



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

List of issues and questions in relation to the sixth periodic report of the Republic of Moldova*

Constitutional, legislative and institutional framework

1. In the light of the concern expressed by the Committee in its previous concluding observations regarding the harmonization of national laws (CEDAW/C/MDA/CO/4-5, para. 9 (a)), please provide updated information on the progress made towards adopting the draft laws referred to the responses to the Committee's list of issues and questions with regard to the combined fourth and fifth periodic reports of the State party (CEDAW/C/MDA/Q/4-5/Add.1, para. 2). Please indicate whether the revised laws are in conformity with the Convention. It is indicated in the sixth periodic report of the State party (CEDAW/C/MDA/6) that the Committee's previous recommendations have been incorporated into a strategy on ensuring equality between women and men, covering the period 2017–2021, and a related action plan (paras. 5 and 143).¹ Please provide information on the current status of the action plan, the human, technical and financial resources allocated for its implementation and how it is monitored and evaluated.

2. The State party indicates that a government commission for the reintegration of the country coordinates action relating to Transnistria (para. 106). Please explain whether it seeks to ensure an equal level of protection for women in Transnistria as for women elsewhere in the State party and coordinates relevant measures with the de facto authorities.

Access to justice

3. According to annex I to the report (table 32), only 12 per cent of the beneficiaries of State-guaranteed legal aid services in 2017 were women, notwithstanding the adoption of Act No. 196/2016, which amended Act No. 45-XVI of 2007 on Preventing and Combating Domestic Violence by providing for legal aid and exemptions from court fees (para. 172). Please provide detailed information on the measures taken to: (a) facilitate access by women to justice, including in Transnistria; (b) implement the provision of free legal aid services under the Act; and

* Adopted by the pre-sessional working group for the seventy-fifth session (25 and 26 July 2019).

¹ Unless otherwise indicated, paragraph numbers refer to the sixth periodic report of the State party.



(c) increase women's awareness of their rights under the Convention and the Act. Please also provide data, disaggregated by year, on the number of women who have benefited from free legal aid services. Please provide information on measures taken by the State party to guarantee effective access to justice for women with disabilities, including in criminal proceedings relating to gender-based violence.

National machinery for the advancement of women

4. The State party acknowledges the challenges in the effective implementation of its legislative framework on human rights (para. 90), stemming from insufficient human and financial resources, weak intersectoral cooperation and the low level of gender sensitivity among the authorities (paras. 117 and 357). Please provide information on measures adopted to strengthen the effectiveness of the Government Committee for Equality between Women and Men in coordinating gender equality measures at the national and local levels and to ensure gender-responsive budgeting at all levels. Please also indicate the steps taken to allocate adequate human, technical and financial resources, including gender expertise, to the national machinery for the advancement of women and describe the impact, if any, of the national integrity and anti-corruption strategy for 2017–2020 (para. 100) on the effectiveness of the national machinery in ensuring gender equality. Please also provide updated information on the current status of the National Human Rights Council (para. 77) and the measures taken to implement Act No. 71/2016.

5. According to the Special Rapporteur on the situation of human rights defenders, insufficient human and financial resources are allocated to the Council for Preventing and Eliminating Discrimination and Ensuring Equality and to the Office of the Ombudsperson ([A/HRC/40/60/Add.3](#), para. 77). Please indicate the measures taken to: (a) strengthen the resources of the Council and the Office; (b) provide the Office with a clear mandate to protect and promote women's rights; and (c) strengthen the independence and effectiveness of the Office, as recommended by the Subcommittee on Accreditation of the Global Alliance of National Human Rights Institutions in 2018, and the Council.

Temporary special measures

6. In addition to the requirement that women must constitute at least 40 per cent of candidates for national and local elections and members of governing bodies of political parties and the Broadcast Coordination Council put in place through Act No. 71/2016, please provide information on other temporary special measures, in line with article 4 (1) of the Convention and the Committee's general recommendation No. 25 (2004) on temporary special measures, taken or envisaged to accelerate the achievement of substantive equality of women and men in areas in which women are disadvantaged or underrepresented, such as education and employment, in particular with regard to disadvantaged groups of women, including Roma women, women belonging to other ethnic minority groups, rural women, older women and women with disabilities.

Stereotypes and harmful practices

7. The State party indicates that women are still considered to have the primary responsibility for child-rearing and domestic tasks (para. 167). Please provide information on measures taken to implement the Committee's previous recommendation that the State party develop: (a) a comprehensive strategy across all sectors to overcome patriarchal stereotypical attitudes concerning the roles and responsibilities of women and men in the family and in society; and (b) public awareness and training programmes for decision makers, employers, young people and disadvantaged groups of women on women's rights, including by removing

discriminatory stereotypes from textbooks and curricula ([CEDAW/C/MDA/CO/4-5](#), para. 18 (a)–(c)). Please also provide updated information on the progress made towards adopting the strategy on developing parental abilities and competencies and the related national action plan, which are reportedly pending approval. Furthermore, please explain the impact of cooperation with the media on increased gender-balanced coverage (para. 168) and steps taken to eliminate discriminatory gender stereotypes in political discourse.

Gender-based violence against women

8. The State party acknowledges that there is a lack of effective implementation mechanisms, including coordination mechanisms, for the existing legislative and regulatory framework, as well as of adequate resources and training and educational programmes for relevant officials and the general public, on gender-based violence against women (para. 352). Please indicate the measures taken or envisaged to tackle the situation. With reference to the Committee's general recommendation No. 35 (2017) on gender-based violence against women, updating general recommendation No. 19, and target 5.2 of the Sustainable Development Goals, please outline measures adopted, including detailed information on preventive measures, and any obstacles encountered in the implementation of the national strategy on preventing and combating violence against women and domestic violence, covering the period 2018–2023, the related action plan, covering the period 2018–2020, and Act No. 196/2016 (paras. 116 and 172), with reference to the most vulnerable groups of women. Please also provide updated data on the number of cases of violations of emergency restraining or protection orders, the penalties imposed on perpetrators and the number of victims who received financial compensation under Act No. 196/2016.

9. The Committee notes that there is a shortage of 175 accommodation places for victims of gender-based violence ([CEDAW/C/MDA/CO/4-5/Add.1](#), para. 35). Please provide information on measures adopted to increase the number and funding of shelters, including accessible places, in addition to the budgetary allocation to the Centre for Assistance and Counselling for Family Aggressors (*ibid.*, para. 30). Please provide information on the number of women who are victims of domestic violence in Transnistria and on their access to shelters.

10. Please indicate whether the State party has taken steps to improve data collection, and provide updated data on gender-based violence against women, disaggregated by sex, age, disability, type of violence and relationship between the victim and the perpetrator, as recommended in the Committee's previous concluding observations ([CEDAW/C/MDA/CO/4-5](#), para. 20 (e)). Please provide updated information on the number of cases of gender-based violence against women investigated by the police, the number of prosecutions and convictions, the sentences imposed on perpetrators and the remedies provided to victims, including victims of economic and psychological domestic violence.

Trafficking and exploitation of prostitution

11. Please provide updated information on measures in place to implement the national strategy for preventing and combating trafficking in persons, covering the period 2018–2023, and the related action plan, covering the period 2018–2020, in addition to Act No. 241/2005 on Preventing and Combating Trafficking in Persons and other laws, and their impact on reducing trafficking in women and girls (paras. 116 and 189). The Committee notes the State party's efforts to implement the strategy of the national referral system to protect and assist victims and potential victims of trafficking in persons (2006) (para. 187). Please indicate what additional measures are being considered by the State party to strengthen cooperation between law enforcement officials and the social sector in identifying victims of trafficking.

Please also clarify whether the State party has taken steps to ensure the quality and availability of rehabilitation services for victims of trafficking, including through the allocation of sufficient resources, under Act No. 137/2016 (para. 185). Please indicate whether the training on judicial practice in relation to trafficking in persons provided by the National Institute of Justice for judges, prosecutors, lawyers and other legal professionals (para. 142) is mandatory and gender-sensitive, as recommended in the Committee's previous concluding observations ([CEDAW/C/MDA/CO/4-5](#), para. 22 (b)).

12. The Committee is concerned that prostitution is still criminalized and that penalties for women in prostitution are heavier than those for clients under article 89 of the Contravention Code, as revised in 2018 (paras. 190–192). Please indicate whether the State party is taking steps to decriminalize women and girls in prostitution, provide exit programmes for those who wish to leave prostitution and increase penalties for clients. Please also provide information on measures taken to eliminate stigma and discrimination against women and girls in prostitution, in order to ensure their access to health services, including sexual and reproductive health services, and other support and protection services, such as shelter and legal aid, free from discrimination.

Participation in political and public life

13. The State party acknowledges the insufficient implementation of the 40 per cent quota pertaining to the representation of women on candidate lists for national and local elections under Act No. 71/2016 and of its monitoring mechanisms (para. 351). In addition, information before the Committee indicates that the electoral reform to replace the proportional voting system with a mixed system has further limited the representation of women in Parliament. Please explain the measures taken to address the trend in the parliamentary elections held in 2019 to place women candidates in lower positions than men on candidate lists. With reference to the information provided by the State party on the exclusion of a quota for the formation of the Government in 2017 (para. 155), please outline the steps taken to promote access for women to decision-making positions, including in the Government. Please also provide information on measures in place, beyond the election of two Roma women to local councils (para. 203), to implement the Committee's previous recommendation that the participation of Roma women and women with disabilities in political life be enhanced ([CEDAW/C/MDA/CO/4-5](#), para. 24 (c)).

Education

14. It is indicated in the report that poor social conditions, emigration and irregular employment are among the root causes of school dropout and no re-entry programmes are in place for women and girls who drop out (paras. 229–230). Please indicate whether the State party has adopted or plans to adopt programmes to address that situation, with a view to preventing girls from dropping out early and facilitating the reintegration into education of women and girls, including Roma. According to information before the Committee, Roma girls and girls with disabilities have only very limited access to high-quality education. Please describe the steps taken to improve access to inclusive education for girls and women with disabilities, provide adequate support and reasonable accommodation in schools and integrate girls with disabilities, in addition to Roma girls and girls belonging to other ethnic minority groups, into mainstream education. Please outline the impact of the personal development and career guidance and the "GirlsGoIT" initiative on non-traditional educational choices for women and girls (paras. 226 and 234).

Employment

15. Please provide information on the impact of the national employment strategy, covering the period 2017–2021, on improving access to formal employment by women belonging to ethnic minority groups, including Roma women, rural women, women with disabilities and older women (para. 239). In the light of the Committee's previous recommendation (CEDAW/C/MDA/CO/4-5, para. 30), please indicate the measures taken to implement legislation that prohibits sexual harassment in the workplace, raise awareness of such legislation among women and collect data on the number and outcome of labour inspections, court cases and administrative complaints relating to sexual harassment.

16. According to annex II to the report (table 17), there is a persistent gender pay gap in the State party, the incorporation of the principle of equal pay for work of equal value into national legislation notwithstanding. In the light of target 8.5 of the Sustainable Development Goals, please provide information on the results achieved through the implementation of the action plan of the strategy for ensuring equality between women and men, covering the period 2017–2019, and other measures in reducing the gender wage gap. Please also indicate the steps taken to ensure the availability and accessibility of childcare facilities to promote the reconciliation of work and family duties (para. 350) and to ensure that mothers of persons with disabilities have access to personal assistance (para. 288).

Health

17. The Committee notes reports on corruption within the health-care services of the State party and on insufficient stocks of medical equipment. Please provide information on measures taken to establish monitoring mechanisms for the quality, transparency, safety and accessibility of health-care services in the State party and to allocate sufficient human, technical and financial resources to improve access by women to primary health-care services. Please also indicate whether the State party plans to introduce mandatory age-appropriate education on sexual and reproductive health and rights into curricula in all regions and provide relevant training for teachers, in line with Act No. 138/2012 on Reproductive Health.

18. With regard to contraceptive methods, please indicate whether the State party has taken or envisages taking measures to: (a) allocate sufficient funding for the procurement of modern contraceptive methods, including through the national programme on sexual and reproductive health and rights, covering the period 2018–2022, especially in rural areas and in Transnistria and Gagauzia (para. 334); and (b) provide affordable and modern contraceptive methods to women who are not entitled to free contraceptive services (para. 275), including women with disabilities and low-income and middle-income women. Furthermore, please explain how the State party ensures that women have access to safe and confidential abortion services, indicating whether the costs thereof are covered by compulsory health insurance.

Economic and social benefits

19. Please explain the steps taken by the State party to align the existing social protection system with demographic trends (para. 355) and ensure that women, including those in the informal sector, in unpaid work and in disadvantaged groups, are protected by the system, with a view to ensuring equal social and economic benefits, including access to financial credit, and pension schemes for women and men.

Rural women

20. With reference to the Committee's general recommendation No. 34 (2016) on the rights of rural women and target 5.A of the Sustainable Development Goals, please provide information on measures taken to ensure that rural women enjoy access to basic services, including health care and family planning services, water, education, formal employment, land and credit. Please describe measures in place or planned to provide entrepreneurship programmes for women in rural areas, including older women, and increase job opportunities for them in the non-agricultural sector and to reduce emigration (para. 354). Please report on instances, if any, of women in rural areas participating in the development of policies and legislation affecting their rights.

Disadvantaged groups of women

21. Please provide information on the impact of the two action plans for Roma (para. 103) in improving access by Roma women and girls to education, health care and employment, indicating whether the State party has allocated sufficient funding to the plans. Please describe the measures in place to address the specific needs of women in detention, especially mothers with young children, in accordance with the United Nations Rules for the Treatment of Women Prisoners and Non-custodial Measures for Women Offenders (the Bangkok Rules).

22. In the light of the concern expressed by the Committee in its previous concluding observations regarding the sexual abuse of women with disabilities in residential institutions ([CEDAW/C/MDA/CO/4-5](#), para. 37), please provide information on measures taken to investigate all cases of such abuse and provide redress to victims, as well as on whether the national programme for deinstitutionalization of persons with intellectual and psychosocial disabilities in residential institutions, covering the period 2018–2026, and the related action plan adequately address the prevention of such abuse. Please also indicate the measures taken to provide training for professionals, including health personnel and teachers, on the rights of women and girls with disabilities. Please provide information on the gender approach taken under the national programme for the social inclusion of persons with disabilities, covering the period 2017–2022, and the interim outcome thereof.

Marriage and family relations

23. Please provide information on the measures adopted to implement the Committee's previous recommendation that the State party take measures to: (a) combat the practice of child marriage, including through awareness-raising activities among Roma communities on its negative effects on the health and education of girls; and (b) close the gap between the law and practice on women's rights with regard to inheritance and succession (*ibid.*, para. 40). Please also indicate whether the protection of women's rights in family relations is equally ensured in Transnistrian laws as in those of the State party, in line with article 16 of the Convention.