



# Convention on the Rights of the Child

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## Committee on the Rights of the Child Seventy-sixth session

### Summary record of the 2234th meeting

Held at the Palais Wilson, Geneva, on Tuesday, 19 September 2017, at 10 a.m.

*Chair:* Ms. Winter

## Contents

Consideration of reports of States parties (*continued*)

*Combined fourth and fifth periodic reports of the Republic of Moldova (continued)*

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*The meeting was called to order at 10.05 a.m.*

**Consideration of reports of States parties** *(continued)*

*Combined fourth and fifth periodic reports of the Republic of Moldova (CRC/C/MDA/4-5; CRC/C/MDA/Q/4-5; and Add.1) (continued)*

1. *At the invitation of the Chair, the delegation of the Republic of Moldova took places at the Committee table.*
2. **Mr. Madi** (Country Rapporteur) said that he would like to hear what impact the adoption of the bill on non-commercial organizations was expected to have on the activities of non-governmental organizations (NGOs) and civil society.
3. **Mr. Cardona Llorens** said that he would appreciate information on efforts to include children with intellectual and psychosocial disabilities in mainstream schools and to make the necessary teacher training available to facilitate their inclusion in the classroom. Recent statistics on the number of children with disabilities who were in special schools or who were not attending school would be helpful. He also wished to know what specific measures had been taken to avoid placing children in institutional settings and to prohibit the forced sterilization and treatment of children with disabilities.
4. **Ms. Aldoseri** said she would be interested to learn what steps had been taken to lower school dropout and absenteeism rates, particularly in the case of Roma children, children from poorer backgrounds and children with disabilities. Information on the measures adopted to improve school infrastructure and physical accessibility would be welcome. She also wished to know what action had been taken to do away with the need for parents to make voluntary financial contributions to help pay for books and school repairs and to ensure that nursery, primary and secondary school education was free and accessible to students of all backgrounds. Lastly, she would like to know what efforts had been made to offer instruction in the mother tongue of children from ethnic minorities and to make human rights classes mandatory for all secondary school students so that they would be aware of their rights under the Convention.
5. **Mr. Rodríguez Reyes** said that he would be interested to learn what policies had been introduced to promote breastfeeding and implement the International Code of Marketing of Breast-milk Substitutes. Recent data on the number of mothers who breastfed their babies during the first hours of life and who breastfed exclusively for six months would be helpful. He also wished to know whether family-friendly hospitals that supported breastfeeding mothers had been established and whether breastfeeding awareness training was provided for nurses and medical staff. He would appreciate information on the efforts that had been made to provide mandatory sexual health education in schools. Lastly, he wished to know what steps had been taken to reduce teenage pregnancy and address substance abuse, including abuse of tobacco, alcohol and illicit drugs, among adolescents.
6. **Ms. Aho Assouma** said that she would like detailed, up-to-date data on vaccination coverage among children and adolescents, particularly in remote and rural areas. She also wished to know what proportion of the national budget had been allocated for the detection, prevention and treatment of HIV/AIDS and what measures had been adopted to reduce the rate of mother-to-child HIV transmission. What treatment and rehabilitation programmes had been established for adolescent drug users?
7. **Ms. Sandberg** said that she would like to know what efforts had been made to incorporate the views of children in the development of national environmental policies. She also wished to know what steps had been taken to reduce child poverty, particularly in rural and Roma communities, and to improve living standards, especially in regard to access to adequate and affordable housing.
8. **Ms. Skelton** said that she would like clarification on the action taken in cases involving child migrants in irregular situations, particularly in regard to the type of support services and accommodations made available. It would be useful to know how long it took, on average, to regularize the migration status of such children.

9. **Ms. Dumbrăveanu** (Republic of Moldova) said that the bill on special protection for children at risk and children separated from their parents included provisions for children whose parents were abroad. Parents who intended to work abroad for more than three months were required to inform the relevant local authorities of the guardianship arrangements they had made for their child in their absence. Biannual assessments of those care arrangements were subsequently conducted by the local guardianship authorities and additional protection measures taken where necessary.
10. **Ms. Khazova** (Country Rapporteur) asked what human and financial resources had been made available to the local guardianship authorities so that they could conduct such biannual assessments effectively.
11. **Ms. Dumbrăveanu** (Republic of Moldova) said that a limited amount of human and financial resources had been allocated to the local guardianship authorities for that task. However, more resources would be required to consolidate the progress made to date in that area.
12. **Ms. Grigoras** (Republic of Moldova) said that efforts were under way to reduce the number of children with disabilities in institutional care and reassign funding from institutions to community-based care solutions. The local guardianship authorities were responsible for organizing alternative care placements and received grants for use in strengthening the foster care system in their regions. The Gatekeeping Commissions were independent bodies that evaluated the cases of children who required special care or support. Based on social workers' reports and the best interests of the child, the Commissions decided whether a child must be separated from his or her family. Wherever possible, they tried to keep families together, and under no circumstances were children removed solely on the basis of economic concerns. The financial status of a family was only one of a number of factors that the Commissions considered when making their final decision as to whether a child should be placed into care.
13. **Mr. Cardona Llorens** said that he wished to stress the importance of placing children in family-like care settings.
14. **Ms. Grigoras** (Republic of Moldova) said that priority had been given to deinstitutionalizing children and reintegrating them into their families or extended families. In cases where that was not possible, children were placed in community-based housing or foster care. Over 10,000 children had been removed from care institutions and placed in alternative care settings in recent years. A tailored plan had been created for each child undergoing the deinstitutionalization process.
15. **Ms. Khazova** said that it would be interesting to learn up until what age children could remain in alternative or foster care.
16. **Ms. Grigoras** (Republic of Moldova) said that children could remain with their foster family until they reached the age of 18 and children living in community-based housing could stay until they reached the age of 23.
17. **Mr. Țăruș** (Republic of Moldova) said that, with support from the United Nations Children's Fund (UNICEF), his Government was developing a range of proposals for amending legislation governing domestic and international adoptions. The provision under which a child's consent to an adoption was required only if the child were 10 years of age or older would be rescinded, and the consideration of children's views would henceforth be based on factors such as their stage of development. Procedures for evaluating the candidacy of prospective adoptive parents would also be modified. Consideration was being given to centralizing the process of matching children with families, as the total number of adoptions per year was low and centralization would be conducive to the development of greater expertise in that area.
18. Also in partnership with UNICEF, his Government was making preparations for a review of the laws governing guardianship, trusteeship, legal representation and legal responsibility. It would endeavour to promote the use of what was known as "custody placement" to ensure appropriate care for the 38,000 children in the country whose parents were absent for more than three months a year as migrant workers. Under the hitherto informal custody placement scheme, such children were visited twice a year by social

workers and were looked after by persons other than their parents. His Government wished to adopt a formal procedure involving agreement between the parents and a person appointed to safeguard the child's welfare during the parents' absence.

19. **Ms. Khazova** asked whether such arrangements involved placement with relatives or with family friends and whether the households in which children were placed were chosen by the children's parents or by the guardianship authorities.

20. **Ms. Sandberg** said that she would like to know whether the 38,000 children whose parents were away for extended periods were all looked after by someone, or whether some were living alone. How were cases of children living alone dealt with?

21. **Mr. Țăruș** (Republic of Moldova) said that most children whose parents were absent because they were working elsewhere were looked after by relatives or other people whom they knew and trusted. When children were found to be living alone, the local guardianship authorities tried to monitor the situation and to persuade the parents to return home or to place the children with relatives or other trusted individuals.

22. **Ms. Zatic** (Republic of Moldova), replying to questions about efforts to reduce infant and child mortality, said that the quality of prenatal medical care had improved. Services had been centralized at the regional level, which improved their quality, and general practitioners and nurses were trained to monitor children's health during the first year of life. Procedures were in place to identify the presence of risk factors in the home, such as domestic violence, and to intervene early when necessary. The list of medications that could be made available to children without charge had been expanded.

23. The country's 40 youth centres worked to promote healthy living and raise awareness of problems affecting young people, such as sexually transmitted diseases. The centres were required to meet operating standards and maintain confidentiality regarding consultations with specialists. Staff psychologists worked with young people to prevent and address bullying and violence. Psychiatric care for teenagers was available through mental health centres. Schools had medical staff on site, although providing medical services in rural schools had required targeted efforts.

24. **Ms. Khazova** asked whether, given the high suicide rate among teenagers, a 24-hour helpline was available for young people and, if so, whether the persons staffing the helpline had received adequate training.

25. **Ms. Zatic** (Republic of Moldova) said that a helpline was available for violence-related issues and that helplines to support young people in their efforts to deal with other types of issues were being established.

26. **Mr. Crudu** (Republic of Moldova) said that civic education was compulsory in primary and secondary school curricula and included modules on human rights and the rights of the child. In addition, an elective course on those topics was offered which was popular with children. In December 2017, schools would begin offering a special course on democracy, human rights and children's rights. School curricula would be revamped in 2018, and consideration would certainly be given to increasing the coverage of those topics.

27. All schools were required to offer a mandated number of hours of elective classes each week, and students could choose from among subjects such as singing, dancing, theatre and various sports. More than 1,000 schools had gymnasiums. The country also had some schools where children with outstanding potential in particular areas could receive specialized instruction and training. His Government was increasing its investment in school infrastructure, including the types of facilities needed for special types of training.

28. **Ms. Khazova** asked to what extent children in remote areas of the country had access to cultural and sports activities.

29. **Mr. Crudu** (Republic of Moldova) said that all schools were required to set aside time for cultural and sports activities. Small communities often did not offer special activities because the necessary infrastructure and funds were lacking. However, the situation in that regard was improving.

30. **Ms. Dumbrăveanu** (Republic of Moldova) said that the situation in her country regarding child labour had been assessed with the help of the International Labour Organization (ILO), and that assessment had led to the strengthening of relevant legislation. For example, in 2012, the penalties for violating laws prohibiting child labour had been increased. In 2013, the Criminal Code had been amended to include heavier penalties for the use of child labour and for trafficking in children. Her country was a party to the ILO Worst Forms of Child Labour Convention, 1999 (No. 182). In 2014, the Ministry of Education had issued a decree prohibiting the use of student labour for farmwork during the school year. In addition, information tools had been developed to raise awareness of the issue of child labour among children, parents and others in a position to combat the practice.

31. **Ms. Grigoras** (Republic of Moldova), replying to questions about street children, said that the problem existed mainly in Chisinau; by contrast, in some rural districts, services for such children were being discontinued because they were not needed. In 2016, a group of 29 children had been found living on the streets of the capital. An assessment by the local authorities had revealed that most of the children in question actually came from stable homes. Her Government planned to study the phenomenon of street children, with support from UNICEF, to determine its root causes and establish a profile of the typical street child as a basis for the development of a strategy for tackling the issue. A centre would be opened shortly in Soroca for children who, because they had had very difficult childhoods in institutional or other settings, could not be placed in foster families. At least two more such centres would be opened soon.

32. The previously mentioned youth helplines operated around the clock and were staffed by trained psychologists.

33. **Mr. Madi** asked whether most children knew of the existence of the helpline and whether any campaigns had been run to inform them about it.

34. **Mr. Țăruș** (Republic of Moldova) said that the action being taken to implement the Child Protection Strategy included promotion of the youth helpline. The Government was seeking partners to support it in those efforts, the intention being to place information in every classroom in the country and talk to students at all levels of education. The helpline was to be developed as an online facility to support parents who were working abroad if problems arose with children whom they had left behind in the Republic of Moldova. In addition, a campaign against family violence and violence against children had been run in the past year, broadcast on most television channels and publicized on billboards.

35. **Ms. Buzatu** (Republic of Moldova) said that there were insufficient financial resources to establish a special juvenile justice system. However, every prosecutor's office in the country had one or two specially trained prosecutors who were assigned to cases involving minors. In addition, judges attended seminars and courses offered by the National Institute of Justice that were designed to prepare them to deal with such cases. Special facilities were available at courts and in prosecutors' offices for the audio or video recording of interviews with minors under the age of 14 in cases involving violence or sexual offences. Specialists with legal or psychological training were permitted to attend such interviews but there was no legal requirement for them to do so. The Ministry of Justice had set up a working group to look into the possibility of extending those arrangements to apply to all interviews of persons under 18 years of age as a matter of priority, and the State had recently signed a memorandum of understanding on cooperation with an NGO which, with the assistance of UNICEF, would help provide training for interviewers in dealing with minors.

36. **Ms. Ayoubi Idrissi** said that she would like to know how long a child could be held in pretrial detention. She would also appreciate the delegation's comments on reports that children could be placed in solitary confinement as a disciplinary measure and that minors could be held in the same detention facilities as adults.

*The meeting was suspended at 11.30 a.m. and resumed at 11.55 a.m.*

37. **Ms. Buzatu** (Republic of Moldova) said that, under the Code of Criminal Procedure, court proceedings in which the accused was a minor were fast-tracked, with a six-month time frame. Since 2009 the number of children brought before the court had been reduced,

and children were now placed in pretrial detention only in cases involving serious or very serious crimes. Under the Sentence Enforcement Code, solitary confinement was used only in extraordinary circumstances (for example, if the child's own life was threatened) and always in consultation with specialists.

38. Under the Act on the Integration of Foreign Nationals, minors who had been granted political asylum had the right to social protection and benefited from an individual integration plan covering language learning, inclusive education and health. There were no other special protection measures because all the principles enshrined in law for Moldovan children applied equally to non-Moldovan children.

39. **Ms. Dumbrăveanu** (Republic of Moldova) said that, under the Housing Act, housing could be directly assigned to people in need based on their degree of vulnerability. In the past few years, social housing had been awarded to 233 Roma.

40. **Mr. Crudu** (Republic of Moldova) said that, under the new Education Code, school attendance up to the age of 18 would finally become compulsory as from the next school year. Most children finished secondary school at 16, although the average age varied from region to region. The recent drop in the number of children graduating from secondary school had been attributable to demographic changes. Precise figures on post-secondary school choices were not yet available, but the majority of children continued with their studies, some of them in lyceums, some in specialist institutions, while others chose to seek occupational training in evening classes or to go abroad.

41. It was true that school infrastructure had fallen far short of what was needed for a time, but, with help from the World Bank, both village nurseries and schools and larger institutions with between 600 and 1,000 students were now being brought up to international standards and were being equipped with running water — for the first time in some cases — and lifts for persons with limited mobility. Between 2014 and 2016, 70 per cent of nurseries had been renovated with financial assistance from Romania, and a further batch had been upgraded in 2017. With the help of other partners, the Government was gradually equipping schools with proper sanitation facilities as well.

42. As from the next school year, school transport would meet international standards. Some 20,000 children would be ferried from villages with no schools into neighbouring villages by a fleet of 400 vehicles. Rural and ethnic minority schoolchildren received no less attention than other schoolchildren. A single standard applied across the country, along with a national curriculum, the same textbooks and a single examination system. Most instruction was in the national language, but classes were also taught in Russian, Bulgarian and other languages; Roma children could choose to attend classes given in the national language or in a minority language, which was often Russian. Courses on national minorities' history and culture were also taught.

43. Nevertheless, the shortage of teachers in remote areas presented problems. The Government was trying to avoid closing smaller schools, and a project was under way to introduce and develop district schools. The Government's aim was to spend 7 per cent of GDP on education, which was a very large proportion for a country like the Republic of Moldova. The system of per capita funding introduced in 2013 had benefited medium-sized and larger schools, but smaller schools had sometimes found themselves in a disadvantageous position. Textbooks were now free of charge and, by law, no parental contributions could be required. School meals were free of charge and subsidized by the State. In some cases, parents were still being asked to make cash contributions, but the Ministry of Education was working to identify the problems that prompted such requests. The issue could not be resolved overnight, but progress was being made.

44. Preschool was not mandatory but State education for 3-year-olds was well established, with 77 per cent of children aged 3 to 6 in preschool and a rise of 9 per cent predicted for the forthcoming school year. At the primary level, 98 per cent of 6- and 7-year-olds were in school. Moreover, 45 per cent of under-3s went to crèches, thanks in part to efforts by the Ministry of Health, Labour and Social Protection to help parents to get back to work as soon as possible.

45. **Ms. Grigoras** (Republic of Moldova) said that the inclusive education model was not used only for children with physical disabilities. The previously stated figure of 11,000 covered children with mental and intellectual disabilities as well. All the beneficiaries of an inclusive education had an individual education plan and would receive a special certificate permitting them to go on to higher levels of education or vocational training.

46. Hearing-impaired and visually impaired children who were still in the older programmes or special schools were now being served by a new national programme that made use of specialized technology. A needs assessment had been conducted for all deaf and hearing-impaired children in special schools and in the community, and the Ministry of Education and the Ministry of Health were working to develop special programmes for those children in mainstream schools. Those who had been in the older system for a very long time would be able to attend a new national resource centre in Chişinău. A consulting company had been engaged to develop a curriculum and begin training trainers. Programmes for the visually impaired would be developed once the programmes for the deaf had been put in place. Community services were being reorganized to support and cater for the limited number of children aged under 3 with severe disabilities. Alternative care arrangements, such as specialized foster care, were being developed for those whose disability made it impossible for them to live at home.

47. Forced sterilization and forced psychiatric treatment were prohibited in the Republic of Moldova. Efforts were being made to develop community mental health services throughout the country, as the number of places and the length of stay in psychiatric hospitals were being reduced. The aim was to provide links to social services and local support networks in order to ensure proper care for those with mental health problems.

48. **Ms. Zatic** (Republic of Moldova) said that a national programme on nutrition had been launched in 2014. As part of its efforts in that connection, the Government had developed a plan of action to promote breastfeeding. That plan provided for the provision of special training for medical staff, along with a public information campaign, and had achieved positive results: in 2016, more than 80 per cent of babies aged up to six months were being breastfed, and improvements in the breastfeeding rate had been observed in rural areas.

49. In 2016, the Government had introduced an immunization strategy and a calendar for mandatory vaccinations. Although the vaccination programme had yielded positive results, concerns had been raised about a recent drop in uptake owing to anti-vaccination propaganda. In order to address the problem, a campaign to raise awareness about the importance of vaccination had been implemented in cooperation with UNICEF. Vaccines were funded by the State and purchased at a below-market price through a UNICEF platform with the support of the Global Alliance for Vaccines and Immunization (GAVI).

50. In order to improve hygiene and sanitation in educational establishments, the Government had established sanitation standards for early childhood education institutions, implemented outreach campaigns and provided training to school staff. Local education authorities were responsible for ensuring compliance with such standards.

51. The national programme on HIV and AIDS included awareness-raising campaigns and measures to prevent HIV infection that were being implemented in cooperation with NGOs. All measures relating to HIV/AIDS had set implementation time frames that were monitored by the Government. A system had also been introduced to register data on HIV infection. The vast majority of the 131 children living with HIV in the country had contracted the virus through mother-to-child transmission. Antiretroviral therapy was provided to all persons infected with HIV.

52. In order to combat alcohol, tobacco and drug abuse among young people, the Government had established special youth-friendly health centres that sought to raise awareness among young people and prevent abuse. NGOs were also involved in efforts to combat substance abuse. Prevention measures included campaigns targeting families and teachers that were aimed at promoting a healthy lifestyle. The Government had also introduced a ban on tobacco advertising and the sale of tobacco products to young people. Moreover, it had ratified the World Health Organization (WHO) Framework Convention on Tobacco Control and was in the process of implementing all the associated

recommendations. Drug users had access to treatment at rehabilitation centres in all regions of the country.

53. **Ms. Grigoras** (Republic of Moldova) said that measures had been taken to involve children in the formulation of environmental policies. As part of its child protection strategy, the Government planned to mainstream children's rights in all policy areas. An evaluation of the Government's programme on means-tested social aid had been carried out in 2016, and the recently published preliminary results indicated that its impact had been positive, especially for households with children. Under the programme, rural and urban households were treated equally. Nevertheless, the majority of beneficiaries were from rural areas, as a greater number of rural households met the criteria for social aid. The Government was currently developing an initiative for harmonizing all child-related benefits and aligning them with the real cost of living.

54. The draft strategy on cooperation with civil society organizations, regarding which the Committee had raised certain concerns, had been withdrawn. An alternative strategy would be introduced in the near future.

55. In answer to a question posed earlier, she could assure the Committee that the Government was indeed in the process of carrying out a review of the justice system in cooperation with experts from the Council of Europe. Unfortunately, no information was available on the involvement of children from the Republic of Moldova in the conflict taking place in the Syrian Arab Republic. On the issue of how budgetary expenditures on children's services compared with spending on services for the elderly, it was important to note that pensions were funded from a separate budget line. The Government was in the process of overhauling its social services funding system and, as part of that process, the budget for children's services, which currently represented 40 per cent of total social services expenditure versus 60 per cent for services for adults and the elderly, was expected to increase.

56. **Mr. Țăruș** (Republic of Moldova) said that the Ombudsperson for the Protection of Children's Rights was authorized to examine individual complaints and, under certain circumstances, bring cases before the courts. The Ombudsperson's Office adhered to the principles relating to the status of national institutions for the promotion and protection of human rights (the Paris Principles), and an assessment of that office was currently being conducted with a view to achieving A status accreditation.

57. Unfortunately, no new information was available with regard to the Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict, but the diplomatic mission of the Republic of Moldova would be submitting a report to the Committee later that day concerning the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

58. **Ms. Dumbrăveanu** (Republic of Moldova) said that legislation had been adopted in 2016 on the rehabilitation of victims of human trafficking that placed priority on aiding child victims. The Government had adopted a model framework for the operation of victim counselling centres at the regional level, which were funded out of the national budget. Crisis centres had also been established for children at risk. The number of convictions in child trafficking cases had been on the rise in recent years.

59. **Mr. Țăruș** (Republic of Moldova) said that the Department for Social Assistance and Family Protection of the Ministry of Labour, Social Protection and the Family provided training to professionals in the field of child protection, and additional training curricula were currently under development. It was proving to be a challenge to secure sufficient financial resources for the programmes, which had previously been funded with support from international donors and NGOs.

60. **The Chair** said that members of the Committee could submit any remaining questions in writing to the mission of the Republic of Moldova. The State party would then have 48 hours to respond. Outstanding issues included: the prosecution of cases involving the torture of minors in prison; the situation of children whose parents were deprived of their liberty; the causes of the existing absenteeism and school dropout rates; the number of children in conflict with the law being held in pretrial detention and the length of their

detention; and the situation of asylum-seeking and refugee children, including child migrants in an irregular situation who had been allowed to remain in the country.

61. **Ms. Khazova** (Country Rapporteur) said that she had appreciated the constructive dialogue with the State party and encouraged the Government to take the Committee's concluding observations into account in its policies and strategies and to disseminate them to all relevant stakeholders, including children. Although there was certainly scope for further progress, it was clear that the Government was working to improve the situation of children and to address the vitally important issue of children's participation.

62. **Ms. Grigoras** (Republic of Moldova) thanked the Committee and said that its concluding observations would provide useful guidance for further efforts to improve the lives of children in the Republic of Moldova.

63. **The Chair** thanked the delegation for its participation in such an open and constructive dialogue.

*The meeting rose at 1 p.m.*