



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

Distr.: General
10 October 2013

English only

**Committee on the Elimination of Discrimination
against Women
Fifty-sixth session**

Summary record (partial)* of the 1160th meeting

Held at the Palais des Nations, Geneva, on Tuesday, 1 October 2013, at 3 p.m.

Chairperson: Ms. Ameline

Contents

Consideration of reports submitted by States parties under article 18 of the Convention
(*continued*)

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

* No summary record was prepared for the rest of the meeting.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Editing Unit, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

The meeting was called to order at 3 p.m.

Consideration of reports submitted by States parties under article 18 of the Convention *(continued)*

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

1. *At the invitation of the Chairperson, the delegation of the Republic of Moldova took places at the Committee table.*

Articles 7 to 9

2. **Ms. Haidar** wished to know why the two proposed amendments to the law currently before the parliament that would require a minimum quota of 30 per cent for women in party candidate lists and 40 per cent in decision-making positions were still pending. What was holding up their adoption? Did the parliament have a timetable for a vote on the amendments and were they likely to be carried?

3. **Ms. Schulz** expressed her concern that the proposed minimum quota for women in party candidate lists would not ensure that a proportionate number of women actually sat in the parliament. She asked how the quota would help women to gain a fair share of seats.

4. **Mr. Sainciuc** (Republic of Moldova) said that amendments to the law such as the two that had been mentioned required careful consideration, a review of the best practices in other countries and broad public consultation, including with NGOs, civil society and international partners. The efforts to push through the amendments had failed to date and the amendments had had to be sent back for further modification. He trusted that the necessary improvements could be made so that the amendments would be accepted. If the Election Code were to be amended to include a minimum quota for women in party candidate lists, then a duly proportionate number of women from the elected parties would be members of parliament. In addition, the Central Election Commission had proposed amending the law to provide for additional interest-free loans to parties that met the quotas for women in candidate lists.

Articles 10 to 14

5. Turning to the issue of the State pension age, he said that, by law, civil servants were eligible to receive an old-age pension four years earlier than workers in the private sector. The age for those workers was 62 years for men and 57 years for women. Civil servants who had reached the pension age could also extend their employment contracts for up to three years if they so wished.

6. The Labour Code had been amended in 2012 to allow for the termination of the contracts of pension-age teachers, many of whom continued to work for years after their retirement, to make way for young unemployed colleagues. Such termination was not mandatory, however. Contracts were generally not terminated in settlements where there was a shortage of teachers. In the event of a termination of contract, the pension-age teachers were entitled to enter into a new contract that could be subsequently renewed. For other categories of workers, there were no criteria for terminating the employment contracts on reaching pension age.

7. **Ms. Zou** Xiaojiao said that the State party should provide data broken down by sex, ethnicity and other relevant factors in its next report. There was no specific information in the report under consideration on girls' education or women with disabilities, for example. Although the enrolment rate of women in higher education had increased, disciplines such as education, health care and the arts remained the province of female students and the

sciences the province of their male counterparts. She asked what policies had been adopted by the Government, including temporary special measures, to help more women to take up fields of study traditionally reserved for men and eliminate any obstacles that young women might face which stood in the way of doing so. She would appreciate any available gender-disaggregated data on pupils who did not complete their compulsory education. Had any surveys or studies been carried out as to the reasons for their giving up their education? What measures had been taken by the Government to get dropouts back in school? Lastly, there were reports of segregated Roma classes and schools in rural areas. What steps were being taken by the State party to put an end to such segregation?

8. **Mr. Bruun** noted that the national programme on gender equality was doing little to address such structural problems as women's high unemployment rate and lack of access to the labour market, inadequate social security and pensions for women in rural areas and gender pay gaps. He also noted the lack of legislation making sexual harassment a specific offence. Furthermore, no remedies for victims of discrimination were provided for under the law. He wished to know how new legislation was assessed to ensure that women's rights were properly enforced. He would also appreciate further information on reports that pregnant women were often subject to employment discrimination. He failed to understand the reasons for the yawning gap in childcare leave separating men and women: six years for women and two weeks for men. Further details were needed of Government Decision No. 264, which prohibited women from performing certain hazardous or arduous work in 28 branches of the national economy. Lastly, did the State party plan to ratify the Migrant Workers Convention and the International Labour Organization (ILO) Domestic Workers Convention, 2011 (No. 189)?

9. **Ms. Bareiro-Bobadilla** expressed concern at the risk of women migrant workers' falling victim to human trafficking. Furthermore, many came into conflict with their spouses on their return, as they tended to earn more than them by working abroad, even if they often performed unskilled and low-paid work. In fact, there had been reports of an increase in domestic violence against returning migrant women, including rape.

10. **Mr. Sainciuc** (Republic of Moldova) said he wished to assure the Committee that the data collected in the Republic of Moldova were comprehensive and the methods used were in keeping with the highest international standards. All data were broken down by sex, age, region and other factors and all relevant disaggregated data were accessible on the website of the National Bureau of Statistics.

11. Turning to the issue of education and vocational training, he said that every young person had the right to choose his or her own career path, even if the choice of course of study or educational institution was often made by parents for their children. Further efforts were needed to provide for targeted education and training for young persons to better meet labour market needs. While many students in recent years had received training in such high-status professions as international relations, banking and the law, more needed to be done to motivate young persons to take up areas of study where there was an acute shortage of qualified specialists, particularly agriculture.

12. More than \$100 million were sent home every month by Moldovans working outside the country and some 40 per cent of households received such remittances. Most of that money was used to meet basic consumption and children's educational needs.

13. ILO methods were used to calculate unemployment in the Republic. The unemployment rate was 4.8 per cent for women and 7.1 per cent for men. Work tended to be found in urban areas, because there was greater foreign investment in cities. However, much of the labour force was in rural areas. Therefore, the Government was endeavouring to invest in rural areas where there were human resources to be tapped. The situation had also caused an exodus from rural areas to the cities.

14. Women comprised nearly 54 per cent of the economically inactive population. The Government had therefore taken steps to help women to start up small businesses, including the establishment of six business incubators, four of which were run by women. The incubators had led to the creation of more than 360 new jobs, half of which were held by women. A large number of women running small businesses had also benefited from loans and credit guarantees.

15. The Government had provided Moldovan nationals living abroad with incentives to invest in the domestic economy. It was working with international organizations such as the European Union and the International Organization for Migration (IOM) to address the effects of migration at home and abroad. Efforts were also under way to convince young persons educated in the Republic to remain in or return to the country, as they were a precious national resource. To date, 43 young persons had returned to work in the country, including 27 women.

16. The labour inspectorate had thus far received no complaints of discrimination on the grounds of pregnancy. Any such complaints would be thoroughly investigated, as they would violate existing labour laws. The Republic of Moldova had ratified 40 ILO conventions, including the 8 core conventions. His Government was not yet prepared to ratify the Migrant Workers Convention, as it required further consideration.

17. Although there were gender pay gaps, and women tended to engage in lower-paid occupations than men, the law upheld the principle of equal pay for work of equal value in the public and private sector. Pay levels were higher in the defence and law enforcement agencies than other public sector positions given the risks that the work entailed. Nevertheless, considerable strides were being made in recruiting more women into the defence and internal affairs departments. Lastly, it was true that very few men took advantage of childcare leave and that further efforts were needed to persuade fathers to be more closely involved in raising their children.

18. **Ms. Pascal** (Republic of Moldova) said that both men and women were entitled to take parental leave to care for their children until they reached 3 years of age. Two weeks of paid paternity leave had been introduced as an additional measure to challenge the stereotypical notion that child-rearing should be left to women. The leave was intended to prompt men to assume their responsibilities as fathers.

19. **Mr. Sainciuc** (Republic of Moldova) said that his Government had recently conducted a survey of the state of rural schools to take stock of the effects of the education reform that had been introduced nationwide. The survey had shown that school enrolment there had declined in recent years and State funding for rural schools had been cut as a result. Funding currently tended to be granted to the most successful schools, where most children were enrolled. A study had shown that the school dropout rate was higher among boys than girls.

20. **Ms. Zou** Xiaoqiao asked whether measures were in place to prohibit the segregation of Roma children in schools and classes.

21. **Ms. Bareiro-Bobadilla** asked what was being done to provide social protection for women who returned to the Republic of Moldova after having worked abroad. She also urged the State party to ratify ILO Convention No. 189.

22. **Mr. Sainciuc** (Republic of Moldova) said that agreements between the Republic of Moldova and some European Union countries entitled Moldovan nationals working legally abroad to receive a pension based on their combined length of service in both countries. In addition, Moldovans could make voluntary national social insurance contributions to build up a pension.

23. In order to generate employment, the National Employment Agency had set up a website to advertise vacancies and register job seekers. Specific support was provided to help returning Moldovans to re-enter the labour market. Furthermore, through the Ministry of Education, Moldovan nationals could receive a certificate of recognition of qualifications that they had obtained abroad. The general education system covered all children and no Roma children were segregated from other pupils. Schools did offer, however, extracurricular courses in Romani and Ukrainian in addition to the mainstream education curriculum.

24. **Ms. Schulz**, while commending the State party for the reduction in the abortion rate, noted that it remained high, including among adolescents. Abortion was used as a method of birth control, especially in the Transnistria region. She would like clarification on the current abortion policy, especially the availability of second-trimester abortions. There seemed to be a legal void when it came to such abortions, which had led to the sentencing to 20 years' imprisonment of a young pregnant Moldovan woman, known as Z, who had served a 5-year prison term before being released. Had the State party assessed the risk that access to abortion might be restricted if the grounds for performing an abortion were narrowly interpreted, which could very well happen in view of pressure exerted by the Orthodox Church?

25. Did the State party plan to cover abortion and contraceptive services, fully or partly, under the budget for national health services? What proportion of sexual and reproductive health expenses was covered by external donors and by the State budget? Would the State party provide statistical data on the abortion methods used in medical institutions, i.e. dilation and curettage, manual vacuum aspiration and medical abortion? Did the Government envisage introducing sex education and counselling to adolescents? What did the Government plan to do to address the serious problem of inadequate health care and lack of access to services for poor and rural women? Lastly, she requested details of the informal fees that were reportedly being paid for otherwise free health services.

26. **Ms. Zou Xiaojiao** said that the report contained insufficient information on rural women. Could the State party provide information on the proportion of women employed, broken down by industry sector? How did rural women participate in rural planning and development strategies? How many women benefited from the Land Re-parcelling Project? What measures did the Government take to ensure that property rights were not violated? In addition, she expressed concern at the lack of gender-disaggregated statistics on land rights and landownership and requested the State party to provide information on the progress of the draft land code, including whether it included provisions to protect women's right to land. Were specific policies in place to ensure that rural women had the same access to credit and bank loans as other women and men? She would appreciate details of any microcredit programmes for women. Lastly, what had the Government done to ensure that rural women were protected against violence? Did they have access to shelters and legal services?

27. **Mr. Turcanu** (Republic of Moldova) said that over the previous decade the national health system had been overhauled and that all vulnerable population groups were covered by mandatory health insurance. National health legislation had been developed with the support and expertise of international organizations, including the World Health Organization, and the Global Fund to Fight AIDS, Tuberculosis and Malaria had provided support in the fight against HIV/AIDS, particularly in Transnistria. The obstetrics services of the Republic of Moldova had undergone considerable reform in recent years with the support of international donors. Family planning centres had been set up throughout the country and extensive training in reproductive health had been provided. Outpatient abortion services were available and offered women a full range of abortion methods. In addition, special health centres offering paediatric care, reproductive health counselling,

psychological support and other services, had been set up for children from deprived backgrounds, including children with a parent performing migrant work abroad, with assistance from the Swiss Agency for Development and Cooperation. Women had access to outpatient abortion procedures, including the use of medical, vacuum and dilation and curettage methods of performing abortion. All Moldovans, including the Roma population, had equal and full access to contraceptive services. As a result of the aforementioned initiatives, there had been a decline in the rate of abortion and in child mortality. The health budget was covered primarily by donors; however State funds in that area were steadily increasing.

28. The Government was addressing the issue of low salaries and the corruption associated with them in the health sector. Poor working conditions had also resulted in the flight of many doctors and teachers from the Republic Moldova and reforms were being introduced to encourage those professionals to return to the country. Furthermore, incentives and additional social benefits were offered to teachers and doctors who chose to work for a certain period of time in a rural area.

29. **Ms. Pascal** (Republic of Moldova) said that the legislation on domestic violence provided protection for women from both urban and rural areas. Multidisciplinary teams that included social workers and medical professionals operated at the local, regional and national level and offered victims of violence and trafficking various forms of assistance. The State ran a number of regional women's shelters to protect rural women in particular, including a centre in Transnistria. Emergency legal assistance was available to all women at the local level. In addition, in order to guarantee access to legal services for rural women, a paralegal network had been created at the national level. The network included lawyers, social workers and community leaders. The people in the network attended seminars and received training in domestic violence issues.

30. **Mr. Sainciuc** (Republic of Moldova) said that the Government had recently carried out a general survey of the agricultural sector, which had shown that over a third of the more than 900,000 farms in the country were run by women. However, the overwhelming majority of corporate agricultural enterprises were headed by men. Women faced no discrimination in gaining access to credit and the share of rural women producers who received loans was nearly the same as their male counterparts.

31. **Ms. Schulz** asked the delegation to confirm whether abortion and contraception was provided free of charge under the national health system or whether women must bear the costs. She wished to know how the State party intended to assess the impact of the latest amendments to national abortion legislation and whether it had considered the risk that the grounds on which abortion was permitted could be interpreted in such a narrow manner as to curtail women's access to abortions. Lastly, she asked what steps the State party intended to take to reduce its reliance on external funding for health care, particularly in the area of sexual and reproductive health.

32. **Mr. Turcanu** (Republic of Moldova) said that all persons in the Republic of Moldova must hold medical health insurance. Medical insurance providers would reimburse the costs of an abortion for women with medical indications but, in all other cases, the woman concerned must pay the full cost of the procedure, which often took place on an outpatient basis.

33. **Ms. Hayashi** asked the delegation to provide further information on the property rights of women in de facto unions upon the death of their partner and how such inheritance rights were guaranteed in practice. She also wished to know what measures the State party had taken to ensure that women without the necessary financial means could access free legal aid to obtain a divorce, in line with general recommendation No. 29 on the economic consequences of marriage, family relations and their dissolution. She also sought additional

information regarding the reported increases in the number of extramarital births and the measures taken to guarantee the rights of children born out of wedlock and their mothers.

34. **Ms. Halperin-Kaddari**, noting the prevalence of child marriage in the Roma community, asked what steps had been taken to prevent underage, forced and unregistered marriages and to provide remedies for child brides. She also wished to know what efforts had been made to ensure that all persons, including the Roma community, complied with the relevant national legislation. Turning to the issue of de facto unions, she asked whether the State party recognized the status and economic rights of women in long-standing civil partnerships. Lastly, she expressed concern at local legal provisions in the Transnistrian region which discriminated, inter alia, against single mothers and wished to know whether any steps had been taken to bring such regional provisions into line with national legislation.

35. **Mr. Sainciuc** (Republic of Moldova) said that all citizens were required to observe the national law, including the Roma community. Underage marriage was a criminal offence and any person found guilty of such an offence would be punished. He was unaware of any cases involving forced marriage. The State party's focus lay in reducing the country's high divorce rate. Turning to the issue of social assistance, he said that the Government had established a social assistance system in 2008 to take into account family income, which had proved extremely effective at channelling public funds to the families most at risk. There was no distinction drawn between married or cohabitating couples when it came to allocating social assistance and any socially vulnerable family was eligible to receive support, regardless of civil status.

36. **Mr. Podarilov** (Republic of Moldova) said that, in the event of divorce or the dissolution of a partnership, national legislation provided for an equal division of property between the couples, including couples in de facto unions. Women were entitled to free legal aid during divorce or separation proceedings if they were in a socially vulnerable position and in cases of domestic violence.

37. **Ms. Pascal** (Republic of Moldova) said that the Government had implemented specific measures to protect single parent families, and single mothers had the same rights to social assistance as married women or women in de facto unions. Mothers who had separated from or divorced their partners were eligible to receive child support payments for each of their children, up to the age of 18, and the Government had recently held consultations on whether to extend such payments up to the age of 23.

38. **Ms. Halperin-Kaddari** asked whether any enforcement measures were in place to secure child support payments from non-resident fathers and, in the event of fathers' defaulting on their payments, whether single mothers were eligible for social assistance of equal value.

39. **Ms. Leinarte** asked why the State party had decided to abolish sexual education in secondary schools and whether there were any plans to reintroduce such classes, particularly in the Transnistrian region, where the abortion rate remained worryingly high.

40. **Mr. Podarilov** (Republic of Moldova) said that non-payment of child support was a criminal offence and subject to penalties. Men and women had equal ownership rights to property and equal inheritance rights. On divorce or dissolution of a civil partnership, women with dependant children often enjoyed more rights than men, as they were usually given custody of their children, who shared in any inherited property.

41. **Mr. Sainciuc** (Republic of Moldova) said that in the event of the courts' failing to resolve child support payment issues, the State provided assistance to those families whose incomes fell below the national minimum wage. Sexual education classes were provided for younger pupils as part of the civics curriculum and focused on topics such as respect for

others, relationships and gender equality. A textbook on life skills had also been prepared for use as part of such courses.

42. **The Chairperson** thanked the members of the delegation for their participation in the constructive dialogue.

43. **Mr. Sainciuc** (Republic of Moldova) thanked the Committee for their valuable comments and said that the State party would provide additional written replies to address the Committee's remaining concerns.

The discussion covered in the summary record ended at 4.50 p.m.