

206. During the reporting period, 6 women were accredited as heads of diplomatic missions and consular offices of the Republic of Moldova in foreign countries (Israel, Council of Europe, Italy, Estonia, Spain, Canada).

207. In the period 2013–2017 3 women CoE officials work in the CoE Office in Chisinau: the Head of the Office ad interim, assistant of the Head of the Office, as well as project manager.

208. In the same period, the Government appointed 134 government experts in the working bodies and Monitoring Committees of the CoE Committee of Ministers, 57 positions being occupied by women. Areas of expertise include human rights, democracy and the state of law.

209. Within the CoE structures, 36 women holding Moldovan citizenship work both in Strasbourg and CoE foreign Offices (17 of them have fixed-term employment contract (CDI/CDD) and 19 have indefinite contract (with monthly renewal).

210. According to the UN Report on the Composition of the Secretariat of 11 July 2017, there are 20 employees from the Republic of Moldova, including 10 women and 10 men. The chances are roughly equivalent for women and men as judged by the proportion of women's representation in national delegations in the UN or by the employment level in the UN system.

Article 9

211. According to the national legal framework citizens of the Republic of Moldova are equal before the law and public authorities, benefit from all political and socio-economic rights and freedoms proclaimed and guaranteed by the Constitution and other laws, by international agreements to which Republic of Moldova is a party. Both men and women have equal rights to obtain, change and maintain the citizenship of the Republic of Moldova.

212. According to Article 7 of the aforementioned Law, changing the nationality of one of the spouses or marriage to a foreign citizen or a stateless person produce no effect on the citizenship of the other spouse or the nationality of the child if there is no written request from the parents on this matter. Citizenship of the Republic of Moldova shall be acquired by birth, recognition, adoption, recovery and naturalization. In all these ways, the mother's nationality has the same significance as the father's in acquiring of the child's citizenship.

213. In 2017 the Law on Citizenship was amended and includes the following innovative elements: expansion of the right to acquire citizenship upon beneficiaries of the international protection; expansion of criteria for acquiring citizenship for the child who was 'born on the territory of the Republic of Moldova, from parents having

nationality of another state or one of them is stateless or beneficiary of the international protection, provided that, at the childbirth time, at least one of the parents has the right to stay or he/she benefits from international protection granted by the competent authorities of the Republic of Moldova'. In the respective situation, the legislator specified that 'parents of the child shall decide by mutual agreement on his/her citizenship. If the parents do not agree on child's belonging to the Republic of Moldova, the court will decide taking into account the child's interests. If the child reached the age of 14 years, his/her consent legalized by a notary is required'.

214. According to the legal framework foreign citizens and stateless persons enjoy the same rights and responsibilities as the citizens of the Republic of Moldova, considering the exceptions foreseen by law.

215. The grounds for issuance of the passport to citizens of the Republic of Moldova and the travel document to stateless persons residing in the Republic of Moldova is based on their or their legal representatives request submitted as prescribed by the law.⁸¹

216. According to legal provisions, passport of the citizen of the Republic of Moldova and the travel document for stateless persons are issued to the citizens and the stateless persons for when they leave or enter the Republic of Moldova.

217. Children under the age of 18 and persons subjected to judicial protection – guardianship, receive passports at the request of one of their legal representatives. Children aged 10–18 years who leave to reside abroad submit their consent expressed in a declaration in which their signature is legalized by a notary. If one of the children's parents who is under 18 years old does not accept his/her departure out of the Republic of Moldova, the refusal can be appealed in competent court.

218. Minors have the right to leave and enter the Republic of Moldova only being accompanied by one of their legal representatives or accompanying person, assigned by the legal representative through a declaration. Signature of the legal representative shall be legalized. The declaration shall indicate the purpose of the journey, its duration and the country of destination.

219. If the minor leaves to reside abroad, it is necessary to have legalized consent declaration of both parents. When parents are not legal representatives of the child, the declaration of consent submitted by the legal representatives expressed by the decision of the guardianship authority, shall be presented.

Article 10

220. According to Constitution, education shall be ensured by way of compulsory comprehensive school system, by secondary education and vocational education, by higher education system as well as by other types of training and upskilling. As well, the State shall ensure the right to choose the language of education, as provided by the law.

221. The right to education is also regulated by the new Education Code,⁸² which establishes the legal framework of the relations regarding the design, organization, functioning and development of the education system and promote inter-cultural dialogue, tolerance, non-discrimination and social inclusion. In order to ensure the access of Roma children, persons with disabilities to vocational training, quotas were provided for enrolment to secondary, post-secondary and technical vocational education and to higher technical education.

⁸¹ <http://lex.justice.md/index.php?action=view&view=doc&lang=1&id=311638>.

⁸² The Education Code, <http://lex.justice.md/md/355156/>.

222. Separate disciplines for boys and girls do not exist. Admission to secondary, post-secondary and post-secondary non-tertiary technical vocational education, as well as to higher education is based on the average mark in the education certificate.
223. As regards boys and girls' share at different educational levels, there is a gender balance at the primary and secondary stage of education.
224. According to NBS data, the overall literacy rate shows 99.36 per cent in total, 99.60 per cent among men and 99.14 per cent among women (Table 5, Annex 2).
225. Non-mixed schools do not exist in the education system of the Republic of Moldova.
226. 'Civic Education' subject is compulsory and is taught in grades V-XII. The 'Personal Development and Career Guidance' module presents professions and career opportunities, but without specifying whether it is about a boy or a girl.
227. As regards the share of graduates in different specialties, there is a greater discrepancy at the level of vocational education (Table 6 Annex 2).
228. Scholarships for the students listed above are provided on the basis of merits; currently there is no database on the gender-based distribution of merit scholarships among boys and girls.
229. There are no educational programs for girls and women who have abandoned their studies before the time.
230. The most frequent causes of school dropout in the Republic of Moldova are poor social conditions, emigration, unofficial employment, etc.
231. There is a larger gap in the share of women from the total teaching staff in primary, secondary general education and higher education (Table 7–10, Annex 2).⁸³
232. Family Planning course does not exist in general secondary, secondary and post-secondary technical vocational education. Tangentially, 'Education for Health' optional discipline at the State University of Medicine and Pharmacy 'N. Testimitanu' includes family planning issues. Likewise, the topic is also addressed in the 'Psychosexology and Sex Education' subject at the Moldova State University (Master's degree course in Counselling of Family Problems).
233. The curriculum for physical education is common for girls and boys and they participate equally at the sports classes. At the same time, the prohibitions on sportswear or equipment do not exist, girls and boys choose it by themselves.
234. Since 2015, the GirlsGoIT Initiative was established within the partnership between public and private sector representatives and development partners with purpose to train girls for STEM studies and ICT labour market by internships in companies from the area. So far, 2 rounds of summer schools were organized and 13 IT clubs led by girls graduates of the summer school were established for other girls from the community.
235. In order to facilitate the economic integration of job-seekers, including young women, NEA provides information and services through active and passive measures implemented on the labour market.⁸⁴

⁸³ <http://genderpulse.md/ro/educatie/incadrarea-in-sistemul-de-invataman/rata-de-parasire-timpurie-a-sistemului-educational>.

⁸⁴ <http://anofm.md/>.

Article 11

236. According to the legal provisions, every person shall enjoy the right to work, to freely choose his/her profession and workplace and guarantees equal rights and opportunities and equal treatment of women and men in employment.

237. According to the Law on Ensuring Equality, any difference, exclusion, restriction or preference based on the criteria established in Law, that intend to limit or undermine the equality of chances or treatment upon employment or dismissal, during the work itself and professional training, shall be prohibited. Discrimination based on sexual orientation shall be prohibited in employment and occupation.⁸⁵

238. The Labour Code stipulates the basic principles of regulation of employment relationships and other relationships directly related to them, including inter alia: prohibition of forced labour (compulsory) and discrimination in employment relationships, ensuring equality in access to labour market, equal rights and opportunities of the employees.

239. The National Employment Strategy for 2017–2021⁸⁶ aims at increasing the employment level and its quality, the competitiveness and labour force employability, along with a higher degree of inclusion, in particular of socially vulnerable groups, on the labour market (Table 14–16, Annex 2).

240. In the reporting period, the differences of the employment rate, unemployment rate and activity rate between women and men were maintained at the same level (Table 13, Annex 2).

241. According to 2017 NBS data, distribution by economic sectors reveals a higher share of women employed in service provision sector (60,3 per cent – women and 39,7 per cent – men). Women are less present in the following sectors: agricultural (43.2 per cent), industrial (44.9 per cent) and construction (8.2 per cent), however, they are in the majority in such economic activities as trade (58.6 per cent), hotel and restaurant industry (67.5 per cent), education (79.9 per cent), health care (84.4 per cent).⁸⁷

242. The largest gender pay gap are in the financial activities, information and communications, art, recreation and leisure activities. The level of women's remuneration is lower than of men in most economic activities. where the discrepancy is from 0.4 per cent in education to 41.4 per cent in financial and insurance activities (Table 17, Annex 2).

243. In the national legal framework the principle of equal pay for equal work or for work of equal value between men and women was included and the failure to comply with this principle is considered as an employer's discriminatory act.

244. In accordance with the Law, the salary is established without discrimination based on age, gender, race and nationality, political beliefs, denomination and financial status. The same provision are included in the new draft Law on the salary system, approved by the Government and sent to Parliament to adoption.

245. The Labour Code provides that the state guarantees related to labour remuneration comprise the minimum wage established by the state, the state waging

⁸⁵ <http://lex.justice.md/md/343361/>.

⁸⁶ The main objective of the Strategy is increasing formal employment based on economic competitiveness, skills and appropriate qualifications, in a sustainable and inclusive development environment. Four sectoral priorities have been identified to achieve this objective, which include coherent and concerted objectives, relevant for both labour demand and supply, development of labour market governance capacities and better management of labour migration.

⁸⁷ <https://bit.ly/2mckUgj>.

tariffs in the budgetary sector, the minimum guaranteed amount of the wage in the real sector, as well as the compensatory supplements and increments guaranteed by the state and regulated by the legislation in force.

246. The employees are subject to state social insurance and benefit from all guarantees, compensations and other payments provided by the state social insurance system according to ILO standards.

247. The national legislation does not establish gender-differentiated rights for women and men related to the use of paid annual leave or for vocational training. Thus, the Labour Code uses the definition of ‘employees’ and contains general and particular rules applicable to both women and men.

248. According to the Labour Code, paid medical leave shall be granted to employees and apprentices on the basis of the medical certificate issued according to the legislation in force. Employed women and female apprentices, as well as dependant wives of employees shall be entitled to maternity leave (including prenatal and postnatal leaves), receiving allowances from the state social insurance budget during this period. As well, upon the request after the expiration of the maternity leave employed women, female apprentices, dependant wives of employees (as well other persons: child’s father, one of the grandparents, any other relative who is directly looking after the child) shall be entitled to a partially paid leave for child care up to the age of 3 years. Besides the maternity leave and partially paid leave for child care up to the age of 3 years, the persons mentioned above shall be entitled, on the basis of a written request, to an additional unpaid leave for looking after the child aged between 3 and 4 years, with keeping his/her job (position) or giving another equivalent job (position).

249. It is important to note that in the reporting period, the unpaid child care leave for children aged 3 to 6 years was reduced by 2 years, so currently it is only one year.

250. After reforming the pension system, starting with 01.07.2019, the standard retirement age for men will be 63 years, and from 01.07.2028, the standard retirement age for women will be 63 years. These ages are achieved by increasing annually the standard retirement ages according to the schedule provided for in the Law on Public Pension System (Table 18–19, Annex 2).

251. In addition, the survivor spouse is one of the beneficiaries of survivor’s pension granted by the state to the surviving spouse if, at the time of death of the breadwinner or during 5 years after the death, he/she reached the retirement age or was severely or advanced disabled, had at least 15 years of marriage with the deceased and was not remarried.

252. The rate and the basis for calculation of the individual contribution to the compulsory state social insurance is 6 per cent of the monthly salary and other remuneration for all employees.

253. At the same time, for certain categories of payers (both for men and women) not belonging to the employees category, a fixed amount is established annually by the Law on State Social Insurance Budget.⁸⁸

⁸⁸ These categories include: founders of individual enterprises; notaries; bailiffs; lawyers who have registered one of the forms of organization of the lawyer’s activity; authorized administrators who have registered one of the forms of organization of the activity of administrator; self-employed individuals in the field of retail trade, except for trade in excisable goods; holders of the entrepreneurial patent, except for pensioners and persons with disabilities.

254. The social assistance provides social benefits and services for people in need. Social benefits and services are established on the basis of assessment of a person's needs that are confirmed through social inquiry and other confirming documents.

255. According to the Labour Code,⁸⁹ the refusal of employment or salary reduction for reasons of pregnancy or existence of children under the age of 4 is prohibited. The employer shall inform in writing the person concerned of the grounds for refusal to employ a pregnant woman or a person having a child under the age of 4 for other reasons, within 5 calendar days after the application for employment was recorded with the entity. The refusal of employment may be appealed before the court.

256. According to the legislation, the work done by a pregnant woman, a woman who has recently given birth or a woman who is breastfeeding appears to present risks for her safety and health or may affect her pregnancy or breastfeeding, the employer shall take the necessary measures in order to exclude the influence of the risk factors on those persons by a temporary change in working conditions. Pregnant women, women who have recently given birth and breastfeeding ones will be transferred from night work to day work, while keeping average wage from the previous workplace.

257. At the same time, dismissal of pregnant women, women with children aged under 4 and persons on parental leave, except for the cases established by the law, is prohibited.

258. At the request of a pregnant woman, an employee who has children under the age of 10 or children with disabilities (including under the employee's guardianship) or of an employee who takes care of a sick family member, on the basis of a medical certificate, the employer is obliged to establish part-time day or week of employment.

259. According to the Labour Code, the employer shall be liable to compensate in full the material and moral damage caused to the employee in connection with the performance of his/her work assignments, in case of employee's discrimination at the workplace or as a result of illegal deprivation of the possibility to work, unless this Code or other regulatory acts provide otherwise.

260. The legislation guarantees the right to paid annual leave for all employees. Any employee working under an individual employment contract shall benefit from the right to annual leave of at least 28 calendar days, with the exception of non-working days. Also, the annual leave may be granted to women, upon written request, prior to the maternity leave or immediately after it, or after the childcare leave, regardless of the length of service in the given entity. The child's father, one of the grandparents or other relatives who take care of the child may also benefit from leave after the childcare leave.

261. Another period of annual leave can be established by organic law for employees in some branches of the national economy (education, health care, public service, etc.).

262. The partially paid leave for care of children born from a twin, triplet or multiple pregnancy is granted upon written request to both parents or other above-mentioned insured persons.

263. The share of men who benefited/benefit from monthly childcare allowance up to the age of 3 years increased significantly from 1.4 per cent in 2013 to 9.6 per cent in 2017 (Figure 1, Annex 1).

264. The regulatory framework provides for compensation increments to employees for working in unfavourable, heavy and particularly harmful conditions.

⁸⁹ <http://lex.justice.md/md/326757/>.

265. Persons with severe and advanced disabilities, one of the parents (guardian, curator) who have children under 4 years or children with disabilities, persons combining childcare leave with work, and employees who take care of a sick family member on the basis of medical certificate may perform night work only with their written consent. At the same time, the employer is obliged to inform in writing the above-mentioned employees about their right to refuse night work.

266. According to the Education Code the early childhood education include two cycles: ante-preschool education – crèche, community centre of early education for children aged 0–3 years and preschool education, for children aged 3–6 (7) years. In this regard, the state provides financial support for children attending early education institutions.

267. According to the Labour Code, one of the parents (guardian) who have children aged up to 3 years shall be given, in addition to the lunch break, additional breaks for child feeding, which are included in the working time and shall be paid based on the average salary.

268. As well the employer is obliged to introduce provisions in the internal regulation of the entity on prohibition of discrimination based on any criterion, including sexual harassment.

269. According to the Contravention Code, harassment at the workplace shall be punished by a fine of 130 to 150 conventional units for individuals and by a fine of 250 to 400 conventional units for legal responsible persons.

270. Sexual harassment is regarded as a criminal offense, which, according to Criminal Code, shall be punished by a fine in the amount of 650 to 850 conventional units or by community service for 140 to 240 hours or by imprisonment for up to 3 years.

271. Studies show that every fifth working woman in the Republic of Moldova is subjected to subtle forms of sexual harassment at work, and 4 out of 100 face serious forms of harassment.⁹⁰

Article 12

272. According to legal framework, the right to health protection is guaranteed and the patients, women and men, equally have the right to information, education and services necessary for a normal sexual and reproductive health, without discrimination.

273. The Law on Compulsory Health Insurance establish governmental insurance for certain categories of non-employed persons domiciled in the Republic of Moldova and recorded with the authorized institutions of the Republic of Moldova, including pregnant women, women during the labour and women during the post-partum period, women with 4 or more children.

274. The legal framework guarantees the access to reproductive health care and family planning services for every person, either women or men.

275. In order to improve the quality of reproductive health services, during the reporting period MHLSP ensured the access of vulnerable groups to contraceptives procured at primary health care level from compulsory health insurance funds. In this

⁹⁰ http://progen.md/files/8257_cpd_cdf_analiza_hartuirea_sexuala_final.pdf.

regard, primary health care facilities annually provide people from vulnerable groups with contraceptives free of charge, according to estimated needs.⁹¹

276. The national regulatory framework guarantees access to voluntary surgical sterilization of women and men, made only with their desire, or at the indication of the physician with the written consent of the person in public and private health care facilities. Performance of surgical sterilization by persons without appropriate medical education, as well as in non-specialized health care facilities shall be punished according to the law.

277. According to the Criminal Code, forced sterilization is punishable by imprisonment for 10–20 years.

278. In order to provide girls and women with mobility impairments with access to gynaecological services, in 2017, for the first time 30 Youth-Friendly Health Centres were equipped with medical equipment adapted for these groups of girls and women, with the support of UNFPA and the Swiss Cooperation Office.

279. The National Programme on Prevention and Control of HIV/AIDS and Sexually Transmitted Infections for 2016–2020, comprises specific activities for the entire population including adolescents and socially disadvantaged target groups (persons in detention, persons providing sexual services, etc.).

280. The access of female detainees to medical services is ensured for the whole period of detention. Pregnant women detainees benefit from prompt health care – gynaecological, therapeutic support according to national standards. During the last trimester of pregnancy pregnant women are transported to penitentiary hospital under the supervision of the obstetrician-gynaecologist. Later on, at the appropriate time of birth, the female detainees are hospitalized at a civil maternity hospital. Where necessary, all medical investigations necessary both for pregnant women, mothers and children under 3 years are carried out within civil health care facilities (Table 20, Annex 2).

281. After discharge from hospital, women during the post-partum period with children are hospitalized at the penitentiary hospital “Mother and Child Home” to be supervised by the gynaecologist and paediatrician. After birth, women are provided with specialized medical care according to medical prescriptions. At the age of 3, with the written consent of the mother and with the consent of the guardianship authority, the child is given to the care of a person appointed by her or to the children’s institution. On request of the convict, the penitentiary administration may extend up to 6 months the stay of the child with his/her mother.

Article 13

282. Insured/uninsured persons domiciled or residing in the Republic of Moldova have the right to receive social benefits for families with children, paid from the public social insurance system.

283. The amount of the single childbirth allowance is established equally to the monetary value of the minimum basket of goods necessary at childbirth, calculated for the year preceding the childbirth. The amount of the single childbirth allowance is approved annually by the Government.

⁹¹ According to the Regulation developed in this context by MHLSP, the vulnerable groups of the population are the following: active sexual adolescents; low-income people (lower than the minimum consumer basket for each family member); HIV-positive people; people who abuse alcoholic beverages, illicitly use drugs and other psychotropic substances, which are recorded with the drug therapist; people with mental health problems; victims of sexual abuse (for emergency contraception) and women who have had abortions in the last year.

284. Families with twins or more children born out of a single pregnancy benefit from the monthly child-raising support allowance until the age of 3 years. Additionally they receive care allowance in the amount of 50 per cent of the monthly allowance specified above until the age of 2 years.
285. The share of men benefiting of the monthly child-raising allowance until the age of 3 years has increased from 0.8 per cent in 2013 to 9.6 per cent in 2017.
286. With a view to provide support to deprived families, the Social Aid Program was launched, which currently has two basic components – social aid and cold season allowance. The above benefit is aimed at ensuring a guaranteed minimum income to deprived families, set in accordance with the assessment of the average total monthly income of the household and the need for social assistance (Table 21, Annex 2).
287. The legal framework provides the social benefits for some categories of persons that do not meet the requirements under the Law on Public Social Insurance Pensions.
288. Since 2012, the Personal Assistance Social Service⁹² is operating, aimed at providing assistance and care for children and adults with severe disabilities, with a view to favouring their independence and inclusion in the society. By establishing this service, a problem has been solved regarding the families in which children with disabilities that need permanent care are raised and brought up, mostly provided by mothers of these children or their female relatives (Table 22, Annex 2).
289. The women in detention who gave birth to children during the period of punishment benefit from both single childbirth allowance and child-care allowance, in accordance with the law on the protection of families with children.
290. Under the law in force, all citizens have access to credits, regardless of gender, based on the eligibility procedures. At the same time, there are deficiencies in terms of the gender disaggregated statistics, regarding their use, amount and purpose.
291. In 2018, the Government launched ‘Prima Casa’ (‘First Home’) State Programme, based on the need to facilitate the access of individuals to the acquisition of housing by contracting loans partially guaranteed by the State, especially for young families.
292. According to the Tax Code, each taxpayer (resident individual) has the right to a personal exemption, the amount of which is established yearly by the Government.
293. A married resident individual has the right to an additional exemption (in 2017 in the amount of MDL 11,280), provided that his/her spouse does not benefit from a personal exemption.
294. The law provided also an exemption for the taxpayer who has dependants (in the amount of MDL 2,520 in 2017), except for persons with disabilities due to a congenital or childhood disorder (for which the exemption amounted to MDL 11,280 in 2017).
295. The national law does not contain any provisions that would limit women’s rights to access and participation in various sports, cultural, and leisure activities. A significant impediment in this regard can be only the economic possibilities of the persons. In the educational institutions, girls and boys benefit from equal access to

⁹² Any person, including a family member or relative of the beneficiary who meets cumulatively the following conditions can be employed in the position of personal assistant: reached the minimum age of 18 years old, was not convicted for committing an offence which would make the respective person incompatible with the position of personal assistant, has full legal capacity, his/her health status complies with the criteria for the respective position.

cultural activities and programs of physical education and sports (taking into consideration the gender peculiarities in practicing physical exercise).

296. Amendments were approved to the regulatory framework, by which a new competence was assigned to the local Council – to decide the establishment of the community mediator position in the localities with compact or mixed Roma population. In addition, the Framework-Regulation on the Organisation of the Community Mediator Activity was approved.⁹³ The occupation “341206 Community Mediator” was included in the Classification of the Occupations of Moldova (CORM 006–14), approved by Order of the Minister of Labour and Social Protection No 22 of 03.03.2014.

297. During 2013, started the process of employing community mediators financed from the state budget. In 2014 only 25 community mediators were employed (out of planned 48 positions of community mediators in all 44 localities with compact or mixed Roma population). Following the decentralization reform, the funding of the community mediators were transferred to the local public authorities budgets, but this led to a decrease in employing the mediators, being mainly motivated by lack of financial resources in local budgets. Thus, in 2018, the financing mechanism was changed by returning to state budget financing.

298. Under the legal framework, the employers, irrespective of the legal form of organization, who have 20 or more employees, are obliged to create or reserve jobs and employ people with disabilities, at least 5 per cent of their total number of employees. In this regard, sanctions were also provided in the Contravention Code for employers who violate these provisions during a financial year.⁹⁴

Article 14

299. According to the national legislation, women and men have equal rights to land ownership, access to insurance programs, medical services, educational programs, creation and participation in agricultural cooperatives, development of entrepreneurial activities, etc. There are no legal restrictions and differences between rural and urban areas regarding women’s involvement in social, economic, cultural activities.

300. There are 3,446 agricultural holdings with legal personality in the Republic of Moldova, representing 0.4 per cent of the total number of holdings. The remaining 99.6 per cent were recorded as holdings without legal personality, i.e. individuals. 14 per cent of the total agricultural holdings with legal personality are headed by women, and from the total number of holdings without legal personality 36 per cent are headed by women. At the national level, 36 per cent of agricultural holdings are headed by women and 64 per cent by men.

301. The men administer a larger area of land than women – both in case of the agricultural holdings with and without legal personality, on average, 1.21 hectares administered by men compared to 0.86 hectares administered by women.

302. There is a big gender gap related to the possession of agricultural machinery and equipment. With the exception of mini-tractors (17 per cent), holdings headed by women own less than 12 per cent of the total number of agricultural machinery. This percentage is quite low if we consider that more than one third of the agricultural holdings are run by women.

303. The data of the first General Agricultural Census (2011) shows that there is no significant gender gap related to the subsidies received by the heads of agricultural

⁹³ GD No 557 of 17.07. 2013.

⁹⁴ <http://lex.justice.md/md/344149/>.

holdings. It can also be seen that a very small number of them took loans from banks. For example, in 2010, 8 per cent of the men-led holdings benefited from financial support, compared to 6 per cent of the women-led holdings.

304. There are no major gender gaps related to the purpose of agricultural production. The data shows that the vast majority of agricultural holdings produce only for their own consumption, while 16 per cent of men-led holdings and 12 per cent of women-led holdings produce both for own consumption and sale. A number of statistical indicators highlight the socio-demographic differences between rural and urban women. Rural women constitute nearly 30 per cent of the total population of the country and 51 per cent of the resident population in the rural area. Among women involved in labour migration the share of those from the rural area is about 70 per cent.⁹⁵ Life expectancy at birth of rural women is by more than 3 years lower as compared to urban women, and their average age is 1.2 years lower, in the past 5 years this gap registered a growing trend. Population ageing is higher in the rural area, the ageing coefficient among rural women continuously ascending, is particularly high and reached 19.4 per cent (as of 01.01.2015), exceeding by 1.3 per cent points the respective value recorded for women in cities and by 3.2 per cent the national average value (it was 16.2 per cent on 01.01.2015).

305. MHLSP launched in 2017 and in 2018, the Small Grants Program aimed at supporting and promoting active ageing in the Republic of Moldova. The length of projects implementation is 10 months and 7 months, respectively, and the total amount is MDL 100,000 per year, granted from the state budget.

306. The level of women's education in the rural area is much lower than that of women in the cities. Only 46.4 per cent of active rural women have higher education, specialized secondary or vocational secondary education, and their share has shown a tendency to steadily decrease over the past years.

307. Statistics show that the access of rural women to health care services is lower in comparison with women from urban areas, the annual average number of doctor visits for women is 3.4 in the rural area in comparison with 4.4 – in urban areas, while about one-fifth of rural women assess their health status as bad or very bad compared to 14.5 per cent of urban women. At the same time, over one-quarter of rural women do not have health insurance policy compared to only 15 per cent of urban women.

308. The reasons that refer to the limited access to health care services are different, however, the main reasons invoked are those related to financial issues.

309. People from the rural area are the main applicants within the Social Aid Program.⁹⁶

310. In order to increase the employment rate, including women from the vulnerable groups, in 2013 the Framework-Regulation on the organization and creation of the Joint Information and Services Bureau (JISB) was approved. During 2013–2016, about 49,324 persons benefited from the services provided by the JISB.

311. In the communities with a female mayor, the level of confidence (of those who have a lot of confidence) is of 34 per cent, compared to 6 per cent in communities with a male mayor. The same trend is attested while the rate of citizens satisfied with the activity of their male/female mayor is measured: 27 per cent are fully satisfied with the activity of female mayors and 6 per cent are fully satisfied with the activity of male mayors.⁹⁷

⁹⁵ http://md.one.un.org/content/dam/unct/moldova/docs/pub/prof_001_rural_ROM-2016_new.pdf.

⁹⁶ http://md.one.un.org/content/dam/unct/moldova/docs/pub/prof_001_rural_ROM-2016_new.pdf.

⁹⁷ http://progen.md/files/8393_final_barometrul_de_gen_rom.pdf.

312. The number of positions held by women slightly increased during the latest local elections. The share of women among mayors is just over 20 per cent. Women have less than 20 per cent of seats in district councils, and 30 per cent in the local ones. (Table 4, Annex 2).

313. In 2014–2017, under the ‘Women in Politics’ Programme, implemented by UN Women in partnership with UNDP, with the financial support of the Swedish Government, women’s capacity development before, during and after the elections at the local level was supported.

Article 15

314. The national legislation is mostly compatible with the best international practices on preventing and combating discrimination, guaranteeing to all its citizens, foreigners and stateless persons living on its territory, the rights and freedoms.

315. Furthermore, the Law on Ensuring Equality aims to prevent and combat discrimination and ensure equality of all persons in the Republic of Moldova in political, economic, social, cultural and other areas of life, regardless of race, colour, nationality, ethnic origin, language, religion or belief, sex, age, disability, opinion, political affiliation or any other similar criterion.

316. The regulatory framework related to the Register of Immovable Assets provide the same rights and duties both for women and men and does not contain any discrimination form against women.

317. Since 28 April 2014 the visa regime for Moldovan citizens was liberalized by amending the EU Regulation No 539/2001 on the abolition of visa requirement for Schengen area for short-term travel for Moldovans holding biometric passports.

318. Thus, more than 300,000 citizens of the Republic of Moldova, without any restrictions based on gender, benefited from visa-free travel in the Schengen area, whereas few cases of non-admission of the entry to EUMS, of return from the border, of exceeding the 90-day period, as well as of asylum requests, were recorded.

319. Given the increase in labour mobility between countries and the migration of the working age population – a problem faced by the Republic of Moldova over last decades – the coordination of social security systems has become an important component of the social policy promoted by the Government. Thus, by 2018, the Government has concluded 13 agreements in the area of social security (with Romania, Portugal, Bulgaria, Luxembourg, Austria, Estonia, Czech Republic, Poland, Hungary, Belgium, Lithuania, Germany and Turkey). Agreements with Latvia, Israel, Belarus and Italy are at the negotiation stage. Agreements on labour migration were concluded with the Russian Federation, Ukraine, Belarus, Azerbaijan, Italy, Israel, France, and Bulgaria so far.

320. In order to align the regulatory framework with Article 12 of the Convention on the Rights of Persons with Disabilities, in 2017 the Civil Code was amended and supplemented with provisions aimed at applying judicial protection measures to persons with mental illness or a physical, mental or psychological deficiency. Protection measures may be *contractual* (assistance contract, future protection mandate) and *judicial* (provisional protection, trusteeship, guardianship) and pursue the interest and well-being of the person for whom the autonomy is established and favoured, as far as possible. When taking any decision concerning the person in respect of whom a protection measure is established or concerning his/her property interests, the court, the guardianship authority and the person in charge of protection (the assistant, the representative authorized to protect in the future, the provisional protector, the trustee, the guardian, the family council members) shall give priority to

the wishes and feelings of the protected person, expressed by himself/herself or, at his/her request, with the help of the trusted person.

321. Following CEDAW Recommendations, new transparent procedures have been put in place to record cases of violence within state institutions that provide life-long placement to beneficiaries. Thus in 2017, 26 cases of violence were registered, of which 14 cases of violence among beneficiaries of the Temporary Placement Centre for People with Disabilities (adults) from Branzeni (including 4 women beneficiaries); 6 cases at the Temporary Placement Centre for People with Disabilities (adults) from Balti, including – 2 women (1 beneficiary and 1 nurse); 6 cases at the Temporary Placement Centre for Children with Disabilities from Orhei, including 1 woman (nurse). During 6 months of 2018 year, 7 cases of violence were registered in Branzeni, including 2 women, and one case was registered in Balti. In all cases the law enforcement bodies were notified and an internal investigation was conducted. Work sessions were held with the staff of the institutions to prevent similar cases. The parents of the beneficiaries were also involved in solving some cases in Orhei.

Article 16

322. The family relationships are regulated in accordance with the principle of monogamy, marriage based on free consent of men and women, equal rights of spouses in the family, mutual moral and material support, marital fidelity, priority to the education of the child in the family, care for the support, education and protection of the rights and interests of minors and other family members, who are unable to work, amicable settlement of all family life issues, inadmissibility of deliberate interference in family relationships, free access to court protection of the legal rights and interests of family members.

323. All married persons have equal rights and obligations in family relationships, regardless of gender, race, nationality, ethnic origin, language, religion, opinion, political affiliation, wealth and social origin.

324. Only marriage concluded by state civil registration services creates rights and obligations between spouses provided for in the Family Code. For conclusion of marriage it is necessary the mutual, uncorrupted consent, expressed personally and unconditionally by the woman and the man who are getting married, if they have reached the marriage age (18 years).⁹⁸

325. All problems of family life are settled by the spouses jointly, in accordance with the principle of equality in their family relationships. Each spouse has the right to continue or to independently choose his/her occupation and profession. Spouses establish their residence freely and independently.

326. The parents have equal rights and obligations towards children, regardless of whether the children were born in marriage or outside it, whether they live with their parents or separately. At the same time, children born out of wedlock have the same rights and obligations towards their parents and relatives as those born of married persons.

327. Children born following artificial insemination or in vitro fertilization have the same rights as children born through natural reproduction.

⁹⁸ In concluding their marriage the spouses can choose between taking the surname of one of them or one formed by joining both names as common family names, or keeping the surname they had before marriage, or joining the spouse's surname to their surname. When registering a divorce, spouses may choose to keep the surname chosen when they concluded their marriage or to take back the surname they had before concluding the marriage (Article 17).

328. The rights of the child are not affected by the parents' divorce, marriage's nullity or by parents living separately. When parents live separately, the child has the right to communicate with both parents.

329. In compliance with the national law, property acquired by the spouses during the marriage is their joint property, unless, according to the law or contract concluded between them, another legal regime is not established for this property. Any property acquired by spouses during the marriage is presumed to be common property unless proven otherwise.⁹⁹

330. We also note that procedure of the marriage dissolution is gender non-discriminatory, the marriage may be terminated by divorce, based on the request of one or both spouses. In the absence of wife's consent, the husband cannot ask for a divorce during her pregnancy and within one year after childbirth if the child was born alive and is living.

331. If the parents live separately, the domicile of the child who did not reach 14 years of age shall be determined by the parents' consent. If such a consent is not reached, the domicile of the minor shall be decided by the court of law, taking into account the interests and opinions of the child (if he/she turned 10 years of age).¹⁰⁰

332. In the case of minors under the age of 16, the voluntary consent for receiving reproductive health care services is expressed both by the minor and his legal representative. When it is impossible to obtain the consent of the minor's legal representative and when the health care services are indicated to preserve his/her life and health, then his/her voluntary consent is sufficient.

333. The persons (person) who have given their written informed consent to the use of medical assisted human reproduction technologies, in case of childbirth by this method, they are registered as the parents of this child in the manner established by the Family Code and shall not be entitled to challenge maternity and paternity, making reference to these circumstances.

334. At the same time, the Government approved the National Programme on Sexual and Reproductive Health and Rights for 2018–2022, which aims to improve access to and quality of services, as well as information. Thus, the right of every person to decide freely and responsibly on the number and the time of birth of their children and to have the information and means necessary to enable him/her to exercise this right is provided.

335. The new legal framework on free movement and immigration of foreign citizens in the Republic of Moldova, ensuring a comprehensive, uniform and continuous mechanism for regulating the regime of foreigners in the territory of the Republic of Moldova, was adopted in compliance with the community law.

⁹⁹ When determining the parts of the common property of spouses in the event of the division of property, their parts shall be considered equal. The common property of spouses can be divided both at the time of divorce and during marriage. The sharing of common property during marriage does not affect the legal status of the property that will be purchased in the future. Where the spouses lived in concubinage in the past, the property purchased during that period belongs to the one who purchased it, unless when both concubines contributed to its purchase, in which case each of them has a share of ownership, the size of which depends on the contribution of each concubine.

¹⁰⁰ In this case, the court of law shall consider child's attachment to each of the parents and siblings, child's age, moral qualities of parents, existent relationships between each parent and child, parents' possibilities to create proper conditions for child's education and development (professions and work schedules, living conditions, etc.). When determining the domicile of the minor, the court of law shall ask for the advice of the guardianship authority in whose area each of the parents is domiciled.

336. A foreigner holding a temporary or permanent permit for stay in the Republic of Moldova may request permission for family reunification. Law on Asylum provides that the competent authorities shall respect the principle of family union in accordance with the provisions of this law. Family members of the beneficiary of a form of protection shall enjoy the same kind of protection and the same status as the beneficiary.

Conclusions

A. Progress in promoting gender equality/ensuring women's rights

337. During the reporting period, the Republic of Moldova has made efforts to ensure implementation of the Convention on the Elimination of All Forms of Discrimination against Women and Recommendations of CEDAW Committee.

338. The state gives special attention to the achievement of the assumed commitments, as a result of accession to international treaties on human rights, which is confirmed by the fact that the principle of equality is guaranteed through a number of organic and ordinary laws. The national law was supplemented by many provisions, which stipulate the principle of equal rights and opportunities for women and men in all fields.

339. Currently there is a structured state institutional mechanism in the field of gender equality (the Governmental Committee for Gender Equality, the Department of Policies for Ensuring Gender Equality/MHLSP, Gender Focal Points/Gender Coordination Groups in ministries and other central public administration authorities), which is a positive indicator in the process of democratization.

340. In order to achieve the recommendations of the, the Republic of Moldova adopted three strategies in this area: Strategy for Gender Equality for 2017–2021, National Strategy on Preventing and Combating Violence against Women and Domestic Violence for 2018–2023 and the National Strategy on Preventing and Combating Trafficking in Human Beings for 2018–2023. In addition, the regulatory framework in the reference area was improved, through the amendments and completions made to the normative framework on the fields of ensuring equality between women and men, the prevention and combating of DV and THB in order to adjust the normative framework to the international standards: Law No 71/2016, Law No 196/2016. Actions were carried out to monitor the implemented policies, the system of gender-sensitive statistic data was developed, etc.

341. The efforts to promote gender equality were oriented towards solving specific issues related to the implementation of gender policy and the exclusion of gender-based discrimination in various fields, especially on labour market. As essential results, it is worth noting the development of the new Law on Employment, the approval of the Strategy in the area for 2017–2022, the establishment of the Labour Market Observatory position, the creation of sectoral professional training committees in 4 economic sectors: agriculture and food industry, light industry and trade, hotels and restaurants.

342. The measures taken by state authorities in the field of healthcare, with the support of international projects, contributed to reducing maternal and infant mortality rates, ensuring the access of girls and women with disabilities to reproductive health services.

343. The state actions in education led to the promotion of gender equality in the Science, Technology, Engineering and Mathematics (STEM).

344. Over the past years the dialogue between state structures and CSOs in the given area has increased by their direct participation both in the development of policy documents and specific activities at the society/community level.

345. With the support of international partners, many studies have been conducted in terms of gender in the area of healthcare, social protection, labour market, THB, DV, etc., which contributed to the thorough perception of the addressed phenomena, identification of the issues and needs of women and men in the mentioned segments. Some of the conclusions and recommendations were taken into account during the development of public policies and sectoral documents.

346. During the reporting period, the relevant authorized state structures established a constructive dialogue with the international partners: UNFPA, UN Women, IOM, OSCE Mission to Moldova, UNAIDS, UNDP, etc. in order to explore the gender dimension in carrying out the planned activities.

347. Considerable efforts were made in promoting gender equality principle in security and defence sector: conduct of surveys and analyses from the gender perspective, development of teaching materials and information resources for professionals in the area, approval of the National Program to implement the UN SC Resolution 1325 on Women, Peace and Security for 2018–2021, and the Action Plan implementing the Program.

348. In partnership with the development partners, the Government has carried out a number of activities to strengthen the capacities on gender dimension, prevent and combat violence and THB of the policymakers, professionals of various areas, civil society representatives, and women from vulnerable groups.

B. Obstacles and limitations

349. Despite the trends of poverty reduction, the average disposable income per family member covers only 92 per cent of the subsistence minimum. The exodus of working age population outside the country in search for better paid jobs has a negative impact on demographic security of the population.

350. The situation of women is contradictory. Having the same professional qualification as men, even higher in some segments, women are often employed requiring low qualifications, with lower average wages than men. The masculinization and feminization of jobs still persist on the labour market. On the other hand, the insufficiency of early pre-school education services prevents women with small children from integrating into the labour market.

351. Beyond the positive growth trends of women in decision-making positions, they are under-represented in higher hierarchical positions. Despite the adoption of affirmative actions (40 per cent quota), the application thereof remains difficult due to the lack of the quota implementation and monitoring mechanism.

352. The phenomena of VAW, DV, as well as THB continue to be considerable challenges to the rule of law and democracy in our country. The following actions are necessary: adjustment of implementation mechanisms of the existing legal and regulatory framework, creation of a multidisciplinary coordinated response of all competent structures to these phenomena, allocation of adequate resources, conduct of educational/information programs for the population, development of appropriate services, training of specialists.

353. The low information of the people on gender equality, their rights, the possibilities to claim them remains an insufficiently exploited segment. The active involvement of mass-media in educating the society in the spirit of gender equality by eliminating the sexism from language and advertising, the gender stereotypes, etc. are necessary.

354. Opportunities and possibilities to launch a business in rural areas are limited, in the context of economic migration, and demographic problems. The development and support of entrepreneurship programs, in particular for women, youth and elderly would improve the deplorable social-economic situation, reduce migration flows, mitigate the negative consequences of population ageing.

355. The social protection system, which is insufficiently aligned with the demographic trends and major social problems, is not sensitive to gender dimension, requiring adjustment on these dimensions.

356. The low applicability of the mechanisms for implementing the regulatory framework, non-alignment it with international standards, including the EU Directives. The lack of institutionalized programs of pre- and in-service training of civil servants on gender issues, limited their efficiency.

357. The reluctance of authorities to ensure a comprehensive approach to gender equality in sectoral policy documents, including in implementing the gender responsive budgeting, affect the way to sustainable development of the society and need more efforts in the field.

358. At the same time, it is necessary to adjust the donor funded programs to the country's needs by including the gender dimension and coordinating the existing resources.
